

02-110-CD
BANK OF NEW YORK -vs- PAUL D. IMADUE et al

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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

TERM

Plaintiff

v.

NO. 02-410-CO

CLEARFIELD COUNTY

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

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 20 2002
10:11:30 AM
William A. Shaw
Prothonetary
cc Shaw

**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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

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

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

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

3. On 10/5/97 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to AMERICA'S WHOLESALE LENDER which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1893, Page 339. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 11/1/01 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	\$34,487.01
Interest	979.60
10/1/01 through 2/1/02 (Per Diem \$7.90)	
Attorney's Fees	1,000.00
Cumulative Late Charges	19.64
10/5/97 to 2/1/02	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$37,036.25
Escrow	
Credit	217.12
Deficit	<u>0.00</u>
Subtotal	<u>(\$ 217.12)</u>
TOTAL	\$36,819.13

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 \$36,819.13, together with interest from 2/1/02 at the rate of \$7.90 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
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

ALL that certain lot or piece of ground with the buildings and improvements thereon situate in the Township of Bradford, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the northerly line of old highway leading to Clearfield and on the line of lands now or late of Birtus Belford McDowell; thence along the said northerly line of said road in an easterly direction two hundred forty-three (243') feet, more or less, to a point on the southerly right of way of what was formerly Route No. 322 leading to Clearfield; thence along said line of said highway in a northwesterly direction two hundred forty-three (243') feet, more or less, to a point on the easterly line of aforesaid McDowell lands; thence along said last mentioned line south fourteen (14) degrees fifty-eight minutes (58) east one hundred seven and eighty-nine one-hundredths (107.89) feet, more or less, to the place of beginning.

UNDER AND SUBJECT to all existing easements, covenants, conditions and restrictions of record.

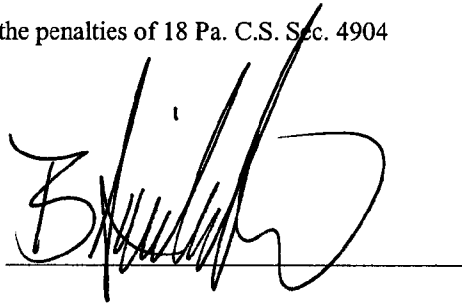
BEING KNOWN as Parcel #106-M09-625-13.

BEING the same premises which Norma L. Maines now Norma L. Lomadue and Paul D. Lomadue, her husband, by Deed dated December 20, 1976 and recorded December 20, 1976 in Clearfield County in Deed Book 731 at Page 522, granted and conveyed unto Paul D. Lomadue and Norma L. Lomadue, his wife.

PREMISES BEING: RR BOX 11, OLD ROUTE 322

VERIFICATION

BRANDON SCIUMBATO hereby states that he is VICE PRESIDENT of COUNTRYWIDE HOME LOANS, INC. mortgage servicing agent for Plaintiff in this matter, that he 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 his 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.

A handwritten signature in black ink, appearing to be 'B. Sciumbato', written over a horizontal line.

DATE: 3/15/02

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
Suite 1400, One Penn Center at Suburban Station
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

BANK OF NEW YORK, AS TRUSTEE	:	COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY
Plaintiff	:	No. 02-410-CD
	:	
Vs.	:	
	:	
PAUL D. LUMADUE	:	
NORMA L. LUMADUE	:	
	:	
Defendant(s)	:	
	:	

SUGGESTION OF RECORD CHANGE
RE: PARAGRAPH #3 OF THE COMPLAINT IN MORTGAGE FORECLOSURE

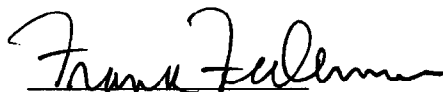
TO THE PROTHONOTARY:

FRANK FEDERMAN, ESQUIRE, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief that the information in paragraph #3 of the Complaint in Mortgage Foreclosure is:

On 12/5/97 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to AMERICA'S WHOLESALE LENDER which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No.1893, Page 339. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.

Kindly change the information on the docket.

Date: April 9, 2002


Frank Federman, Esquire
Attorney for Plaintiff

FILED

APR 12 2002
m/113/noce
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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS

vs.

