

246-CD
ALTEGRA CREDIT CO. -VS- BRENDA R. OVERBECK

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURG, PA 15212

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 02-1246-CO

CLEARFIELD COUNTY

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

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

AUG 12 2002

Millis/atty Edelman
William A. Shaw pd 80.00
Prothonotary
lcsheu

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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURG, PA 15212

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

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

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

3. On 7/30/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to NATIONAL CITY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1955, Page 593. 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 7/4/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$29,682.67
Interest	3,706.36
6/4/01 through 8/4/02	
(Per Diem \$8.68)	
Attorney's Fees	1,000.00
Cumulative Late Charges	544.99
7/30/98 to 8/4/02	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$35,484.02
Escrow	
Credit	0.00
Deficit	<u>280.00</u>
Subtotal	<u>\$ 280.00</u>
TOTAL	\$35,764.02

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 mortgaged premises is vacant and abandoned.

9. Plaintiff hereby releases Christopher A. Overbeck, from liability for the debt secured by the mortgage.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$35,764.02, together with interest from 8/4/02 at the rate of \$8.68 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.



s Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

ALL that certain place or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

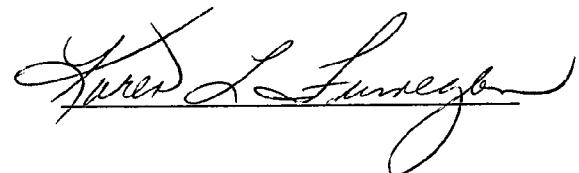
BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North 71° 15' East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva O. and Gertrude S. Graham; thence South 18° 45' East, by line of land now or formerly of Graham, a distance of 150 feet, more or less, to a post at an alley; thence South 71° 15' West by line of said No. 9; thence North 18° 45' West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tazier's Addition to said City of DuBois as the Southerly part of Lot No. 9.

BEING the same premises conveyed to George W. Griffith and Brenda R. Griffith, husband wife, by deed from John R. Barger dated June 22, 1987, recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book Volume 1187, at page 273.
BEING KNOWN AS: 521 KNARR STREET, DU BOIS, PA 15801.

Document
for Plaintiff
to be filed in
Court
for service
of process

VERIFICATION

KAREN L. FINNEGAN hereby states that she is FORECLOSURE SPECIALIST of ALTEGRA CREDIT COMPANY 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: 8/5/02

Complaint
Mortgage Foreclosure Document
Reinstated/Reissued to Sheriff/Attorney
for service.

1-1-00

Deputy Prothonotary

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

ALTEGRA CREDIT COMPANY

Plaintiff

Vs.

BRENDA R. OVERBECK,
A/K/A BRENDA R. GRIFFITH

Defendant(s)

: COURT OF COMMON PLEAS
: CLEARFIELD COUNTY
: No. 02-1246-CD

:

:

:

:

:

:

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 07/30/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1955, Page 593.

Kindly change the information on the docket.

Date: September 9, 2002



Frank Federman, Esquire
Attorney for Plaintiff

FILED
M 1155.81
SEP 12 2002
NO CC
A
KED

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN, L.L.P.
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD. STE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

: COURT OF COMMON PLEAS
: CLEARFIELD COUNTY
: No. 02-1246-CD

Plaintiff

Vs.

BRENDA R. OVERBECK,
A/K/A BRENDA R. GRIFFITH

Defendant (s)

SUGGESTION OF RECORD CHANGE
RE: PLAINTIFF'S NAME

TO THE PROTHONOTARY:

FRANK FEDERMAN, ESQUIRE, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief the plaintiff' was erroneously listed in the complaint as:

ALTEGRA CREDIT COMPANY

The correct name for the Plaintiff is:

NATIONAL CITY BANK OF PA

Kindly change the information on the docket.

Date: September 9, 2002


Frank Federman, Esquire
Attorney for Plaintiff

FILED

MISSIN NO
SEP 12 2002
a
KSD

William A. Shaw
Prothonotary

Complaint Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

ALTEGRA CREDIT COMPANY

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

BRENDA R. OVERBECK, A/K/A
BRENDA R. GRIFFITH

: Clearfield County

Defendants

: No. 02-1246-CD

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure
with reference to the above captioned matter.

Frank Federman
FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

Date: October 3, 2002

FILED Atty pd. 7.00
M 12/18/02
OCT 09 2002 1 Compl. re-instated
to Shff

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12924

ALTEGRA CREDIT COMPANY

02-1246-CD

VS.

OVERBECK, BRENDA R. a/k/a BRENDA R. GRIFFITH

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW SEPTEMBER 13, 2002 AT 10:40 AM DST SERVED THE WITHIN
COMPLAINT IN MORTGAGE FORECLOSURE ON BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH, DEFENDANT AT RESIDENCE, 50 LINCOLN DRIVE,
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SHAWN NOLF,
BOYFRIEND, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO
HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET

Return Costs

Cost	Description
42.70	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

19 Day Of October 2002
Chester A. Hawkins

So Answers,

Chester A. Hawkins
By Maury Herr
Chester A. Hawkins
Sheriff

Deputy Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

FILED

OCT 18 2002

01/2003
William A. Shaw
Prothonotary *CKS*

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12924

ALTEGRA CREDIT COMPANY

02-1246-CD

VS.

