

02-1383-CB
CREDIT-BASED ASSET SERVICING -vs- SAMUEL J. TONEY III et al
and SECURITIZATION, LLC

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849
Defendant(s)

NO. 02-1383-CJ

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE
David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

FILED

SEP 05 2002

William A. Shaw
Prothonotary

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentear una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982**

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

**LAW OFFICES OF MARK J. UDREN
/s/ Mark J. Udren, Esquire
1040 N. Kings Highway, Suite 500
Cherry Hill, NJ 08034
(856) 482-6900**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: Equicredit

Assignments of Record to: Credit-Based Asset Servicing and Securitization, LLC

Recording Date: LODGE FOR RECORDING

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 17 Mountain Run Road
MUNICIPALITY/TOWNSHIP/BOROUGH: Huston Township
COUNTY: Clearfield
DATE EXECUTED: 9/30/00
DATE RECORDED: 10/12/00 INSTRU: 200015302

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

- (a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated below;
- (b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 7/15/02:

Principal of debt due and unpaid Interest at 11.54% from 2/05/02 to 7/15/02 (the per diem interest accruing on this debt is \$28.59 and that sum should be added each day after 7/15/02)	\$89,240.75 4,602.99
Title Report	250.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance)	1,376.12
 Late Charges (monthly late charge of \$44.50 should be added in accordance with the terms of the note each month after 7/15/02)	 267.00
Attorneys Fees (anticipated and actual to 5% of principal)	<u>4,462.04</u>
 TOTAL	\$100,478.90

7. The attorney's fee 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 in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$100,478.90 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.



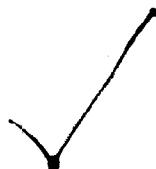
Mark J. Udren, ESQUIRE
MARK J. UDREN & ASSOCIATES
Attorney for Plaintiff
Attorney I.D. No. 04302

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

BEGINNING at an iron pin situate in the center of Legislative Route No. 17301, said iron pin also being at the Southwest corner of land now or formerly owned by John Morelli, being Lot No. 8 in the Palumbo Plan of Lots; thence along the centerline of Legislative Route No. 17031, the following courses and distances; North 82 degrees 26' west a distance of 77.76 feet to an iron pin; North 86 degrees 40' 50" West, 62.45 feet to an iron pin thence North 03 degrees 00' West a distance of 222.4 feet to an iron pin at the Southerly line of Lot No. 2 in the Palumbo Plan of Lots; thence along the Southerly line of said Lot No. 2 and Lot No. 3 in the Palumbo Plan of Lots, North 86 degrees 30' East a distance of 156.6 feet to an iron at the Northwest corner of Lot No. 7; thence along the Westerly line of Lots No. 7 and 8 in the Palumbo Plan of Lots, South 01 degrees 13' West, a distance of 347.8 feet to an iron pin and place of beginning.

Parcel No.: 0-G03-000-00066

Current/Prior Deed Reference: Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife to Samuel J. Toney, III and Patricia J. Toney, husband and wife dated 9/26/80 recorded on 10/3/80 at DBV 803, Page 117.



ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

Exhibit A

HOMEOWNER'S NAME(S):	Patricia J. Toney <u>Samuel J. Toney III</u>
PROPERTY ADDRESS:	17 Mountain Run Road <u>Penfield PA 15849</u>
LOAN ACCT. NO.:	<u>10536069</u>
ORIGINAL LENDER:	<u>EquiCredit</u>
CURRENT LENDER:	<u>Credit Based Asset Servicing and Securitization, LLC</u>

HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE
WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND
HELP YOU MAKE FUTURE MORTGAGE PAYMENTS

**IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S
 EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE
 ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:**

- **IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,**
- **IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND**
- **IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.**

TEMPORARY STAY OF FORECLOSURE -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS.** IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.

CONSUMER CREDIT COUNSELING AGENCIES -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

APPLICATION FOR MORTGAGE ASSISTANCE -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.

AGENCY ACTION -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).

NATURE OF THE DEFAULT -- The MORTGAGE debt held by the above lender on your property located at:

**17 Mountain Run Road
Penfield PA 15849**

IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

Monthly Payments of \$890.04 for March 5, 2002 through July 5, 2002 = \$4450.20

Monthly Late Charges of \$44.50 for March 5, 2002 through July 5, 2002 = \$267.00

Other charges (explain/itemize): Escrow Advance = \$1376.12

TOTAL AMOUNT PAST DUE: \$6093.32

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION (Do not use if not applicable): **N/A**

HOW TO CURE THE DEFAULT -- You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$6093.32, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

**Mark J. Udren & Associates
1040 N. Kings Highway, Suite 500
Cherry Hill, NJ 08034**

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.): **N/A**

IF YOU DO NOT CURE THE DEFAULT -- If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, **the lender intends to exercise its rights to accelerate the mortgage debt.** This means that the entire outstanding balance of this debt will be considered due immediately and you may lose

made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.