: CIVIL DIVISION

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

: NO. 02-410-CD

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


TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against PAUL D. LUMADUE and NORMA L. LUMADUE, 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
Interest - 2/1/02 TO 4/29/02
TOTAL

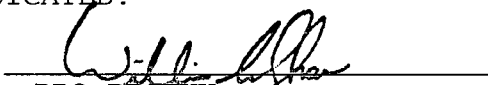
\$36,819.13
\$ 695.20
\$37,514.33

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: 4/30/02


PRO PROTHY

FILED

APR 30 2002

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN

BY: FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

Identification No. 12248

1617 John F. Kennedy Boulevard Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

FILE COPY

BANK OF NEW YORK, AS TRUSTEE

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD COUNTY

PAUL D. LUMADUE

: NO. 02-410-CD

NORMA L. LUMADUE

Defendant

TO: NORMA L. LUMADUE

RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11

MINERAL SPRINGS, PA 16855

DATE OF NOTICE: APRIL 16, 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

FEDERMAN AND PHELAN

BY: FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

Identification No. 12248

1617 John F. Kennedy Boulevard Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

BANK OF NEW YORK, AS TRUSTEE

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD COUNTY

PAUL D. LUMADUE

NORMA L. LUMADUE

: NO. 02-410-CD

Defendant(s)

TO: PAUL D. LUMADUE

RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11

MINERAL SPRINGS, PA 16855

DATE OF NOTICE: APRIL 16, 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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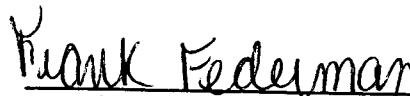
CLEARFIELD COUNTY

DAVID S. MEHOLICK, COURT ADMINISTRATOR

CLEARFIELD COUNTY COURTHOUSE

CLEARFIELD, PA 16830

(814) 765-2641


Frank Federman, Esquire
Attorney for Plaintiff

FILED

Atty pd. 20.00

APR 30 2002
m 11:06
Notice & 1 cc to
each Def

Statement to Atty


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

BANK OF NEW YORK, AS TRUSTEE

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

vs.

: NO. 02-410-CD

PAUL D. LUMADUE
NORMA L. LUMADUE

:

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 PAUL D. LUMADUE is over 18 years of age and resides at RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855.

(c) that defendant NORMA L. LUMADUE is over 18 years of age, and resides at RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855.

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


FRANK FEDERMAN, ESQUIRE

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

BANK OF NEW YORK, AS TRUSTEE

Plaintiff

vs.

PAUL D. LUMADUE

NORMA L. LUMADUE

Defendants

)
) NO. 02-410-CD

)
)

Notice is given that a Judgment in the above-captioned
matter has been entered against you on April 30, 2002.

By:

William A. Federman DEPUTY
7th

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.

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

BANK OF NEW YORK, AS TRUSTEE

Plaintiff

)
)

NO. 02-410-CD

vs.

PAUL D. LUMADUE

NORMA L. LUMADUE

)
)

Defendants

Notice is given that a Judgment in the above-captioned
matter has been entered against you on April 30, 2002.

By:

Will. L. L. L. 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

COPY

Bank of New York
Plaintiff(s)

No.: 2002-00410-CD

Real Debt: \$37,514.33

Atty's Comm:

Vs.

Costs: \$

Int. From:

Paul D. Lumadue
Norma L. Lumadue
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 30, 2002

Expires: April 30, 2007

Certified from the record this 30th day of April, 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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

: CLEARFIELD COUNTY

:

: COURT OF COMMON

: PLEAS

:

Plaintiff

: CIVIL DIVISION

:

vs.

: NO. 02-410-CD

:

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

:

:

:

:

:

:

Defendant(s)

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

\$ 37,514.33

Prothonotary costs

120.00

Interest from

\$ _____ and Costs

4/30/02 (sale date)

(per diem - \$6.17)



FRANK FEDERMAN, ESQUIRE

ONE PENN CENTER AT SUBURBAN STATION

SUITE 1400

PHILADELPHIA, PA 19103

Attorney for Plaintiff

Note: Please attach description of property.