OVERBECK, BRENDA R. a/k/a BRENDA R. GRIFFITH

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

**NOW OCTOBER 15, 2002 AT 12:05 PM DST SERVED THE WITHIN COMPLAINT
IN MORTGAGE FORECLOSURE ON BRENDA R. OVERBECK a/k/a BRENDA R.
GRIFFITH, DEFENDANT AT RESIDENCE, 50 LINCOLN DRIVE, DUBOIS,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KARI BISH, SISTER A
TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE
FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

SERVED BY: MCCLEARY

Return Costs

Cost	Description
NO COSTS	

Sworn to Before Me This

18 Day Of Oct 2002


Deputy Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,


Chester A. Hawkins
Sheriff

FILED

OCT 18 2002
012001
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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURGH, PA 15212
vs.
BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 02-1246-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 BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH, 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	\$35,764.02
Interest - 8/4/02-11/18/02	\$ 928.76
TOTAL	\$36,692.78

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: 11/20/02


PRO PROTHY

FILED

NOV 20 2002

William A. Shaw
Prothonotary

BY: FRANK FEDERMAN, ESQUIRE

Identification No. 12248

1617 John F. Kennedy Boulevard Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

ALTEGRA CREDIT COMPANY

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

BRENDA R. OVERBECK, A/K/A

: CLEARDFIELD COUNTY

BRENDA R. GRIFFITH

: NO. 02-1246

Defendant(s)

TO: BRENDA R. OVERBECK, A/K/A BRENDA R. GRIFFITH

50 LINCOLN DRIVE

DU BOIS, PA 15801

DATE OF NOTICE: NOVEMBER 5, 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

FILED *Att'y pd.*
MAY 5 2002
NOV 20 2002
1cc's Notice to Def.
William A. Shaw *Statement to Att'y*
Prothonotary *WAS*

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

ALTEGRA CREDIT COMPANY

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

vs.

: NO. 02-1246-CD

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH

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 BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH is over 18 years of age and resides at 521 KNARR STREET, DU BOIS, PA 15801.

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



FRANK FEDERMAN, ESQUIRE

CCPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ALTEGRA CREDIT COMPANY

)
) NO. 02-1246-CD

Plaintiff

vs.

BRENDA R. OVERBECK A/K/A

BRENDA R. GRIFFITH

)
)

Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on November 20, 2002.

By: _____ 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.

COPY

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

Altegra Credit Company
Plaintiff(s)

No.: 2002-01246-CD

Real Debt: \$36,692.78

Atty's Comm:

Vs.

Costs: \$

Int. From:

Brenda R. Overbeck
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 20, 2002

Expires: November 20, 2007

Certified from the record this 20th day of November, 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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURGH , PA 15212

: CLEARFIELD COUNTY
:
: COURT OF COMMON
: PLEAS
:
: CIVIL DIVISION
:
: NO. 02-1246-CD

Plaintiff

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

Defendant(s)

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$ 36,692.78

Interest from \$ _____ and Costs
11/19/02 - (sale date)
(per diem - \$6.03)

Prothonotary costs 127.00

Frank Federman

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

Note: Please attach description of property.

FILED Atypd.
11/22/2002 20.00
NOV 20 2002 1CCa (6writs
William A. Shaw w/ prop. descr. to
Prothonotary Q Shaff
[Signature]

No. 02-1246-CD Term
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

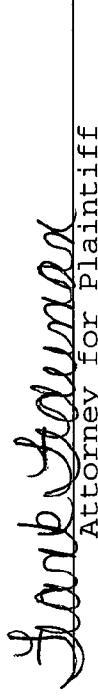
ALTEGRA CREDIT COMPANY

vs.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:


Hank Johnson

Attorney for Plaintiff

Address :
521 KNARR STREET
DU BOIS, PA 15801

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North $71^{\circ} 15'$ East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva D. and Gertrude S. Crasham; thence South $18^{\circ} 45'$ East, by line of land now or formerly of Crasham, a distance of 150 feet, more or less, to a post at an alley; thence South $71^{\circ} 15'$ West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North $18^{\circ} 45'$ West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozler's Addition to said City of DuBois as the Southerly part of Lot No. 8.

BEING No. 521 Knarr Street.

TAX PARCEL NUMBER: 7-4-011-3105

CONTROL NUMBER: 0074-08210

TITLE TO SAID PREMISES IS VESTED IN Brenda R. Griffith by Deed from George W. Griffith and Brenda R. Griffith dated 3/19/1992 and recorded 4/14/1992 in Record Book Volume 1454 Page 37.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ALTEGRA CREDIT COMPANY)
vs. Plaintiff) CIVIL DIVISION
BRENDA R. OVERBECK A/K/A)
BRENDA R. GRIFFITH) NO. 02-1246-CD
Defendant(s))

AFFIDAVIT PURSUANT TO RULE 3129.1

ALTEGRA CREDIT COMPANY, Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 521 KNARR STREET, DU BOIS, PA 15801.

