

02-326-CD
GE CAPITAL MORTGAGE SERVICES, INC. -vs- SHIRLEY A. HOWELL

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

GE CAPITAL MORTGAGE SERVICES INC.
5024 PARKWAY PLAZA BOULEVARD
BUILDING 7/F/C
CHARLOTTE, NC 28217-2407

Plaintiff
v.

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

FILED

MAR 6 2002

BLK
M. S. Blatty Kiderman
William A. Shaw
Prothonotary
P.D. \$0.00

acc. Sherry

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

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1. Plaintiff is

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5024 PARKWAY PLAZA BOULEVARD
BUILDING 7/F/C
CHARLOTTE, NC 28217-2407

2. The name(s) and last known address(es) of the Defendant(s) are:

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 3/1/99 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to IMC MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage. INSTRUMENT NO 199903426. By Assignment of Mortgage RECORDED 9/25/00 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage INSTRUMENT NO. 200014191
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 10/5/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$34,192.09
Interest	1,050.42
9/5/01 through 1/5/02 (Per Diem \$8.54)	
Attorney's Fees	1,000.00
Cumulative Late Charges 3/1/99 to 1/5/02	48.54
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$36,841.05
Escrow	
Credit	0.00
Deficit	<u>1,318.84</u>
Subtotal	<u>\$1,318.84</u>
TOTAL	\$38,159.89

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c.

9. The Temporary Stay as provided by the Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983, has terminated because either:

- (i.) Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants; or
- (ii.) Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$38,159.89, together with interest from 1/5/02 at the rate of \$8.54 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP
By: Frank S. Hallinan
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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BEGINNING at the southwestern corner of Lot No. 96 on Martin Street; thence North along line of Lot No. 96 one hundred thirty-three and six tenths (133.6) feet to Elwood Avenue; thence along Elwood Avenue West forty-eight and thirty-three one-hundredths (48.33) feet to Lot No. 98; thence South along line of Lot No. 98 one hundred twelve and three tenths (112.3) feet to Martin Street; thence East along Martin Street fifty-four and eighty-seven one-hundredths (54.87) feet to Lot No. 96 and place of beginning.

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PREMISES BEING ON: 717 MARTIN STREET

VERIFICATION

TAMMY JOHNSON hereby states that she is ASSISTANT VICE PRESIDENT of WELLS FARGO HOME MORTGAGE, INC. mortgage servicing agent for Plaintiff in this matter, that she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DATE: 5/27/02

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12195

GE CAPITAL MORTGAGE SERVICES INC.

02-326-CD

VS.

HOWELL, SHIRLEY A.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

**NOW APRIL 3, 2002 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN
THE WITHIN COMPLAINTs IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO
SHIRLEY A. HOWELL, DEFENDANT. NEW ADDRESS: 3135 SOUTH DINGLE DRIVE,
FLORENCE, S.C. 29505.**

Return Costs

Cost	Description
26.00	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

15th Day Of April 2002

W. H. H.

So Answers,

*Chester A. Hawkins
by Marilyn Hays*

Chester A. Hawkins

Sheriff

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
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(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

GE CAPITAL MORTGAGE SERVICES INC.
5024 PARKWAY PLAZA BOULEVARD
BUILDING 7/F/C
CHARLOTTE, NC 28217-2407

Plaintiff
v.

TERM
NO. 02-326-10

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

CLEARFIELD COUNTY

Defendant(s)

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CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
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We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

MAR 04 2002

Loan #: 0080157944

Attest,

lue
Prothonotary/
Clerk of Courts

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TERM
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Lawrence A. Pheasant
Prothonotary/
Clerk of Courts

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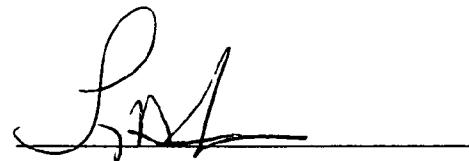
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DATE: 4/27/02

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

GE CAPITAL MORTGAGE SERVICES INC.

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

vs.

