

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

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

TERM

Plaintiff

v.

NO. 02-326-00

CLEARFIELD COUNTY

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

****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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. ****

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW 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

FILED

MAR 6 4 2002

mla:slatty Kiderman
William A. Shaw
Prothonotary

pd. 80.00

acc. Sherry

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

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

1. Plaintiff is

GE CAPITAL MORTGAGE SERVICES INC.
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	48.54
3/1/99 to 1/5/02	
Cost of Suit and Title Search	550.00
Subtotal	\$36,841.05
Escrow	
Credit	0.00
Deficit	1,318.84
Subtotal	\$1,318.84
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 FEDERMAN, ESQUIRE

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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.

BEING the same premises conveyed to Nace A. Howell by deed of Charles A. Wetzel and Nellie Wetzel dated April 11, 1939 and recorded in the Office for the Recorder of Deeds of Clearfield County in Volume 474, Page 18.

Nace A. Howell having died on August 7, 1997, title then became vested in Shirley A. Howell, his surviving spouse, and his children; namely, Cherryl Sanders; Edward Howell; Pamela Howell; Richard Howell; Brenda Shaffer; and Roland Howell.

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
William L. Shaw

CO
KES

So Answers,

Chester A. Hawkins
by Marlye Harper
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
PHILADELPHIA, PA 19103
(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

TERM

Plaintiff

v.

NO. 02-326-60

CLEARFIELD COUNTY

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

****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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. ****

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW 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

**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,

William D. Brown
Prothonotary/
Clerk of Courts

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

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

1. Plaintiff is

GE CAPITAL MORTGAGE SERVICES INC.
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	48.54
3/1/99 to 1/5/02	
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 FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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.

BEING the same premises conveyed to Nace A. Howell by deed of Charles A. Watzel and Nellie Watzel dated April 11, 1959 and recorded in the Office for the Recorder of Deeds of Clearfield County in Volume 474, Page 18.

Nace A. Howell having died on August 7, 1997, title then became vested in Shirley A. Howell, his surviving spouse, and his children; namely, Cherryl Sanders; Edward Howell; Pamela Howell; Richard Howell; Brenda Shaffer; and Roland Howell.

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: 6/27/02

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

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

TERM

Plaintiff

v.

NO. 02-326-00

CLEARFIELD COUNTY

SHIRLEY A. HOWELL
717 MARTIN STREET
CLEARFIELD, PA 16830

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

****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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. ****

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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 SET FORTH BELOW 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

**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.

[Signature]
Prothonotary/
Clerk of Courts

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

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

1. Plaintiff is

GE CAPITAL MORTGAGE SERVICES INC.
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	48.54
3/1/99 to 1/5/02	
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 FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

ALL that certain lot of 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.

BEING the same premises conveyed to Nace A. Howell by deed of Charles A. Watzel and Nellie Watzel dated April 11, 1959 and recorded in the Office for the Recorder of Deeds of Clearfield County in Volume 474, Page 18.

Nace A. Howell having died on August 7, 1997, title then became vested in Shirley A. Howell, his surviving spouse, and his children; namely, Cheryl Sanders; Edward Howell; Pamela Howell; Richard Howell; Brenda Shaffer; and Roland Howell.

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: 2/27/02

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

done

MAY 23 2002

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

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

vs.

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

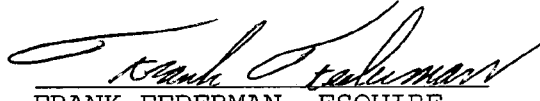
**PRAECIPE FOR JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

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,
INC.

Plaintiff

vs.

SHIRLEY A. HOWELL

Defendant(s)

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 02-326-00

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,
INC.

Plaintiff

vs.

SHIRLEY A. HOWELL

Defendant(s)

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 02-326-00

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

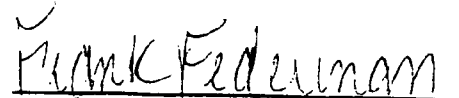
DATE OF NOTICE: MAY 8, 2002

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, 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,
INC.

Plaintiff

vs.

SHIRLEY A. HOWELL

Defendant(s)

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 02-326-00

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.

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

FILED

Atty. Gen.

20.00

MAY 23 2002

1 cc w/ Notice to Def.

William A. Shaw
Prothonotary

Statement to Atty

1 cc Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

COPY

GE CAPITAL MORTGAGE SERVICES INC.

Plaintiff

)
) NO. 02-326-CD

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

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

Plaintiff

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

PRAECIPE 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 Shff

MAY 11 1:57 PM 2002
MAY 23 2002
Attg pt. 20.00

Leontis to Shff
William A. Shaw
Prothonotary

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

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

vs.

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

Defendant(s)

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

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 \$ 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:

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.

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)	
)	NO. 02-326-CD
Defendant(s))	

AFFIDAVIT PURSUANT TO RULE 3129.1

GE CAPITAL MORTGAGE SERVICES INC., Plaintiff in the above action, sets forth as of the date the Praecipe 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):

Name	Address (if address cannot be reasonably ascertained, please so indicate)
------	--

<u>SHIRLEY A. HOWELL</u>	<u>3135 SOUTH DINGLE DRIVE</u> <u>FLORENCE, SC 29505</u>
--------------------------	---

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

Name	Address (if address cannot be reasonably ascertained, please so indicate)
------	--

SAME AS ABOVE

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

Name	Address (if address cannot be reasonably ascertained, please so indicate)
------	--

<u>CD NATIONAL CITY BANK</u>	<u>6750 MILLER ROAD</u> <u>BRECKSVILLE, OH 44141</u>
------------------------------	---

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

Name	Address (if address cannot be reasonably ascertained, please so indicate)
------	--

<u>CLEARFIELD CONSUMER DISCOUNT COMPANY</u>	<u>122 E. MARKET STREET</u> <u>P.O. BOX 432</u> <u>CLEARFIELD, PA 16830</u>
---	---

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

Name Address (if address cannot be reasonably
ascertained, please so indicate)

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:

Name Address (if address cannot be reasonably
ascertained, please so indicate)

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:

Name Address (if address cannot be reasonably
ascertained, please so indicate)

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

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:

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.