FILED

APR 30 2002

William A. Shaw
Prothonotary

No. 02-410-CD Term
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

BANK OF NEW YORK, AS TRUSTEE

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:


Attorney for Plaintiff

Address: RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11 RR BOX 11, OLD ROUTE 322,
MINERAL SPRINGS, PA 16855 A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

Where papers may be served.

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON
SITUATE IN THE TOWNSHIP OF BRADFORD, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF OLD HIGHWAY LEADING TO CLEARFIELD AND ON
THE LINE OF LANDS NOW OR LATE OF BIRTUS BELFORD MCDOWELL; THENCE ALONG THE SAID
NORTHERLY LINE OF SAID ROAD IN AN EASTERLY DIRECTION TWO HUNDRED FORTY-THREE (243') FEET,
MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF WHAT WAS FORMERLY ROUTE NO. 322
LEADING TO CLEARFIELD: THENCE ALONG SAID LINE OF SAID HIGHWAY IN A NORTHWESTERLY
DIRECTION TWO HUNDRED FORTY-THREE (243') FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE
OF AFORESAID MCDOWELL LANDS: THENCE ALONG SAID LAST MENTIONED LINE SOUTH FOURTEEN (14)
DEGREES FIFTY-EIGHT MINUTES (58) EAST ONE HUNDRED SEVEN AND EIGHTY-NINE ONE HUNDREDTHS
(107.89') FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

Vested by Deed, dated 12/20/76, given by Norma L. Maines now Norma L. Lumadue and Paul D. Lumadue, her husband to
Paul D. Lumadue and Norma L. Lumadue, his wife and recorded 12/20/76 in Book: 731 Page: 522

FILED

Atty pd. 20.00

M/11:20 AM

ICE Sheriff

APR 30 2002

W
William A. Shaw
Prothonotary

Le writs w/ property descr.
to Shaf

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

BANK OF NEW YORK, AS TRUSTEE

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

vs.

: NO. 02-410-CD

PAUL D. LUMADUE
NORMA L. LUMADUE

:

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

BANK OF NEW YORK, AS TRUSTEE

Plaintiff

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE

Defendant(s)

CIVIL DIVISION

NO. 02-410-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

BANK OF NEW YORK, AS TRUSTEE, 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 RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855.

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

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

PAUL D. LUMADUE

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

NORMA L. LUMADUE

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

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)

NONE

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)

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
ACTING SOLELY AS NOMINEE
FOR HOUSEHOLD FINANCE CORP.

G4318 MILLER ROAD
FLINT, MI 48501

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

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

(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.

April 29, 2002
Date


FRANK FEDERMAN, ESQ.
Attorney for Plaintiff

"NOTICE PURSUANT TO RULE 3129"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BANK OF NEW YORK, AS TRUSTEE

Plaintiff

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE

Defendant(s)

)
)
) CIVIL DIVISION
)
)
)
) NO. 02-410-CD
)

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO: PAUL D. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

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 RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855, is scheduled to be sold at the Sheriff's Sale on _____ at _____ A.M. in the CLEARFIELD County Courthouse, 1 North 2nd Street, Suite 116, Clearfield, PA 16830 to enforce the court judgment of \$37,514.33 obtained by BANK OF NEW YORK, AS TRUSTEE (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 WITH THE BUILDINGS AND IMPROVEMENTS THEREON
SITUATE IN THE TOWNSHIP OF BRADFORD, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF OLD HIGHWAY LEADING TO CLEARFIELD AND ON
THE LINE OF LANDS NOW OR LATE OF BIRTUS BELFORD MCDOWELL; THENCE ALONG THE SAID
NORTHERLY LINE OF SAID ROAD IN AN EASTERLY DIRECTION TWO HUNDRED FORTY-THREE (243') FEET,
MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF WHAT WAS FORMERLY ROUTE NO. 322
LEADING TO CLEARFIELD: THENCE ALONG SAID LINE OF SAID HIGHWAY IN A NORTHWESTERLY
DIRECTION TWO HUNDRED FORTY-THREE (243') FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE
OF AFORESAID MCDOWELL LANDS: THENCE ALONG SAID LAST MENTIONED LINE SOUTH FOURTEEN (14)
DEGREES FIFTY-EIGHT MINUTES (58) EAST ONE HUNDRED SEVEN AND EIGHTY-NINE ONE HUNDREDTHS
(107.89') FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