: NO. 02-326-CD

SHIRLEY A. HOWELL

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant SHIRLEY A. HOWELL is over 18 years of age and resides at 3135 SOUTH DINGLE DRIVE, FLORENCE, SC 29505.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



FRANK FEDERMAN, ESQUIRE

FILED

MAY 23 2002

William A. Shaw
Prothonotary

FILED
MAY 23 2002
ECC

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

GE CAPITAL MORTGAGE SERVICES INC. : CLEARFIELD COUNTY
5024 PARKWAY PLAZA BOULEVARD, : COURT OF COMMON PLEAS
BUILDING 7/F/C : CIVIL DIVISION
CHARLOTTE, NC 28217-2407
vs.
SHIRLEY A. HOWELL : NO. 02-326-CD
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

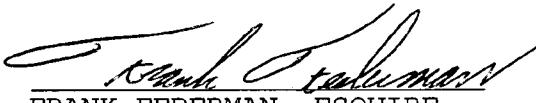
**PRAECIPE FOR JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against SHIRLEY A. HOWELL, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

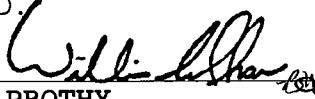
As set forth in Complaint	\$38,159.89
Interest - 1/5/02 TO 5/21/02	<u>\$ 1,169.98</u>
TOTAL	\$39,329.87

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5/23/02


PRO PROTHY

grh

FILED

MAY 23 2002

William A. Shaw
Prothonotary

1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

GE CAPITAL MORTGAGE SERVICES, : COURT OF COMMON PLEAS
INC.

Plaintiff : CIVIL DIVISION

vs. : CLEARFIELD COUNTY

SHIRLEY A. HOWELL : NO. 02-326-00

Defendant(s)

TO: SHIRLEY A. HOWELL
1109 WILLOW DRIVE
CLEARFIELD, PA 16830

DATE OF NOTICE: MAY 8, 2002

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

You are in default because you have failed enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a Judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman

Frank Federman, Esquire
Attorney for Plaintiff

Identification No. 12248
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

GE CAPITAL MORTGAGE SERVICES, : COURT OF COMMON PLEAS
INC.

Plaintiff : CIVIL DIVISION

vs. : CLEARFIELD COUNTY

SHIRLEY A. HOWELL : NO. 02-326-00

Defendant(s)

TO: SHIRLEY A. HOWELL
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

DATE OF NOTICE: MAY 8, 2002

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CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman
Frank Federman, Esquire
Attorney for Plaintiff

Identification No. 12248
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

GE CAPITAL MORTGAGE SERVICES, : COURT OF COMMON PLEAS
INC.

Plaintiff : CIVIL DIVISION

vs. : CLEARFIELD COUNTY

SHIRLEY A. HOWELL : NO. 02-326-00

Defendant (s)

TO: SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

DATE OF NOTICE: MAY 8, 2002

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman

Frank Federman, Esquire
Attorney for Plaintiff

FILED

Atty pd.
20.00

11:15 AM
MAY 23 2002

1 cc w/ Notice to Def.

William A. Shaw
Prothonotary
Statement to Atty
1 cc Atty
GJ

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

COPY

GE CAPITAL MORTGAGE SERVICES INC.

)

) NO. 02-326-CD

Plaintiff

vs.

SHIRLEY A. HOWELL

)

)

Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on May 23, 2002.

By: Willie L. Sharpe

DEPUTY

If you have any questions concerning this matter, please contact:

FRANK FEDERMAN, ESQUIRE

Attorney for Party Filing
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

GE Capital Mortgage Services, Inc.
Plaintiff(s)

No.: 2002-00326-CD

Real Debt: \$39,329.87

Atty's Comm:

Vs. Costs: \$

Int. From:

Shirley A. Howell
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 23, 2002

Expires: May 23, 2007

Certified from the record this 23rd day of May, 2002.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

GE CAPITAL MORTGAGE SERVICES : CLEARFIELD COUNTY
INC. :
5024 PARKWAY PLAZA BOULEVARD, : COURT OF COMMON
BUILDING 7/F/C : PLEAS
CHARLOTTE, NC 28217-2407 :
: CIVIL DIVISION
:

Plaintiff : NO. 02-326-CD

vs. :

SHIRLEY A. HOWELL :

3135 SOUTH DINGLE DRIVE :
FLORENCE, SC 29505 :

Defendant(s) :

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$ 39,329.87

Interest from \$ _____ and Costs
5/22/02 (sale date)
(per diem - \$6.47)



FRANK FEDERMAN, ESQUIRE
ONE PENN CENTER AT SUBURBAN STATION
SUITE 1400
PHILADELPHIA, PA 19103
Attorney for Plaintiff

Note: Please attach description of property.

FILED

MAY 23 2002

William A. Shaw
Prothonotary

No. 02-326-CD Term
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

GE CAPITAL MORTGAGE SERVICES INC.

vs.

SHIRLEY A. HOWELL

PRAECLPTE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff

Address:

3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

Where papers may be served.