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

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

BRENDA R. OVERBECK A/K/A 521 KNARR STREET
BRENDA R. GRIFFITH DU BOIS, PA 15801

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)

JOHN R. BARGER 1480 SAN JOSE BOULEVARD
HOLLY HILLS, FL 32017

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:

**CLEARFIELD COUNTY DOMESTIC
RELATIONS DEPARTMENT**

CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830

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

**COMMONWEALTH OF PA
DEPT. OF WELFARE**

P.O. BOX 2675
HARRISBURG, PA 17105

TENANT/OCCUPANT

521 KNARR STREET
DU BOIS, PA 15801

(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.

November 19, 2002
Date

Frank Federman
FRANK FEDERMAN, ESQ.
Attorney for Plaintiff

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

ALTEGRA CREDIT COMPANY

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 02-1246-CD

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

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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURGH , PA 15212

Plaintiff

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

Defendant(s)

: CLEARFIELD COUNTY
: COURT OF COMMON
: PLEAS
: CIVIL DIVISION
: NO. 02-1246-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 521 KNARR STREET, DU BOIS, PA 15801
(see attached legal description)

Amount Due \$ 36,692.78

Interest from \$ _____
11/19/02 - (sale date)
(per diem - \$6.03)

Total \$ _____ Plus Costs as endorsed.

Prothonotary costs 127.00

Willie Blair
Clerk ³⁰
Office of Prothonotary
Common Pleas Court of
CLEARFIELD County, PA

Dated: November 20, 2002
(Seal) No. 02-1246-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

ALTEGRA CREDIT COMPANY

vs.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Mark Shengold
Attorney for Plaintiff

521 KNARR STREET
DU BOIS, PA 15801

Address:

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North 71° 15' East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva D. and Gertrude S. Crasham; thence South 18° 45' East, by line of land now or formerly of Crasham, a distance of 150 feet, more or less, to a post at an alley; thence South 71° 15' West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North 18° 45' West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozler's Addition to said City of DuBois as the Southerly part of Lot No. 8.

BEING No. 521 Knarr Street.

TAX PARCEL NUMBER: 7-4-011-3105

CONTROL NUMBER: 0074-08210

TITLE TO SAID PREMISES IS VESTED IN Brenda R. Griffith by Deed from George W. Griffith and Brenda R. Griffith dated 3/19/1992 and recorded 4/14/1992 in Record Book Volume 1454 Page 37.

FEDERMAN AND PHELAN, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No. 62205
Suite 1400, One Penn Center at Suburban Station
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

Plaintiff

Vs.

BRENDA R. OVERBECK

A/K/A BRENDA R. GRIFFITH

Defendant(s)

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY
: No. 02-1246-CD

:

:

:

:

ORDER

AND NOW, this 15th day of February, 2003, upon consideration of Plaintiff's Motion to Amend Caption and Action Nunc ProTunc and Memorandum of Law in support thereof and response thereto, if any, it is hereby ORDERED AND DECREED that the caption and action is hereby amended nunc pro tunc to correct the Plaintiff Name from "ALTEGRA CREDIT COMPANY" to "NATIONAL CITY BANK OF PA". It is further ORDERED AND DECREED that the Prothonotary correct the docket information in accordance with this Order.

By the Court
J.

FILED

FEB 10 2003

William A. Shaw
Prothonotary

FILED
FEB 10 2003
1CC
Aug Schmieg
of 3:49 PM

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No. 62205
Suite 1400, One Penn Center at Suburban Station
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

Plaintiff

Vs.

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH

Defendant(s)

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY
: No. 02-1246-CD

:
:
:
:

FILED

FEB 10 2003

William A. Shaw
Prothonotary

**PLAINTIFF'S MOTION TO AMEND CAPTION AND ACTION
NUNC PRO TUNC**

To the Honorable Court:

AND NOW, comes Plaintiff, ALTEGRA CREDIT COMPANY, by and through its attorney, Federman and Phelan, LLP, who respectfully requests that this Honorable Court enter an Order granting Plaintiff's Motion to Amend Caption and Action Nunc Pro Tunc to Correct Plaintiff's Name the for the following reasons:

1. Plaintiff commenced the above-captioned mortgage foreclosure civil action on August 12, 2002, by filing its Complaint, a true and correct copy of which is attached hereto as Exhibit "A".
2. Through inadvertence or mistake, Plaintiff's Complaint erroneously listed the Plaintiff as "ALTEGRA CREDIT COMPANY" whereas the proper Plaintiff's name is "NATIONAL CITY BANK OF PA".
3. It is believed, and therefore averred, that the Defendant(s) are disinterested in the mortgaged premises as no responsive pleadings have been filed.

WHEREFORE, Plaintiff respectfully requests that this Honorable court grant its Motion to Amend Caption and Action nunc pro tunc to correct the caption of the instant action.

Respectfully,
Federman and Phelan, LLP

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURG, PA 15212

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff
v.