IF THE MORTGAGE IS FORECLOSED UPON -- The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

OTHER LENDER REMEDIES -- The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage. If your debt has been discharged in bankruptcy without your having reaffirmed it, then lender cannot pursue this remedy.

RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE -- If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

EARLIEST POSSIBLE SHERIFF'S SALE DATE -- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

HOW TO CONTACT THE LENDER:

Name of Lender/Servicer:	<u>Litton Loan Servicing LP</u>
Address:	<u>P.O. Box 4528</u>
	<u>Houston TX 77210</u>
Phone Number:	<u>(713) 960-9776</u>
Fax Number:	<u>(713) 966-8844</u>
Contact Person:	<u>Lucy Herrada</u>

EFFECT OF SHERIFF'S SALE -- You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

ASSUMPTION OF MORTGAGE -- You may not transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

**LAW OFFICES OF MARK J. UDREN
/s/ Mark J. Udren, Esquire
1040 N. Kings Highway, Suite 500
Cherry Hill, NJ 08034
(856) 482-6900**

YOU MAY ALSO HAVE THE RIGHT:

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS,
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY

CLEARFIELD COUNTY

Keystone Economic Development Corporation
1954 Mary Grace Lane
Johnstown, PA 15901
(814) 535-6556
FAX (814) 539-1688

CCCS of Western Pennsylvania, Inc.
217 E. Plank Road
Altoona PA 16602
(814) 944-8100
FAX (814) 944-5747

CCCS of Western PA
219-A College Park Plaza
Johnstown PA 15904
(814) 539-6335
FAX n/a

Indiana Co. Community Action Program
827 Water Street, Box 187
Indiana, PA 15701
(724) 465-2657
FAX (412) 465-5118

CCCS of Northeastern PA
1631 S Atherton St., Suite 100
State College, PA 16801
(814) 238-3668
FAX (814) 238-3669



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$.60
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

Postmark
Here

Sent To: Samuel J. Toney III
Street, Apt. No.: 17 Mountain Run Road
or PO Box No.:
City, State, ZIP: Penfield PA 15849

PS Form 3800, January 2001

See Reverse for Instructions

LAW OFFICES
MARK J. UDREN & ASSOCIATES
1040 N. KINGS HIGHWAY
SUITE 500
CHERRY HILL, NJ 08034

Sc 17 Pe

254012 Tony B

SENDER: COMPLETE THIS SECTION

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

Samuel J. Toney III
17 Mountain Run Road
Penfield PA 15849

COMPLETE THIS SECTION ON DELIVERY

A. Signature 	B. Received by (Printed Name) X	C. Date of Delivery 12/15/2023
D. Is delivery address different from item 1? If YES, enter delivery address below:		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Date of Delivery <input type="checkbox"/> Yes <input type="checkbox"/> No

COMPLETE THIS SECTION ON DELIVERY	
A. Signature	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If YES, enter delivery address below:	
<p>Samuel J. Toney III</p> <p>Mountain Run Road</p> <p>Enfield PA 15849</p>	
3. Service Type	
<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7001 2510 0004 0564 1161	
1. Article Addressed to:	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	
SENDER: COMPLETE THIS SECTION	

PS Form 381-1 August 2001 Domestic Return Receipt 10259s-02-M-08351

V E R I F I C A T I O N

Mark J. Udren, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.



Mark J. Udren, ESQUIRE
MARK J. UDREN & ASSOCIATES

FILED

Aug 23, 2002

SEP 05 2002

2 cc shff

William A. Shaw
Prothonotary

AS
AC

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

FILED
m 12/04 26.00
OCT 22 2002 Notice to
both Def.