ALL THAT CERTAIN lot or piece of ground situated in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, being known as Lot No. 97 in the McBride Addition to the said Borough of Clearfield, bounded and described as follows:

BEGINNING at the Southwestern corner of Lot No. 96 on Martin Street; thence North along line of Lot No. 96 one-hundred thirty-three and six tenths (133.6) feet to Elwood Avenue; thence along Elwood Avenue West forty-eight and thirty-three one-hundredths (48.33) feet to Lot No. 98; thence South along line of Lot No. 98 one-hundred twelve and three tenths (112.3) feet to Martin Street; thence East along Martin Street fifty-four and eighty-seven one-hundredths (54.87) feet to Lot No. 96 and place of beginning.

MAP #4-3-K8-211-15

TITLE TO SAID PREMISES IS VESTED IN Shirley A. Howell, widow by Deed from Shirley A. Howell, individually and as Executrix of the Estate of Nace A. Howell, deceased, dated 4/29/1998 and recorded 5/4/1998 in Record Book 1929, Page 140.

FILED

1cc shf

11:57 AM
MAY 23 2002

Att'y of. 20.00

le wnts to shf

William A. Shaw
Prothonotary

QF

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)
P.R.C.P. 3180 TO 3183 AND Rule 3257

GE CAPITAL MORTGAGE SERVICES : CLEARFIELD COUNTY
INC. :
5024 PARKWAY PLAZA BOULEVARD, : COURT OF COMMON
BUILDING 7/F/C : PLEAS
CHARLOTTE, NC 28217-2407 :
Plaintiff : CIVIL DIVISION
vs. : NO. 02-326-CD
: :
SHIRLEY A. HOWELL :
3135 SOUTH DINGLE DRIVE :
FLORENCE, SC 29505 :
Defendant(s) : :

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below) :

Premises 717 MARTIN STREET, CLEARFIELD, PA 16830
(see attached legal description)

Amount Due	\$ 39,329.87
Interest from 5/22/02 (sale date) (per diem - \$6.47)	\$ _____
Total	\$ _____ Plus Costs as endorsed.
Prothonotary Costs	at \$ 166.00

Clerk
Office of Prothonotary
Common Pleas Court of
CLEARFIELD County, PA

Dated: 5/23/02
(Seal) No. 02-326-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
GE CAPITAL MORTGAGE SERVICES INC.

vs.

SHIRLEY A. HOWELL

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.



Attorney for Plaintiff

Address:

3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

Where papers may be served.

ALL THAT CERTAIN lot or piece of ground situated in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, being known as Lot No. 97 in the McBride Addition to the said Borough of Clearfield, bounded and described as follows:

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MAP #4-3-K8-211-15

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FEDERMAN and PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Suite 1400
One Penn Center at Suburban Station
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

GE CAPITAL MORTGAGE SERVICES INC.

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
vs.
: NO. 02-326-CD

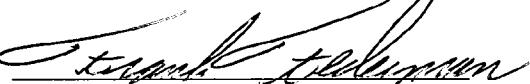
SHIRLEY A. HOWELL

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

() an FHA Mortgage
() non-owner occupied
() vacant
(x) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GE CAPITAL MORTGAGE SERVICES INC.)
Plaintiff) CIVIL DIVISION
vs.)
SHIRLEY A. HOWELL)
Defendant (s)) NO. 02-326-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

GE CAPITAL MORTGAGE SERVICES INC., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 717 MARTIN STREET, CLEARFIELD, PA 16830.

1. Name and address of owner(s) or reputed owner (s):

SHIRLEY A. HOWELL 3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

2. Name and address of defendant(s) in the judgment:

SAME AS ABOVE

3. Name and address of every judgment creditor whose judgment is a record
lien on the real property to be sold:

CD NATIONAL CITY BANK 6750 MILLER ROAD
BRECKSVILLE, OH 44141

4. Name and address of the last recorded holder of every mortgage of record:

CLEARFIELD CONSUMER DISCOUNT
COMPANY 122 E. MARKET STREET
P.O. BOX 432
CLEARFIELD, PA 16830

5. Name and address of every other person who has any record lien on the property:

NONE

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

**CLEARFIELD COUNTY DOMESTIC
RELATIONS DEPARTMENT**

CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

COMMONWEALTH OF PA
DEPT. OF WELFARE

P.O. BOX 2675
HARRISBURG, PA 17105

TENANT/OCCUPANT

717 MARTIN STREET
CLEARFIELD, PA 16830

(Attach separate sheet if more space is needed)

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. #4904 relating to unsworn falsification to authorities.