Vested by Deed, dated 12/20/76, given by Norma L. Maines now Norma L. Lumadue and Paul D. Lumadue, her husband to
Paul D. Lumadue and Norma L. Lumadue, his wife and recorded 12/20/76 in Book: 731 Page: 522

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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

Plaintiff

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

Defendant(s)

: CLEARFIELD COUNTY
:
: COURT OF COMMON
: PLEAS
:
: CIVIL DIVISION
:
: NO. 02-410-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 RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855

(see attached legal description)

Amount Due \$ 37,514.33

Prothonotary Costs 120.00
Interest from \$ _____
4/30/02 (sale date)
(per diem - \$6.17)

Total \$ _____ Plus Costs as endorsed.

Willi L. Lisha
BCL

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

Dated: 4-30-02
(Seal) No. 02-410-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

BANK OF NEW YORK, AS TRUSTEE

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judge Fee

Cr.

Sat.

Frank J. Heller

Attorney for Plaintiff

Address: RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

Where papers may be served.

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON SITUATE IN THE TOWNSHIP OF BRADFORD, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF OLD HIGHWAY LEADING TO CLEARFIELD AND ON THE LINE OF LANDS NOW OR LATE OF BIRTUS BELFORD MCDOWELL; THENCE ALONG THE SAID NORTHERLY LINE OF SAID ROAD IN AN EASTERLY DIRECTION TWO HUNDRED FORTY-THREE (243') FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF WHAT WAS FORMERLY ROUTE NO. 322 LEADING TO CLEARFIELD; THENCE ALONG SAID LINE OF SAID HIGHWAY IN A NORTHWESTERLY DIRECTION TWO HUNDRED FORTY-THREE (243') FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF AFORESAID MCDOWELL LANDS; THENCE ALONG SAID LAST MENTIONED LINE SOUTH FOURTEEN (14) DEGREES FIFTY-EIGHT MINUTES (58) EAST ONE HUNDRED SEVEN AND EIGHTY-NINE ONE HUNDREDTHS (107.89') FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

Vested by Deed, dated 12/20/76, given by Norma L. Maines now Norma L. Lumadue and Paul D. Lumadue, her husband to Paul D. Lumadue and Norma L. Lumadue, his wife and recorded 12/20/76 in Book: 731 Page: 522

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12268

BANK OF NEW YORK

02-410-CD

VS.

LUMADUE, PAUL D. & NORMA L.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW MARCH 25, 2002 AT 9:31 AM EST SERVED THE WITHIN COMPLAINT
IN MORTGAGE FORECLOSURE ON NORMA L. LUMADUE, DEFENDANT AT
RESIDENCE, RR BOX 11, OLD RT. 322 A/K/A PO BOX 11, MINERAL SPRINGS,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO NORMA L. LUMADUE
A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE
FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

NOW MARCH 25, 2002 AT 9:31 AM EST SERVED THE WITHIN COMPLAINT
IN MORTGAGE FORECLOSURE ON PAUL D. LUMADUE, DEFENDANT AT
RESIDENCE, RR BOX 11, OLD RT. 322 A/K/A PO BOX 11, MINERAL SPRINGS,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO NORMA LUMADUE,
WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN
MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

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

FILED

MAY 02 2002

014.00
William A. Shaw
Prothonotary

[Signature]

Sworn to Before Me This

2nd Day Of May 2002

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

So Answers,

[Signature]
[Signature]
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: BANK OF NEW YORK, AS TRUSTEE) CIVIL ACTION
)

VS.