TERM

NO.

CLEARFIELD COUNTY

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

EXHIBIT A

****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

We hereby certify the DAVID S. MEHOLICK, COURT ADMINISTRATOR
within to be a true and CLEARFIELD COUNTY COURTHOUSE
correct copy of the CLEARFIELD, PA 16830
original filed of record (814) 765-2641
FEDERMAN AND PHELAN

EXHIBIT A

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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURG, PA 15212

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

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

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

3. On 7/30/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to NATIONAL CITY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1955, Page 593. 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 7/4/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$29,682.67
Interest	3,706.36
6/4/01 through 8/4/02	
(Per Diem \$8.68)	
Attorney's Fees	1,000.00
Cumulative Late Charges	544.99
7/30/98 to 8/4/02	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$35,484.02
Escrow	
Credit	0.00
Deficit	<u>280.00</u>
Subtotal	<u>\$ 280.00</u>
TOTAL	\$35,764.02

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 mortgaged premises is vacant and abandoned.

9. Plaintiff hereby releases Christopher A. Overbeck, from liability for the debt secured by the mortgage.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$35,764.02, together with interest from 8/4/02 at the rate of \$8.68 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.

/s/ Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

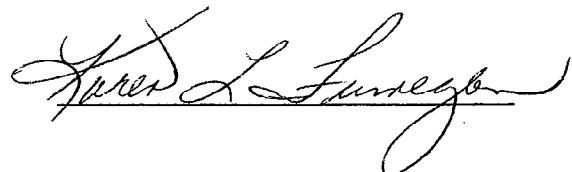
ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North $71^{\circ} 15'$ East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva O. and Gertrude S. Graham; thence South $18^{\circ} 45'$ East, by line of land now or formerly of Graham, a distance of 150 feet, more or less, to a post at an alley; thence South $71^{\circ} 15'$ West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North $18^{\circ} 45'$ West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozier's Addition to said City of DuBois as the Southerly part of Lot No. 9.

BEING the same premises conveyed to George W. Griffith and Brenda R. Griffith, husband wife, by deed from John R. Barger dated June 22, 1987, recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deeds and Records Book Volume 1187, at page 273.
BEING KNOWN AS: 521 KNARR STREET, DU BOIS, PA 15801.

VERIFICATION

KAREN L. FINNEGAN hereby states that she is FORECLOSURE SPECIALIST of ALTEGRA CREDIT COMPANY 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: 8/5/02

FEDERMAN AND PHELAN, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No. 62205
Suite 1400, One Penn Center at Suburban Station
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

Plaintiff

Vs.

BRENDA R. OVERBECK

A/K/A BRENDA R. GRIFFITH

Defendant(s)

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY
: No. 02-1246-CD
:
:
:
:
:
:
:
:

**PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO AMEND CAPTION AND ACTION TO CORRECT
PLAINTIFF'S NAME**

Pa. R. C.P., Rule 1033 of the Pennsylvania Rules of Civil Procedure specifically provide that:

A party may, be leave of court at any time, amend his pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading...

"Amendments should be allowed with great liberality at any stage of the case unless they violate the law or prejudice the rights of the opposing party." See Gutierrez vs. Pennsylvania Gas and Water Company, 507 A.2d 1230, 1232 (1986).

In the instant case, the original suit referenced the Plaintiff's name as "ALTEGRA CREDIT COMPANY". The proper Plaintiff's name is "NATIONAL CITY BANK OF PA".

WHERFORE, Plaintiff respectfully requests that this Honorable Court grant its Motion to Amend Caption and Action to Correct Plaintiff's Name to reflect the correct name for the Plaintiff.

Respectfully submitted,
Federman and Phelan, LLP

DATE: February 3, 2003

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No. 62205
Suite 1400, One Penn Center at Suburban Station
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

Plaintiff

Vs.

BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH

Defendant(s)

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY
: No. 02-1246-CD
:
:
:
:
:
:
:

CERTIFICATE OF SERVICE

I, Daniel G. Schmieg, Esquire, hereby certify that a true and correct copy of the Motion to Amend Caption and Action Nunc Pro Tunc was sent by regular mail to the following person(s):

Brenda R. Overbeck
A/K/A Brenda R. Griffith
50 Lincoln Drive
Dubois, PA 18501

Respectfully submitted,
Federman and Phelan, LLP

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Dated: February 3, 2003

VERIFICATION

I, Daniel G. Schmieg, Esquire, state that I am the attorney for the Plaintiff in this action, and that I am authorized to make this verification, and that the statements made in the foregoing Motion to Amend Caption and Action Nunc Pro Tunc are true and correct to the best of my knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

Respectfully submitted,
Federman and Phelan, LLP

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

DATE: February 3, 2003

FILED *cc. Amy Schmieg*
M 1:35 PM
FEB 10 2003
C
William A. Shaw
KID
SAC, Prothonotary

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

ALTEGRA CREDIT COMPANY

CLEARFIELD COUNTY

vs.