May 21, 2002
Date


FRANK FEDERMAN, ESQ.
Attorney for Plaintiff

"NOTICE PURSUANT TO RULE 3129"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GE CAPITAL MORTGAGE SERVICES INC.)
Plaintiff) CIVIL DIVISION
vs.)
SHIRLEY A. HOWELL) NO. 02-326-CD
Defendant (s))

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO: **SHIRLEY A. HOWELL**
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

Your house (real estate) at 717 MARTIN STREET, CLEARFIELD, PA 16830, is scheduled to be sold at the Sheriff's Sale or at _____ A.M. in the CLEARFIELD County Courthouse, 1 North 2nd Street, Suite 116, Clearfield, PA 16830 to enforce the court judgment of \$39,329.87 obtained by GE CAPITAL MORTGAGE SERVICES INC. (the mortgagee) against you. In the event the sale is continued, an announcement will be made at said sale in compliance with Pa.R.C.P. Rule 3129.3.

NOTICE OF OWNER'S RIGHTS

YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale, you must take immediate action:

1. The sale will be cancelled if you pay to the mortgagee the Back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, you may call:
215-563-7000
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice on page two on how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (215) 563-7000.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call (215) 563-7000.

4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.

5. You have the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At this time, the buyer may bring legal proceedings to evict you.

6. You may be entitled to a share of the money which was paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff not later than thirty (30) days after the sale. The schedule shall be kept on file with the Sheriff and will be made available for inspection in his office. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the filing of the proposed schedule.

7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

DAVID S. MEHOLICK
COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

ALL THAT CERTAIN lot or piece of ground situated in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, being known as Lot No. 97 in the McBride Addition to the said Borough of Clearfield, bounded and described as follows:

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MAP #4-3-K8-211-15

TITLE TO SAID PREMISES IS VESTED IN Shirley A. Howell, widow by Deed from Shirley A. Howell, individually and as Executrix of the Estate of Nace A. Howell, deceased, dated 4/29/1998 and recorded 5/4/1998 in Record Book 1929, Page 140.

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

GE CAPITAL MORTGAGE SERVICES INC. CLEARFIELD COUNTY

vs.

No.: 02-326-CD

SHIRLEY A. HOWELL

ORDER

AND NOW, this 19th day of July, 2002, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby ORDERED that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), SHIRLEY A. HOWELL, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

J.

FILED

JUL 22 2002

011104 12ccathy Federman
William A. Shaw
Prothonotary

BoD
BoD

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

GE CAPITAL MORTGAGE SERVICES INC. CLEARFIELD COUNTY

vs. No.: 02-326-CD

SHIRLEY A. HOWELL

**MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Frank Federman, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."
2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the result there from is attached hereto as Exhibit "B."

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

JUL 19 2002
M 111291000
William A. Shaw
Prothonotary

AFFIDAVIT OF SERVICE

PLAINTIFF **GE CAPITAL MORTGAGE SERVICES INC.** CLEARFIELD COUNTY
DEFENDANT(S) **SHIRLEY A. HOWELL** No. 02-326-CD
SERVE AT **1109 WILLOW DRIVE** Type of Action
CLEARFIELD, PA 16830 - Notice of Sheriff's Sale
Sale Date:

SERVED

Served and made known to _____, Defendant, on the _____ day of _____, 200____, at _____, o'clock _____.m., at _____, Commonwealth of Pennsylvania, in the manner described below:

____ Defendant personally served.
____ Adult family member with whom Defendant(s) reside(s). Relationship is _____.
____ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
____ Agent or person in charge of Defendant(s)'s office or usual place of business.
____ an officer of said Defendant(s)'s company.
____ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the **Notice of Sheriff's Sale** in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: _____ By: _____

EXHIBITA
RUSH

NOT SERVED

On the 29 day of June, 2002, at 4:07 o'clock P.m., Defendant NOT FOUND because:

Moved _____ Unknown _____ No Answer _____ Vacant _____

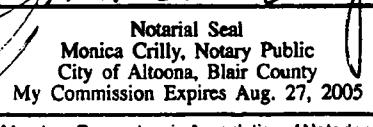
Other: She moved to South Carolina.