PAUL D. LUMADUE) CIVIL DIVISION
NORMA L. LUMADUE) NO. 02-410-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129


COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

I, FRANK FEDERMAN, ESQUIRE attorney for **BANK OF NEW YORK, AS TRUSTEE** hereby verify that on **MAY 30, 2002** 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 **MAY 30, 2002** by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: June 20, 2002


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FILED

JUN 24 2002
m/1:38/no cc
William A. Shaw
Prothonotary 

oName and
Address
of Sender



FEDERMAN & PHELAN
ONE PENN CENTER, SUBURBAN STATION, SUITE 1400
PHILADELPHIA, PA 19102

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage
1	GMW	TENANT/OCCUPANT RR BOX 11, ROUTE 322, A/K/A P.O. BOX 11 MINERAL SPRINGS, PA 16855	
2		COMMONWEALTH OF PA DEPT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105	
3		CLEARFIELD COUNTY DOMESTIC RELATIONS DEPARTMENT CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830	
4		MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLELY AS NOMINEE FOR HOUSEHOLD FINANCE CORP. G4318 MILLER ROAD FILNT, MI 48501	
5			
6			
7			
8			
9			
10			
11		LUMADUE	
Total Number of Pieces Listed by Sender		TEAM 2	Postmaster, Per (Name of Receiving Employee)

7160 3901 9844 8034 0102

TO: NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

SENDER: TEAM 2 NXW

REFERENCE: LUMADUE, PAUL

PS Form 3800, June 2000

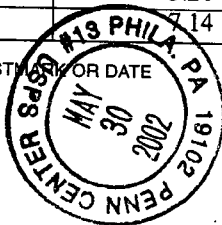
RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



7160 3901 9844 8034 0096

TO: PAUL D. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

SENDER: TEAM 2 NXW

REFERENCE: LUMADUE, PAUL

PS Form 3800, June 2000

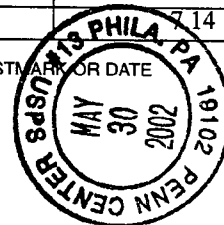
RETURN RECEIPT SERVICE	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE



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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

v.

NO. 02-410-CD

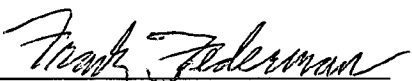
PAUL D. LUMADUE
NORMA L. LUMADUE

CLEARFIELD COUNTY

AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE
PURSUANT TO P.R.C.P., 404(2)/403

FRANK FEDERMAN, ESQUIRE, Attorney for Plaintiff, hereby certifies that service of the Notice of Sheriff's Sale was made by sending a true and correct copy by certified mail to Defendant, NORMA L. LUMADUE, at RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855, which notice of Sheriff's Sale was received by Defendant, NORMA L. LUMADUE, on JUNE 3, 2002 as evidenced by the attached return receipt.

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


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

June 11, 2002

JUN 13 2002
11:30 AM
William A. Shaw
Prothonotary

2. Article Number



7160 3901 9844 8034 0102

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☒ Yes

1. Article Addressed to:

NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

LUMADUE, PAUL

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Norma L Lumadue

B. Date of Delivery

6/3/02

C. Signature

X Norma L Lumadue

☐ Agent
☐ Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☐ No

TEAM 2 NXW

PS Form 3811, July 2001

Domestic Return Receipt

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12475

BANK OF NEW YORK, AS TRUSTEE

02-410-CD

VS.

LUMADUE, PAUL D.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, MAY 14, 2002 A LEVY WAS TAKEN THE PROPERTY WAS POSTED AND THE DEFENDANTS WERE SERVED WITH THE WRIT OF EXECUTION AND NOTICE OF SALE

A SALE IS SET FOR FRIDAY, JULY 12, 2002 AT 10:00 A.M.

NOW, FRIDAY JULY 12, 2002 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR (\$1.00) PLUS COSTS.

NOW, JULY 22, 2002 RETURN WRIT AS A SALE BEING HELD, PLAINTIFF PURCHASED THE PROPERTY FOR ONE COLLAR (\$1.00) PLUS COSTS, PAID COSTS FROM ADVANCE AND MADE REFUND OF BALANCE LEFT FROM ADVANCE.

NOW, JULY 29, 2002 DEED WAS FILED.

SHERIFF HAWKINS \$201.94

SURCHARGE 40.00

PAID BY PLAINTIFF

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12475

BANK OF NEW YORK, AS TRUSTEE

02-410-CD

• VS.