No.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

ORDER

AND NOW, this 25th day of February, 2005, 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), BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH, 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 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

FEB 26 2003

William A. Shaw
Prothonotary

FILED

Ohio Court of Appeals
FEB 26 2003

cc
Atty Feckman
E
T

William A. Shaw
Prothonotary

10828 881

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

ALTEGRA CREDIT COMPANY

COURT OF COMMON PLEAS
CIVIL DIVISION

vs.

CLEARFIELD COUNTY

No.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

**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 results therefrom 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 and the mortgaged premises.

Frank Federman
FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

FEB 24 2003

William A. Shaw
Prothonotary

AFFIDAVIT OF SERVICE

PLAINTIFF
ALTEGRA CREDIT COMPANY

COUNTY CLEARFIELD

ACCT. #8000008048

DEFENDANT
BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH

COURT NO.: 02-1246-CD

SERVE BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH AT:
521 KNARR STREET
DU BOIS, PA 15801

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 7, 2003

EXHIBIT "A"

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 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 office or usual place of business.
 _____ an officer of said Defendant'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: _____

NOT SERVED

On the 02 day of February, 2003, at 7:00'clock P. M., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other: House was winterized, No Utilities, Shut off.

Sworn to and subscribed before me
this 3rd day of February, 2003.

Notary: _____ By: _____

Monica Crilly
Thomas P. Chathams

ATTORNEY FOR PLAINTIFF

FRANK FEDERMAN, ESQUIRE

I.D.#12248

One Penn Center at Suburban Station

1617 John F. Kennedy Blvd., Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Notarial Seal
Monica Crilly, Notary Public
City of Altoona Blair County
My Commission Expires Aug 17 2005

Member, Pennsylvania Association of Notaries 35

SKN Data Research Inc.
AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: **2-1351PA**

Attorney Firm: **Federman & Phelan**

Subject: **Christopher A. Overbeck & Brenda R. Overbeck**

Current Address: 521 Knarr St. DuBois, PA 15801

Property Address: 521 Knarr St. DuBois, PA 15801 (HOUSE IS VACANT)

Mailing Address: 521 Knarr St. DuBois, PA 15801

I Scott Nulty, being duly sworn according to 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

Our search verified the following to be true and correct

Christopher A. Overbeck - 194-46-4193

Brenda R. Overbeck - 171-54-5248

B. EMPLOYMENT SEARCH

A review of the credit reporting agencies provided no employment information.

Christopher A. Overbeck - not available

Brenda R. Overbeck - not available

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Christopher A. Overbeck & Brenda R. Overbeck reside(s)

at: - 521 Knarr St. DuBois, PA 15801

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

On 4/02 our office contacted directory assistance which indicated that

Christopher A. Overbeck & Brenda R. Overbeck reside(s) at: 521 Knarr St. DuBois, PA 15801. Our office made a telephone call to the mortgagors phone number and received the following information: 814-371-6787.

III. INQUIRY OF NEIGHBORS

On 4/02 our office contacted or / attempted to contact T. Knapp 517 Knarr St. said the Overbeck's moved several months ago and the house is vacant.

IV. INQUIRY OF POST OFFICE

A. NATIONAL ADDRESS UPDATE

On 4/02 we reviewed the National Address database and found the following information, Christopher A. Overbeck & Brenda R. Overbeck - 521 Knarr St. DuBois, PA 15801

V. MOTOR VEHICLE REGISTRATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicle Christopher A. Overbeck & Brenda R. Overbeck reside(s) at: last registered address.

EXHIBIT "B"

VI. OTHER INQUIRIES

- A. DEATH RECORDS As of January 1, 2003 Vital Records has no death record on file for Christopher A. Overbeck & Brenda R. Overbeck.
- B. COUNTY VOTER REGISTRATION

The Clearfield County Voter registration has a registration for Christopher A. Overbeck & Brenda R. Overbeck residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

- A. DATE OF BIRTH

Christopher A. Overbeck -YOB YOB 1968 Brenda R. Overbeck -YOB YOB 1962

- B. A.K.A.

none

EXHIBIT "B"

***All accessible public databases have been checked and cross-referenced for the above named individual(s).**

*** Please be advised all database information indicates the subjects reside at the current address.**

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.

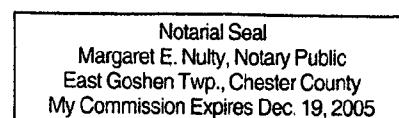
I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



AFFIANT Scott Nulty
SKN Data Research Inc. President

Sworn to and subscribed before me this 18th day of February 2003

Margaret E. Nulty
NOTARY PUBLIC



Member, Pennsylvania Association Of Notaries

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ALTEGRA CREDIT COMPANY

vs.

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

No.: 02-1246-CD

MEMORANDUM OF LAW

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

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

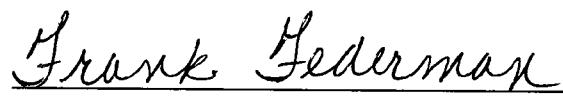
Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith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

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

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

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

Respectfully submitted:


FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

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

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

Frank Federman
FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

ALTEGRA CREDIT COMPANY

CLEARFIELD COUNTY

vs.