Sworn to and subscribed
before me this 15 day
of July, 2002.
Notary: _____

Loan # 0080157944

Attorney for Plaintiff

Frank Federman, Esquire - I.D. No. 12248
One Penn Center at Suburban Station- Suite 1400
Philadelphia, PA 19103
(215) 563-7000



RUSH

AFFIDAVIT OF SERVICE

PLAINTIFF **GE CAPITAL MORTGAGE SERVICES INC.** CLEARFIELD COUNTY
DEFENDANT(S) **SHIRLEY A. HOWELL** No. 02-326-CD
SERVE AT **717 MARTIN STREET**
CLEARFIELD, PA 16830

Type of Action
- Notice of Sheriff's Sale

Sale Date:

SERVED

Served and made known to _____, Defendant, on the _____ day of _____, 200____,
at _____, o'clock ___.m., at _____, Commonwealth of Pennsylvania, in the
manner described below:

____ Defendant personally served.
____ Adult family member with whom Defendant(s) reside(s). Relationship is _____.
____ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
____ Agent or person in charge of Defendant(s)'s office or usual place of business.
____ an officer of said Defendant(s)'s company.
____ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, _____, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: By: _____

RUSH

EXHIBIT A

On the 29 day of June, 2002, at 3:29 o'clock P.m., Defendant **NOT FOUND** because:

Moved Unknown No Answer Vacant

Other:

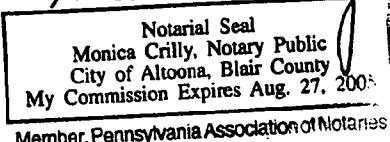
Sworn to and subscribed
before me this 15 day
of July, 2002.

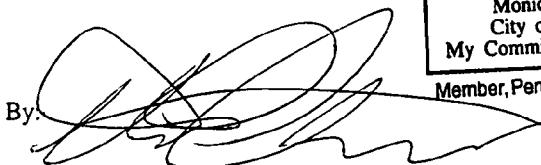
Notary:

Loan # 0080157944

Attorney for Plaintiff

Frank Federman, Esquire - I.D. No. 12248
One Penn Center at Suburban Station- Suite 1400
Philadelphia, PA 19103
(215) 563-7000



By: 

RUSH

MNP

DEFAULT EXPRESS SERVICES, INC. **AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 02-4908

Attorney Firm: **Federman & Phelan**

Subject: **Shirley A. Howell**

Current Address: 3135 South Dingle Drive Florence, SC 29505

Property Address: 717 Martin Street Clearfield, PA 16830

Mailing Address: 3135 South Dingle Drive Florence, SC 29505

I Steven M. Ruffo, being duly sworn according to the law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Shirley A. Howell - 209-32-3178

B. EMPLOYMENT SEARCH

Shirley A. Howell - Unknown

C. INQUIRY OF CREDITORS

The creditors indicate that Shirley A. Howell resides(s) at: 3135 South Dingle Drive Florence, SC 29505

EXHIBIT B

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECORTY ASSISTANCE SEARCH

Indicated that Shirley A. Howell reside(s) at: 3135 South Dingle Drive Florence, SC 29505 - Non - Published

III. INQUIRY OF NEIGHBORS

Ed. Kole 3139 South Dingle Drive Florence, SC 29505 and he verified that Shirley A. Howell reside(s) at: 3135 South Dingle Drive Florence, SC 29505

IV. INQUIRY OF POST OFFICE

A. NATIONAL ADDRESS UPDATE

Shirley A. Howell - 3135 South Dingle Drive Florence, SC 29505

V. MOTOR VEHICLE REGISTRATION

A. MOTOR VEHICLE & DMV OFFICE

Per the South Carolina Department of Motor Vehicle Shirley A. Howell reside(s) at: 3135 South Dingle Drive Florence, SC 29505

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of June 1, 2002 Vital Records has no death record on file for Shirley A. Howell.

B. PUBLIC LICENSES (PILOT, REAL ESTATE, ETC.)

None

C. COUNTY VOTER REGISTRATION

The Clearfield Cnty voter reg has registration for Shirley A. Howell residing at: 3135 South Dingle Drive Florence, SC 29505

D. INTERNET

All accessible public database have been checked and cross-referenced for The above named individual(s).

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Shirley A. Howell - YOB - 1942

B. A.K.A

None

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

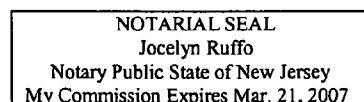


AFFIANT Steven M. Ruffo

Default Express Services, Inc. President

EXHIBIT B

Sworn to and subscribed before me this 16 day of July 2002



NOTARY PUBLIC

DEFAULT EXPRESS SERVICES, INC.
43 WILSON DRIVE
SICKLERVILLE, NJ 08081
PHONE: (856) 740-5027
DEFAULTEXPRESS@COMCAST.NET

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

GE CAPITAL MORTGAGE SERVICES INC.

vs.

SHIRLEY A. HOWELL

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

No.: 02-326-CD

MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant and the reasons why service cannot be made.

Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address." Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the

whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

WHEREFORE, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:



FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


Frank Federman
FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

GE CAPITAL MORTGAGE SERVICES INC. CLEARFIELD COUNTY

vs. No.: 02-326-CD

SHIRLEY A. HOWELL

CERTIFICATION OF SERVICE

I, FRANK FEDERMAN, ESQUIRE, hereby certify that a copy of the Motion for Service
Pursuant to Special Order of Court has been sent to the individuals indicated below on
July 18, 2002.

SHIRLEY A. HOWELL
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Date: July 18, 2002

02-326-CD

AFFIDAVIT OF SERVICE

PLAINTIFF

GE CAPITAL MORTGAGE SERVICES INC.

ALLEGHENY COUNTY

No. GD 02-326-CD

DEFENDANT (S)

SHIRLEY A. HOWELL

Type of Action

- Notice of Sheriff's Sale

SERVE AT

717 MARTIN STREET
CLEARFIELD, PA 16830

Sale Date: OCTOBER 4, 2002

→ **Please post the Property with the Notice of Sale**

SERVED

Served and made known to Shirley A. Howell, Defendant, on the 8th day

of Aug, 2002 at 940, o'clock A.m., at 70 Martin St,
Clearfield, PA 16830

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is Yellow

Adult in charge of Defendant(s)'s residence who refused to give name or relationship Brick

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant(s)'s office or usual place of business.

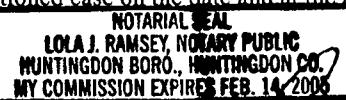
an officer of said Defendant(s)'s company.

Other: Postage on Residence but Brought him

Description: Age 51 Height 5'4 Weight 14 Race White Sex Female Other

I, Centis Federman, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 10th day
of August, 2002
Notary



By: Centis Federman

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200____, at _____ o'clock _____.m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other:

1st attempt _____, 2nd attempt _____, 3rd attempt _____
Date & Time _____ Date & Time _____

Date & Time _____

Sworn to and subscribed
before me this _____ day
of _____, 200 _____.
Notary:

By:

Loan #0080157944

Attorney for Plaintiff

Frank Federman, Esquire - I.D. No. 12248
One Penn Center at Suburban Station- Suite 1400
Philadelphia, PA 19103
(215) 563-7000

FILED

SEP 23 2002

William A. Shaw
Prothonotary

7 (2)



FILED
m 1:30 PM
SEP 23 2002

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN
IDENTIFICATION NO. 12248
SUITE 1400 - ONE PENN CENTER
PHILADELPHIA, PA 19103
215) 563-7000

ATTORNEY FOR PLAINTIFF

GE CAPITAL MORTGAGE SERVICES INC.
vs.

SHIRLEY A. HOWELL

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

NO. 02-326-CD

VERIFICATION

I hereby certify that a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to the following person(s) SHIRLEY A. HOWELL on JULY 31, 2002 at 717 MARTIN STREET, CLEARFIELD, PA 16830, in accordance with the Order of Court dated, JULY 19, 2002.

The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. §4904 relating to unsworn falsification to authorities.



FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

DATE: September 18, 2002

FILED

SEP 23 2002

**William A. Shaw
Prothonotary**

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

GE CAPITAL MORTGAGE SERVICES INC. CLEARFIELD COUNTY

vs. No.: 02-326-CD

SHIRLEY A. HOWELL

ORDER

AND NOW, this 19th day of July, 2002, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby ORDERED that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), SHIRLEY A. HOWELL, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

J.

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

JUL 22 2002

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

7160 3901 9844 9258 9360

TO: SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

SENDER: TEAM2 MNP
REFERENCE: HOWELL

PS Form 3800, June 2000	
RETURN	Postage
RECEIPT	37
SERVICE	2.30
	1.75
	3.50
	7.92
US Postal Service	POSTAGE & FEES

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



FILED NO
M 1.3184
BY SEP 23 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: GE CAPITAL MORTGAGE SERVICES INC.

) CIVIL ACTION

)

vs.

SHIRLEY A. HOWELL

) CIVIL DIVISION

) NO. 02-326-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD)

SS:

I, FRANK FEDERMAN, ESQUIRE attorney for GE CAPITAL MORTGAGE SERVICES INC. hereby verify that on 6/20/02 true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto. Notice of Sale was sent to the Defendant(s) on 6/20/02 by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: September 24, 2002