LUMADUE, PAUL D.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

Sworn to Before Me This

27th Day Of July 2002
William A. Shaw

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

So Answers,

Cynthia Butler-Aughenbaugh
Chester A. Hawkins
Sheriff

FILED

JUL 29 2002
013401 noc
William A. Shaw
Prothonotary *EAS*

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

BANK OF NEW YORK, AS TRUSTEE
7105 CORPORATE DRIVE
PLANO, TX 75024-3632

Plaintiff

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE
RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

Defendant(s)

: CLEARFIELD COUNTY
:
: COURT OF COMMON
: PLEAS
:
: CIVIL DIVISION
:
: NO. 02-410-CD
:
:
:
:
:

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

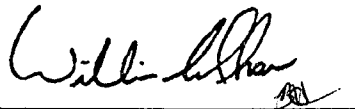
To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises RR BOX 11, OLD ROUTE 322, A/K/A P.O. BOX 11, MINERAL SPRINGS, PA 16855

(see attached legal description)

Amount Due	\$ 37,514.33
<i>Prothonotary Costs</i>	<i>120.00</i>
Interest from	\$ _____
4/30/02 (sale date)	
(per diem - \$6.17)	

Total \$ _____ Plus Costs as endorsed.



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

Dated: 4-30-02
(Seal) No. 02-410-CD Term

RECEIVED APR 30 2002

@ 1:31 PM

Walter A. Hawkins
by Margaret H. Pitt

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

BANK OF NEW YORK, AS TRUSTEE

vs.

PAUL D. LUMADUE
NORMA L. LUMADUE

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.



Attorney for Plaintiff

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

RR BOX 11, OLD ROUTE 322,
A/K/A P.O. BOX 11
MINERAL SPRINGS, PA 16855

Address:

Where papers may be served.

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON
SITUATE IN THE TOWNSHIP OF BRADFORD, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF OLD HIGHWAY LEADING TO CLEARFIELD AND ON
THE LINE OF LANDS NOW OR LATE OF BIRTUS BELFORD MCDOWELL; THENCE ALONG THE SAID
NORTHERLY LINE OF SAID ROAD IN AN EASTERLY DIRECTION TWO HUNDRED FORTY-THREE (243') FEET,
MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF WHAT WAS FORMERLY ROUTE NO. 322
LEADING TO CLEARFIELD: THENCE ALONG SAID LINE OF SAID HIGHWAY IN A NORTHWESTERLY
DIRECTION TWO HUNDRED FORTY-THREE (243') FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE
OF AFORESAID MCDOWELL LANDS: THENCE ALONG SAID LAST MENTIONED LINE SOUTH FOURTEEN (14)
DEGREES FIFTY-EIGHT MINUTES (58) EAST ONE HUNDRED SEVEN AND EIGHTY-NINE ONE HUNDREDTHS
(107.89') FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

Vested by Deed, dated 12/20/76, given by Norma L. Maines now Norma L. Lumadue and Paul D. Lumadue, her husband to
Paul D. Lumadue and Norma L. Lumadue, his wife and recorded 12/20/76 in Book: 731 Page: 522

REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

NAME LUMADUE NO. 02-410-CD

NOW, July 12, 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 7TH day of JULY 2002, I exposed the within described real estate of PAUL D. LUMADUE AND NORMA L. LUMADUE to public venue or outcry at which time and place I sold the same to BANK OF NEW YORK, AS TRUSTEE 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	3.25
LEVY	15.00
MIELAGE	3.25
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	
TOTAL SHERIFF COSTS	201.94

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	18.50
TRANSFER TAX 2%	
TOTAL DEED COSTS	18.50

DEBIT & INTEREST:

DEBT-AMOUNT DUE	37,514.33
INTEREST FROM 4/30/02 PER DIEM @\$6.17 TO BE ADDED	

TOTAL DEBT & INTEREST	37,514.33
----------------------------------	------------------

COSTS:

ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	241.23
LATE CHARGES & FEES	
TAXES - collector	NONE
TAXES - tax claim	NONE
DUE	
COST OF SUIT -TO BE ADDED	
LIST OF LIENS & MORTGAGE SEARCH	140.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	18.50
ATTORNEY COMMISSION	
SHERIFF COSTS	201.94
LEGAL JOURNAL AD	72.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00

SATISFACTION FEE

ESCROW DEFICIENCY	
MUNICIPAL LIEN STREET LIGHT	25.60

TOTAL COSTS	824.27
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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