William A. Shaw Statem.
Prothonotary to Atty

E. Kell

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against the 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	\$100,478.90
Interest Per Complaint	2,601.69
From 7/16/02 to 10/14/02	
Late charges per Complaint	89.00
From 7/16/02 to 10/14/02	
 TOTAL	 \$103,169.59

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

MARK J. UDREN & ASSOCIATES


Mark J. Udren, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 10/22/02


PRO PROTHY

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing and
Securitization, LLC
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Samuel J. Toney III
Patricia J. Toney
Defendant(s)

NO. 02-1383-CD

DATED: September 30, 2002
TO: Samuel J. Toney III
17 Mountain Run Road
Penfield, PA 15849

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO 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 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.

LAWYER REFERRAL SERVICE
David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

NOTIFICACION IMPORTANTE

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER TOMADO LA ACCION REQUERIDA DE SU PARTE EN ESTE CASO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE UN TERMINO DE DIEZ (10) DIAS DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARARECER USTED EN CORTE O ESCUCHAR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA, USTED PUEDE PERDER BIENES Y OTROS DERECHOS, IMPORTANTES. DEBE LLEVAR ESTA NOTIFICACION A UN ABOGADO IMMEDIATAMENTE SI USTED NO TIENE ABOGADO, O SI NO TIENE DINERO SUFFICIENTE PARA TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA, CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASSISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL
LAWYER REFERRAL SERVICE
David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

NOTICE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing and
Securitization, LLC
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Samuel J. Toney III
Patricia J. Toney
Defendant(s)

NO. 02-1383-CD

DATED: September 30, 2002
TO: Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO 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 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.

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MARK J. UDREN & ASSOCIATES
 BY: Mark J. Udren, Esquire
 ATTY I.D. NO. 04302
 1040 N. KINGS HIGHWAY, SUITE 500
 CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
 and Securitization, LLC
 4828 Loop Central Drive
 Houston, TX 77081

Plaintiff

COURT OF COMMON PLEAS
 CIVIL DIVISION
 Clearfield County

MORTGAGE FORECLOSURE

v.
 Samuel J. Toney III
 Patricia J. Toney
 17 Mountain Run Road
 Penfield, PA 15849
 Defendant(s)

NO. 02-1383-CD

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF TEXAS :
 COUNTY OF HARRIS : SS

THE UNDERSIGNED being duly sworn, deposes and says that the averments herein are based upon investigations made and records maintained by us either as Plaintiff or as servicing agent of the Plaintiff herein and that the above Defendant(s) are not in the Military or Naval Service of the United States of America or its Allies as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, and that the age and last known residence and employment of each Defendant are as follows:

Defendant: Samuel J. Toney III
 Age: Over 18
 Residence: As captioned above
 Employment: Unknown

Defendant: Patricia J. Toney
 Age: Over 18
 Residence: As captioned above
 Employment: Unknown

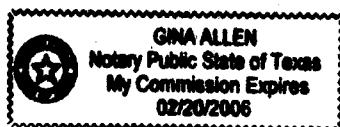
Sworn to and subscribed
 before me this 10th day
 of September 2002.

Gina Allen
 Notary Public

Gina Allen
 Name: Gina Allen
 Title: FORECLOSURE SPECIALIST
 Company: LITTON LOAN SERVICING

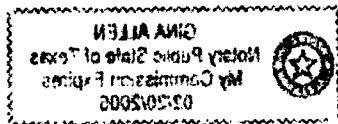
Litton Loan Servicing LP

Servicer



162 *Journal of Health Politics*

180:7.3



MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

COPY

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

TO: Samuel J. Toney III
17 Mountain Run Road
Penfield, PA 15849

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession
- Judgment on Award of Arbitration
- Judgment on Verdict
- Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-482-6900.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 02-1383-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 the 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	\$100,478.90
Interest Per Complaint	2,601.69
From 7/16/02 to 10/14/02	
Late charges per Complaint	89.00
From 7/16/02 to 10/14/02	
 TOTAL	 \$103,169.59

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

MARK J. UDREN & ASSOCIATES


Mark J. Udren, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 10/22/02


PRO PROTHY

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

COPY

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

TO: Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

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 Money Judgment
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 Judgment on Award of Arbitration
 Judgment on Verdict
 Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-482-6900.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

PRAECIPE FOR JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

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From 7/16/02 to 10/14/02	
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MARK J. UDREN & ASSOCIATES

Mark J. Udren, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 10/22/02

PRO PROTHY

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

COPY

Credit-Based Asset Servicing and
Securitization,LLC
Plaintiff(s)

No.: 2002-01383-CD

Real Debt: \$103,169.59

Atty's Comm:

Vs.