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

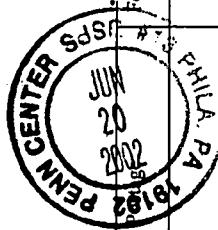
FILED

OCT 15 2002

8/1/501ws
William A. Shaw
Prothonotary
No 9/C E
KES

Name and
Address
of Sender

FEDERMAN & PHELAN
One Penn Center at Suburban, Suite 1400
Philadelphia, PA 19103



Line	Article Number	Name of Addressee, Street, and Post Office Address	Fee
1	TEAM2 *****	CLEARFIELD COUNTY DOMESTIC RELATIONS DEPARTMENT CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830	
2	*****	COMMONWEALTH OF PA DEPT. OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105	
3	*****	TENANT/OCCUPANT 717 MARTIN STREET CLEARFIELD, PA 16830	
4	*****	CD NATIONAL CITY BANK 6750 MILLER ROAD BRECKSVILLE, OH 44141	
5	*****	CLEARFIELD CONSUMER DISCOUNT COMPANY 122 E. MARKET STREET P.O. BOX 432 CLEARFIELD, PA 16830	
6	*****		
7	*****		
8	*****		
9	*****		
10	*****		
11	*****		
15		RE: HOWELL, SHIRLEY GRH	
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)

TEAM 2

PS Form 3800, June 2000		
RETURN RECEIPT SERVICE	Postage Certified Fee Return Receipt Fee Restricted Delivery	37 2.30 1.75 3.50
	Total Postage & Fees	7.92
US Postal Service Receipt for Certified Mail		
No Insurance Coverage Provided Do Not Use for International Mail		

. 4522 1988 3401-0060/88/0102-0222\$07.50

SHIRLEY A. HOWELL
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

SENDER: STEAM CRW

REFERENCE: HOWELL, SHIRLEY

REFERENCE: HOWELL

SENDER: TEAM2 MNP

717 MARTIN STREET
CLEARFIELD, PA 16830

ОДНА ВОСЬКАНЬСКАЯ ТОВАРСТВО

PS Form 3800, June 2000	
RETURN RECEIPT SERVICE	.34
Postage	.34
Certified Fee	2.10
Return Receipt Fee	1.50
Restricted Delivery	3.20
Total Postage & Fees	#13.84
US Postal Service Receipt for Certified Mail No Insurance Coverage Provided Do Not Use for International Mail	
	

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12580

GE CAPITAL MORTGAGE SERVICES INC

02-326-CD

VS.

HOWELL, SHIRLEY A.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, JUNE 14, 2002 @ 1:50 P.M. A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT SHIRLEY A. HOWELL. PROPERTY WAS ALSO POSTED THIS DATE.

A SALE DATE OF AUGUST 2, 2002 WAS SET.

NOW, JULY 18, 2002 RECEIVED A LETTER FROM ATTORNEY TO CONTINUE SALE TO AUGUST 2, 2002.

NOW, JULY 19, 2002 RECEIVED COURT ORDER FOR SERVICE OF DEFENDANT BY REGULAR AND CERTIFIED MAIL AND BY POSTING OF PREMISES.

NOW, OCTOBER 4, 2002 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, DECEMBER 9, 2002 PAID COSTS FROM ADVANCE AND MADE REFUND TO ATTORNEY OF UNUSED ADVANCE.

NOW, DECEMBER 11, 2002 RETURNED WRIT AS SALE BEING HELD AND THE PROPERTY PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, DECEMBER 11, 2002 DEED WAS FILED.

SHERIFF HAWKINS \$195.61

SURCHARGE \$20.00

PAID BY ATTORNEY

FILED
01/07/03
NO CC
DEC 11 2002
EKB

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12580

GE CAPITAL MORTGAGE SERVICES INC

02-326-CD

VS.

HOWELL, SHIRLEY A.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

Sworn to Before Me This

11th Day Of December 2002

Will Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester Hawkins
By Cynthia Bitter Aughenbaugh
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)
P.R.C.P. 3180 TO 3183 AND Rule 3257

GE CAPITAL MORTGAGE SERVICES : CLEARFIELD COUNTY
INC. :
5024 PARKWAY PLAZA BOULEVARD, : COURT OF COMMON
BUILDING 7/F/C : PLEAS
CHARLOTTE, NC 28217-2407 :
Plaintiff : CIVIL DIVISION
vs. : NO. 02-326-CD
: :
SHIRLEY A. HOWELL :
3135 SOUTH DINGLE DRIVE :
FLORENCE, SC 29505 :
Defendant(s) : :

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below) :

Premises 717 MARTIN STREET, CLEARFIELD, PA 16830
(see attached legal description)

Amount Due	\$ 39,329.87
Interest from 5/22/02 (sale date) (per diem - \$6.47)	\$ _____
Total	\$ _____
Prothonotary Costs	\$ 166.00

Willie L. Shaver

Clerk
Office of Prothonotary
Common Pleas Court of
CLEARFIELD County, PA

Dated: 5/23/02
(Seal) No. 02-326-CD Term

Received 5/23/02 @ 3:17 P.M.
Chester A. Hawkins
By Cynthia Augenbaugh

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
GE CAPITAL MORTGAGE SERVICES INC.

vs.