No.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

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
February 19, 2003.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

Frank Federman

FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Date: February 19, 2003

FILED *NYC*
m 11 B1 BH C
FEB 24 2003 G
GCB
William A. Shaw
Priestley

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

NATIONAL CITY BANK OF PA

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA**

VS.

No. 02-1246-CD

**BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH**

**PRAECLIPSE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter.

Amount Due

\$36,692.78

Interest from 11/18/02 to
Date of Sale (\$6.03 per diem)

and Costs.

147.00

Frank Federman, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property

SZB

FILED
12:21
MAY 13 2003
1cc & 6wnts w/prop discr.
to Shiff
Atty pd. 20.00

William A. Shaw
Prothonotary

No. 02-1246-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY BANK OF PA

vs.

BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)



Attorney for Plaintiff(s)

Address: 521 KNARR STREET, DU BOIS, PA 15801
Where papers may be served.

CLEARFIELD COUNTY

NATIONAL CITY BANK OF PA

No.: 02-1246-CD

vs.

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

NATIONAL CITY BANK OF PA, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 521 KNARR STREET, DU BOIS, PA 15801:

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

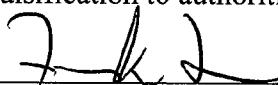
Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH	521 KNARR STREET
	DU BOIS, PA 15801

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

SAME AS ABOVE

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. Sec. 4904 relating to unsworn falsification to authorities.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

May 6, 2003

NATIONAL CITY BANK OF PA

CLEARFIELD COUNTY

No.: 02-1246-CD

VS.

BRENDA R. OVERBECK A/K/A BRENDA
R. GRIFFITH

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

NATIONAL CITY BANK OF PA, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 521 KNARR STREET, DU BOIS, PA 15801:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
None.	

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
JOHN R. BARGER	1480 SAN JOSE BOULEVARD HOLLY HILLS, FL 32017

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

Name

Last Known Address (if address cannot be reasonable ascertained, please 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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Clearfield County Domestic Relations

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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

521 KNARR STREET
DU BOIS, PA 15801

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. Sec. 4904 relating to unsworn falsification to authorities.



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

May 6, 2003

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

NATIONAL CITY BANK OF PA

No.: 02-1246-CD

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH

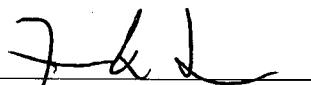
CLEARFIELD COUNTY

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
- 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

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

NATIONAL CITY BANK OF PA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of DELAWARE:

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: **521 KNARR STREET, DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$36,692.78</u>
Interest from 11/18/02 to Date of Sale (\$6.03 per diem)	<u>\$_____</u>
Total	<u>\$_____</u> Plus costs as endorsed.
<i>Prothonotary costs 147.00</i>	

Dated 5/13/03
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

SZB

No. 02-1246-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

NATIONAL CITY BANK OF PA

vs.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

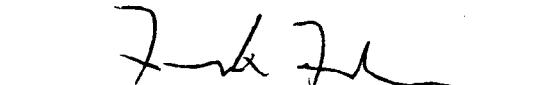
Real Debt \$36,692.78

Int. from 11/18/02 _____
to Date of Sale (\$6.03 per diem) _____

Costs _____

Prothy. Pd. 147.00

Sheriff _____



Attorney for Plaintiff

Address: 521 KNARR STREET, DU BOIS, PA 15801
Where papers may be served.

Frank Federman, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North $71^{\circ} 15'$ East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva D. and Gertrude S. Crasham; thence South $18^{\circ} 45'$ East, by line of land now or formerly of Crasham, a distance of 150 feet, more or less, to a post at an alley; thence South $71^{\circ} 15'$ West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North $18^{\circ} 45'$ West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozler's Addition to said City of DuBois as the Southerly part of Lot No. 8.

BEING No. 521 Knarr Street.

TAX PARCEL NUMBER: 7-4-011-3105

CONTROL NUMBER: 0074-08210

TITLE TO SAID PREMISES IS VESTED IN Brenda R. Griffith by Deed from George W. Griffith and Brenda R. Griffith dated 3/19/1992 and recorded 4/14/1992 in Record Book Volume 1454 Page 37.

SEIZED, taken in execution to be sold as the property of BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH, at the suit of ALTEGRA CREDIT COMPANY.
JUDGMENT NO. 02-1246-CD.

h.v
In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13446

ALTEGRA CREDIT COMPANY

02-1246-CD

VS.

OVERBECK, BRENDA R.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, JANUARY 6, 2003 @ 1:30 P.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF MARCH 7, 2003 WAS SET.

NOW, JANUARY 6, 2003 @ 1:30 P.M. O'CLOCK SERVED BRENDA R. OVERBECK A/K/A BREDNA R. GRIFFITH, DEFENDANT AT HER RESIDENCE 521 KNARR STREET DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA 15801, BY HANDING TO SHAWN WOLF, BOYFRIEND OF DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY, AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, MARCH 6, 2003 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SALE TO MAY 2, 2003.