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

0111:04 12cc atty Federman
William A. Shaw
Prothonotary

Bad
Box

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

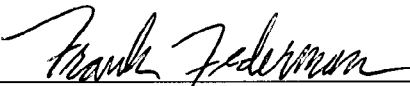
**MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT**

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/11/29/2002
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
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:

EXHIBIT A
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 1st day
of July, 2002.

Notary:

By:

Notarial Seal
Monica Crilly, Notary Public
City of Altoona, Blair County
My Commission Expires Aug. 27, 2005

Member, Pennsylvania Association of Notaries

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 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: _____

RUSH

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.

EXHIBIT A

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

Notary:

By:

NOT SERVED

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:

By:

Notarial Seal
Monica Crilly, Notary Public
City of Altoona, Blair County
My Commission Expires Aug. 27, 2005
Member, Pennsylvania Association of Notaries

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

**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. DIRECTORY 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

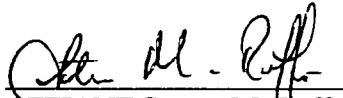
Shirley A. Howell - YOB - 1942

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.

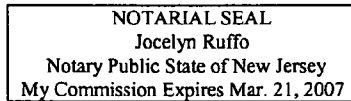


AFFIANT Steven M. Ruffo

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

GE CAPITAL MORTGAGE SERVICES INC.

No.: 02-326-CD

vs.

SHIRLEY A. HOWELL

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:

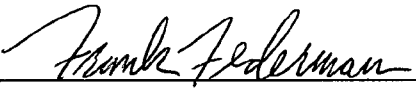
A handwritten signature in cursive script, appearing to read "Frank Federman", is written over a horizontal line.

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, 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

AFFIDAVIT OF SERVICE

02-326-02

PLAINTIFF GE CAPITAL MORTGAGE SERVICES INC.
DEFENDANT (S) SHIRLEY A. HOWELL
SERVE AT 717 MARTIN STREET
CLEARFIELD, PA 16830

ALLEGHENY COUNTY
No. GD 02-326-CD

Type of Action
- Notice of Sheriff's Sale

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 27th day

of Aug, 2002, at 940 o'clock Am., at 717 Martin St

Commonwealth of Pennsylvania, in the manner described below:

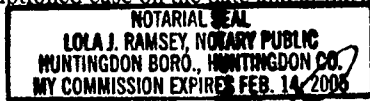
☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s). Relationship is Yellow
☐ Adult in charge of Defendant(s)'s residence who refused to give name or relationship. Brick
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s). (2) Storey
☐ Agent or person in charge of Defendant(s)'s office or usual place of business.
☐ an officer of said Defendant(s)'s company.

☒ Other: Posting on Residence but Brown them

Description: Age 51 1/2 Height 5'11" Weight 154 Race W Sex M Other _____

I, Cynthia E. Ramsey, 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: [Signature]



By: [Signature]

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

7/21

FILED
SEP 18 2002
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CLERK'S OFFICE

FILED
SEP 11 30 24 02
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.

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION


SHIRLEY A. HOWELL

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. s4904 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 D. Shaw
Prothonotary/
Clerk of Courts

7160 3901 9844 9258 9360

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

SENDER: TEAM2 MNP

REFERENCE: HOWELL

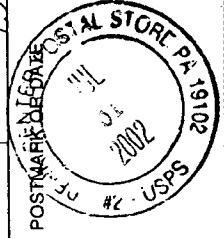
PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	37
	Certified Fee	2.30
	Return Receipt Fee	1.75
	Restricted Delivery	3.50
	Total Postage & Fees	7.92

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



FILED

No

cc

3/13/84

BT 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

William A. Shaw
Prothonotary

WAS 9/24/02

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

09EB 9526 4486 106E 091L

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

SENDER: TEAM2 MNP

REFERENCE: HOWELL

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	37
	Certified Fee	2.30
	Return Receipt Fee	1.75
	Restricted Delivery	3.50
	Total Postage & Fees	7.92



US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

7260 3901 9844 8031 4523

TO: SHIRLEY A. HOWELL

3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505

TEAM 2

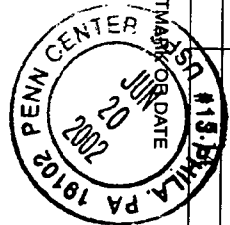
SENDER: TEAM2 GRH

REFERENCE: HOWELL, SHIRLEY

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	

POSTMARK DATE



**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
013:0781
DEC 11 2002
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.

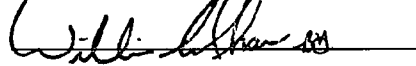
HOWELL, SHIRLEY A.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

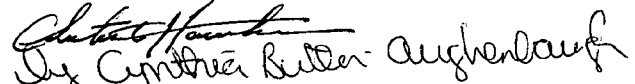
Sworn to Before Me This

11th Day Of December 2002



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

So Answers,



Chester A. Hawkins
Sheriff

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

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

vs.

SHIRLEY A. HOWELL
3135 SOUTH DINGLE DRIVE
FLORENCE, SC 29505
Defendant(s)

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

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

\$ 166.00

William L. Hark

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 Aughenbaugh

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 T0 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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS.

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

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. A. ZIP Code 7001 1940 0001 9405 9352

Postage and Fees Paid 102595-99 M-1769