SHIRLEY A. HOWELL

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.



Attorney for Plaintiff

Address :

3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

Where papers may be served.

ALL THAT CERTAIN lot or piece of ground situated in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, being known as Lot No. 97 in the McBride Addition to the said Borough of Clearfield, bounded and described as follows:

BEGINNING at the Southwestern corner of Lot No. 96 on Martin Street; thence North along line of Lot No. 96 one-hundred thirty-three and six tenths (133.6) feet to Elwood Avenue; thence along Elwood Avenue West forty-eight and thirty-three one-hundredths (48.33) feet to Lot No. 98; thence South along line of Lot No. 98 one-hundred twelve and three tenths (112.3) feet to Martin Street; thence East along Martin Street fifty-four and eighty-seven one-hundredths (54.87) feet to Lot No. 96 and place of beginning.

MAP #4-3-K8-211-15

TITLE TO SAID PREMISES IS VESTED IN Shirley A. Howell, widow by Deed from Shirley A. Howell, individually and as Executrix of the Estate of Nace A. Howell, deceased, dated 4/29/1998 and recorded 5/4/1998 in Record Book 1929, Page 140.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME HOWELL NO. 02-326-CD

NOW, October 4, 2002 , by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on the 4TH day of OCTOBER 2002, I exposed the within described real estate of SHIRLEY A. HOWELL to public venue or outcry at which time and place I sold the same to GE CAPITAL MORTGAGE SERVICES INC. he/she being the highest bidder, for the sum of \$1.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	2.00
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	8.61
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	2.00
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00
TOTAL SHERIFF COSTS	195.61

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	
TOTAL DEED COSTS	28.50

DEBIT & INTEREST:

DEBT-AMOUNT DUE	39,329.87	
INTEREST FROM 5/22/02 PER DIEM @ \$6.47		
TO BE ADDED	TO SALE DATE	
TOTAL DEBT & INTEREST	39,329.87	
COSTS:		
ATTORNEY FEES		
PROTH. SATISFACTION		
ADVERTISING	276.57	
LATE CHARGES & FEES		
TAXES - collector	SCHOOL TO 12/16	NONE
TAXES - tax claim		NONE
DUE		
COST OF SUIT -TO BE ADDED		
LIEN SEARCH	100.00	
FORCLOSURE FEES/ESCROW DEFICIT		
ACKNOWLEDGEMENT	5.00	
DEED COSTS	28.50	
ATTORNEY COMMISSION		
SHERIFF COSTS	195.61	
LEGAL JOURNAL AD	153.00	
REFUND OF ADVANCE		
REFUND OF SURCHARGE		
PROTHONOTARY	166.00	
MORTGAGE SEARCH	40.00	
SATISFACTION FEE		
ESCROW DEFICIENCY		
MUNICIPAL LIEN		
TOTAL COSTS	964.68	

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

FEDERMAN AND PHELAN, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy
Suite 1400
Philadelphia, PA 19103-1814
215-563-7000
Main Fax 215-563-5534
Trinity.McDaniel@fedphe-pa.com

Trinity McDaniel
Legal Assistant, Ext. 1256

Representing Lenders in
Pennsylvania and New Jersey

July 18, 2002

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: PEGGY (814) 765-5915

Re: GE CAPITAL MORTGAGE SERVICES INC.
v. SHIRLEY A. HOWELL
No. 02-326-CD
Premises: 717 MARTIN STREET, CLEARFIELD, PA 16830

Dear Peggy:

Please postpone the Sheriff's Sale of the above referenced property, which is
scheduled for AUGUST 2, 2002

The postponement is necessary due to service.

The property is to be re-listed for the OCTOBER 4, 2002 Sheriff's Sale.

Very truly yours,


Trinity McDaniel

cc: WELLS FARGO HOME MORTGAGE
Attention:
FileNo. 0080157944

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shirely A. Howell
3135 South Dingle Drive
Florence, SC 29505

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

Agent

Addressee

D. Is delivery address different from item 1? Yes
 No

If YES, enter delivery address below:

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. A 7001 1940 0001 9405 9352

on Receipt

10255-99-N-1789

PLATE STICKER AT TOP OF ENVELOPE READING "RECEIVED BY MAIL" OR "RECEIVED BY AIR MAIL"

100-1004