Costs: \$

Int. From:

Samuel J. Toney III
Patricia J. Toney
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: October 22, 2002

Expires: October 22, 2007

Certified from the record this 22nd day of October, 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

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing and Securitization, LLC Plaintiff	COURT OF COMMON PLEAS CIVIL DIVISION Clearfield County
v.	
Samuel J. Toney III Patricia J. Toney Defendant(s)	NO. 02-1383-CD

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached Verification for the
Verification attached to the Complaint in Mortgage Foreclosure with
regard to the captioned matter.

MARK J. UDREN & ASSOCIATES
DATED: October 14, 2002

BY:


Mark J. Udren, Esquire
Attorney for Plaintiff

FILED

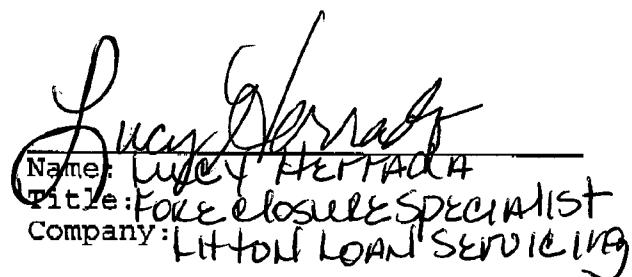
OCT 22 2002

William A. Shaw
Prothonotary

VERIFICATION

The undersigned, an officer of the Corporation which is the Plaintiff in the foregoing Complaint or an officer of the Corporation which is the servicing agent of Plaintiff, and being authorized to make this verification on behalf of the Plaintiff, hereby verifies that the facts set forth in the foregoing Complaint are taken from records maintained by persons supervised by the undersigned who maintain the business records of the mortgage held by Plaintiff in the ordinary course of business and that those facts are true and correct to the best of the knowledge, information and belief of the undersigned.

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

Date: 9/12/02

Name: Lucy Herrada
Title: Foreclosure Specialist
Company: LITTON LOAN SERVICING

Samuel J. Toney III
Patricia J. Toney
Loan #10536069
MJU #0234012

FILED NO
M 12:00 PM OCT 22 2002
cc E
KET

William A. Shaw
Prothonotary

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

PRAECIPE FOR WRIT OF EXECUTION

TO THE SHERIFF:

Issue Writ of Execution in the above matter:

Amount due \$103,169.59

Interest From October 15, 2002
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____

Prothonotary Costs 120.00

MARK J. UDREN & ASSOCIATES

Mark J. Udren, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

OCT 22 2002

William A. Shaw
Prothonotary

FILED

Atty pd. 20.00

10/22/02 11:16 AM
OCT 22 2002 descr, to Sheriff

William A. Shaw
Prothonotary

ES

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO.04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing : COURT OF COMMON PLEAS
and Securitization, LLC : CIVIL DIVISION
4828 Loop Central Drive : Clearfield County
Houston, TX 77081 :
Plaintiff : MORTGAGE FORECLOSURE

v.

Samuel J. Toney III : NO. 02-1383-CD
Patricia J. Toney :
17 Mountain Run Road :
Penfield, PA 15849 :
:

Defendant(s) :

CERTIFICATE TO THE SHERIFF

I HEREBY CERTIFY THAT:

I. The judgment entered in the above matter is based on an Action:
 A. In Assumpsit (Contract)
 B. In Trespass (Accident)
 C. In Mortgage Foreclosure
 D. On a Note accompanying a purchase money mortgage and the property being exposed to sale is the mortgaged property.

II. The Defendant(s) own the property being exposed to sale as:

A. An individual
 B. Tenants by Entireties
 C. Joint Tenants with right of survivorship
 D. A partnership
 E. Tenants in Common
 F. A corporation

III. The Defendant(s) is (are):

A. Resident in the Commonwealth of Pennsylvania
 B. Not resident in the Commonwealth of Pennsylvania
 C. If more than one Defendant and either A or B above is not applicable, state which Defendant is resident of the Commonwealth of Pennsylvania.
Resident:

Mark J. Udren, ESQUIRE
Address & I.D. # as above

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing : COURT OF COMMON PLEAS
and Securitization, LLC : CIVIL DIVISION
4828 Loop Central Drive : Clearfield County
Houston, TX 77081 : MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III : NO. 02-1383-CD
Patricia J. Toney :
17 Mountain Run Road :
Penfield, PA 15849 :
:

Defendant(s)

C E R T I F I C A T E

Mark J. Udren, 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 insured mortgage
- Non-owner occupied
- Vacant
- Act 91 procedures have been fulfilled.
- Over 24 months delinquent.