NOW, APRIL 30, 2003 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SALE.

NOW, JULY 8, 2003 PAID COSTS FROM THE ADVANCE AND MADE A REFUND OF UNUSED ADVANCE TO THE ATTORNEY.

NOW, JULY 9, 2003 RETURN WRIT AS NO SALE HELD THE SALE WAS STAYED BY THE PLAINTIFF'S ATTORNEY. NO FUNDS WERE RECEIVED IN CONSIDERATION FOR THE STAY.

**SHERIFF HAWKINS \$179.88
SURCHARGE \$20.00
PAID BY ATTORNEY**

FILED
01 9:55 AM
JUL 09 2003 NO CC

**William A. Shaw
Prothonotary**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13446

ALTEGRA CREDIT COMPANY

02-1246-CD

VS.

OVERBECK, BRENDA R.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

Sworn to Before Me This

9th Day Of July 2003
William A. Shaw

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

So Answers,

Chester Hawkins
By Cynthia Better Aughbaugh
Chester A. Hawkins
Sheriff

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

ALTEGRA CREDIT COMPANY
150 ALLEGHENY CENTER MALL
PITTSBURGH , PA 15212

Plaintiff

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

Defendant(s)

CLEARFIELD COUNTY
COURT OF COMMON
PLEAS
CIVIL DIVISION
NO. 02-1246-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):

Premises521 KNARR STREET, DU BOIS, PA 15801
(see attached legal description)

Amount Due	\$ 36,692.78
Interest from 11/19/02 - (sale date) (per diem - \$6.03)	\$ _____
Total	\$ _____

Prothonotary costs 127.00

Willi Schäfer

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

Dated: November 20, 2002
(Seal) No. 02-1246-CD Term

Received 11-20-02 @ 3:30 P.M.

Cheston A. Hawkins
by Cynthia Butler-Augustaugh

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

ALTEGRA CREDIT COMPANY

vs.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Mark Shulman

Attorney for Plaintiff

521 KNARR STREET
DU BOIS, PA 15801

Address:

Where papers may be served.

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North $71^{\circ} 15'$ East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva D. and Gertrude S. Crasham; thence South $18^{\circ} 45'$ East, by line of land now or formerly of Crasham, a distance of 150 feet, more or less, to a post at an alley; thence South $71^{\circ} 15'$ West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North $18^{\circ} 45'$ West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozler's Addition to said City of DuBois as the Southerly part of Lot No. 8.

BEING No. 521 Knarr Street.

TAX PARCEL NUMBER: 7-4-011-3105

CONTROL NUMBER: 0074-08210

TITLE TO SAID PREMISES IS VESTED IN Brenda R. Griffith by Deed from George W. Griffith and Brenda R. Griffith dated 3/19/1992 and recorded 4/14/1992 in Record Book Volume 1454 Page 37.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME OVERBECK NO. 02-1246-CD

NOW, , 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 day of 2002, I exposed the within described real estate of to public venue or outcry at which time and place I sold the same to

he/she being the highest bidder, for the sum of
appropriations, viz: and made the following

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	12.35
LEVY	15.00
MILEAGE	12.35
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	5.18
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00
TOTAL SHERIFF COSTS	179.88

DEBIT & INTEREST:

DEBT-AMOUNT DUE	36,692.78
INTEREST FROM	
TO BE ADDED	TO SALE DATE
TOTAL DEBT & INTEREST	36,692.78
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	324.45
LATE CHARGES & FEES	
TAXES - collector	04-Jan
TAXES - tax claim	TO AUG
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	200.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	
DEED COSTS	
ATTORNEY COMMISSION	
SHERIFF COSTS	179.88
LEGAL JOURNAL AD	153.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	127.00
MORTGAGE SEARCH	80.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
TOTAL COSTS	1,064.33

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

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Daniel.Trautz@fedphe-pa.com

Dan G. Trautz
Judgment Department, Ext. 1298

Representing Lenders in
Pennsylvania and New Jersey

March 6, 2003

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

ATTENTION: CINDY (814) 765-5915

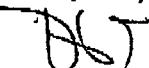
Re: ALTEGRA CREDIT COMPANY v. BRENDA R. OVEBECK A/K/A
BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801
#02-1246-CD

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is
scheduled for March 7, 2003.

The property is to be relisted for the May 2, 2003 Sheriff's Sale.

Very truly yours,


Dan G. Trautz

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Daniel.Trautz@fedphe-pa.com

Dan G. Trautz
Judgment Department, Ext. 1298

Representing Lenders in
Pennsylvania and New Jersey

April 30, 2003

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

ATTENTION: CINDY (814) 765-5915

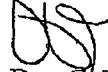
Re: **ALTEGRA CREDIT COMPANY v. BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH
02-1246-CD
521 KNARR STREET, DU BOIS, PA 15801**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for May 2, 2003.

No funds were received in consideration for the stay.

Very truly yours,



Dan G. Trautz

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NATIONAL CITY BANK OF PA
150 ALLEGHENY CENTER MALL
PITTSBURGH, PA 15212

No.: 02-1246-CD

vs.

BRENDA R. OVERBECK A/K/A
BRENDA R. GRIFFITH
521 KNARR STREET
DU BOIS, PA 15801

PRAECIPE TO VACATE JUDGMENT AND MARK THE ACTION
DISCONTINUED AND ENDED WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly mark the judgment that was entered in the above captioned matter on November 20, 2002 vacated upon payment of your costs only.



Frank Federman, Esquire
Attorney for Plaintiff

~~June 17, 2003~~ 10-3-03

FILED

OCT 07 2003

William A. Shaw
Prothonotary

FILED
M-112-BB NOCC
Cert to Atty.
OCT 07 2003

William A. Shaw
Prothonotary

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

National City Bank of PA

Vs.
Brenda R. Overbeck

No. 2002-01246-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on October 7, 2003, marked:

Discontinued, Settled and Ended.

Record costs in the sum of \$\$346.88 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of October A.D. 2003.

William A. Shaw, Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20562
NO: 021246-CD

PLAINTIFF: NATIONAL CITY BANK OF PA
vs.
DEFENDANT: BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

SHERIFF RETURN

DATE RECEIVED WRIT: 05/13/2003

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

WRIT RETURNED 03/29/2007

DATE DEED FILED **NOT SOLD**

DETAILS

@ SERVED BRENDA OVERBERCK A/K/A BRENDA R. GRIFFITH

DOCKET WRIT ONLY!! RECEIVED A CALL FROM ATTY OFFICE TO RETURN PACKET TO ATTORNEY OFFICE IT WAS FILLED IN ERROR.
NEVER RECEIVED A LETTER OF DIRECTION FROM ATTORNEY OFFICE.

@ SERVED

NOW, MARCH 28, 2007 RETURN WRIT AS TIME EXPIRED.

FILED
03/11/01 6:17 PM
MAR 29 2007
Clerk of Courts
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20562
NO: 021246-CD

PLAINTIFF: NATIONAL CITY BANK OF PA

vs.

DEFENDANT: BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

SHERIFF RETURN

SHERIFF HAWKINS

SURCHARGE

PAID BY

So Answers,

Chester Hawkins
By: *Amber Butcher-Afghan*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

NATIONAL CITY BANK OF PA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA R.
GRIFFITH

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of DELAWARE:

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: **521 KNARR STREET, DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$36,692.78</u>
Interest from 11/18/02 to Date of Sale (\$6.03 per diem)	<u>\$</u> _____
Total	<u>\$</u> _____ Plus costs as endorsed.

Prothonotary costs

147.00

Willie A. Schaeffer
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

Dated 5/13/03
(SEAL)

Received May 13, 2003 @ 3:30 P.M.
Chester A. Hawkes
By Cynthia Butler - Deputy

SZB

No. 02-1246-CD

**In the Court of Common Pleas of
Clearfield County, Pennsylvania**

NATIONAL CITY BANK OF PA

VS.

BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Attorney for Plaintiff

Address: 521 KNARR STREET, DU BOIS, PA 15801
Where papers may be served.

Frank Federman, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ALL THAT CERTAIN piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a post on the Easterly side of Knarr Street and the Northwest corner of Lot No. 9; thence North 71° 15' East, by line of said Knarr Street, 31 feet, more or less, to a post at corner of lands now or formerly of Alva D. and Gertrude S. Crasham; thence South 18° 45' East, by line of land now or formerly of Crasham, a distance of 150 feet, more or less, to a post at an alley; thence South 71° 15' West by line of said alley a distance of 31 feet, more or less, to a post at the corner of Lot No. 9; thence North 18° 45' West, by line of said Lot No. 9, a distance of 150 feet, more or less, to a post at Knarr Street, the place of beginning. Known on the Plan of A.L. Tozler's Addition to said City of DuBois as the Southerly part of Lot No. 8.

BEING No. 521 Knarr Street.

TAX PARCEL NUMBER: 7-4-011-3105

CONTROL NUMBER: 0074-08210

TITLE TO SAID PREMISES IS VESTED IN Brenda R. Griffith by Deed from George W. Griffith
and Brenda R. Griffith dated 3/19/1992 and recorded 4/14/1992 in Record Book Volume 1454 Page
37.

SEIZED, taken in execution to be sold as the property of BRENDA R. OVERBECK
A/K/A BRENDA R. GRIFFITH, at the suit of ALTEGRA CREDIT COMPANY.
JUDGMENT NO. 02-1246-CD.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME BRENTA OVERBERCK A/K/A BRENTA R. GRIFFITH

NO. 021246-CD

NOW, March 28, 2007, 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 , I exposed the within described real estate of Brenda R. Overbeck A/K/A Brenta R. Griffith to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	
SERVICE	
MILEAGE	
LEVY	
MILEAGE	
POSTING	
CSDS	
COMMISSION	0.00
POSTAGE	
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	
BILLING/PHONE/FAX	
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$0.00

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	
INTEREST @	0.00
FROM TO	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$0.00
COSTS:	
ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	0.00
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$0.00

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