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

MARK J. UDREN & ASSOCIATES

Mark J. Udren, ESQUIRE
ATTORNEY FOR PLAINTIFF

MARK J. UDREN & ASSOCIATES
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1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081
Plaintiff
v.
Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE
NO. 02-1383-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

Credit-Based Asset Servicing and Securitization, LLC, Plaintiff in the above action, by its attorney, Mark J. Udren, ESQ., sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 17 Mountain Run Road, Penfield, PA 15849

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

Samuel J. Toney III 17 Mountain Run Road, Penfield, PA 15849

Patricia J. Toney 17 Mountain Run Road, Penfield, PA 15849

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

SAME AS NO. 1 ABOVE

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

Name _____ Address _____

NONE

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

Name _____ Address _____

Plaintiff herein. See Caption above.

Chrysler First Consumer Ste. 120, #1, Williamsburgh Place
Discount Co. Warrendale, PA 15086

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

Name _____ Address _____

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 _____

Real Estate Tax Dept. 1 N. Second St., Ste. 116
Clearfield, PA 16830

Domestic Relations Section 1 N. Second St., Ste. 116
Clearfield, PA 16830

Commonwealth of PA, Bureau of Compliance, Dept. 280946
Department of Revenue Harrisburg, PA 17128-0946

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 _____

Tenants/Occupants 17 Mountain Run Road, Penfield, PA 15849

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.

MARK J. UDREN & ASSOCIATES

DATED: October 14, 2002

Mark J. Udren, ESQ.

Attorney for Plaintiff

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Samuel J. Toney III
17 Mountain Run Road
Penfield, PA 15849

Your house (real estate) at 17 Mountain Run Road, Penfield, PA 15849 is scheduled to be sold at the Sheriff's Sale on _____, at 10:00 AM in the Clearfield County Courthouse, 1 N. Second St., Ste. 116, to enforce the court judgment of \$103,169.59, obtained by Plaintiff above (the mortgagee) against you. If the sale is postponed, the property will be relisted for the Next Available Sale.

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 payment, late charges, costs and reasonable attorney's fees. To find out how much you must pay, you may call: (856) 482-6900.
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 856-482-6900.

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 856-482-6900.

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 that 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 schedule of distribution of the money bid for your house will be filed by the Sheriff within 30 days after the sale. 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 Schedule of Distribution is filed.

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.

LAWYER REFERRAL SERVICE

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

ASSOCIATION DE LICENCIDADOS DE FILADELFIA

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
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CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

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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 payment, late charges, costs and reasonable attorney's fees. To find out how much you must pay, you may call: (856)-482-6900.
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 856-482-6900.

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 856-482-6900.

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 that 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 schedule of distribution of the money bid for your house will be filed by the Sheriff within 30 days after the sale. 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 Schedule of Distribution is filed.

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.

LAWYER REFERRAL SERVICE

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

ASSOCIATION DE LICENCIDADOS DE FILADELFIA

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 ext. 5982

EXHIBIT "A"
LEGAL DESCRIPTION

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

BEGINNING at an iron pin situate in the center of Legislative Route No. 17301, said iron pin also being at the Southwest corner of land now or formerly owned by John Morelli, being Lot No. 8 in the Palumbo Plan of Lots; thence along the centerline of Legislative Route No. 17031, the following courses and distances; North 82 degrees 26' west a distance of 77.76 feet to an iron pin; North 86 degrees 40' 50" West, 62.45 feet to an iron pin thence North 03 degrees 00' West a distance of 222.4 feet to an iron pin at the Southerly line of Lot No. 2 in the Palumbo Plan of Lots; thence along the Southerly line of said Lot No. 2 and Lot No. 3 in the Palumbo Plan of Lots, North 86 degrees 30' East a distance of 156.6 feet to an iron at the Northwest corner of Lot No. 7; thence along the Westerly line of Lots No. 7 and 8 in the Palumbo Plan of Lots, South 01 degrees 13' West, a distance of 347.8 feet to an iron pin and place of beginning.

Parcel No.: 0-G03-000-00066

Current/Prior Deed Reference: Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife to Samuel J. Toney, III and Patricia J. Toney, husband and wife dated 9/26/80 recorded on 10/3/80 at DBV 803, Page 117.

BEING KNOWN AS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849.

PROPERTY ID NO. 119-G03-0-66

TITLE TO SAID PREMISES IS VESTED IN SAMUEL J. TONEY, III AND PATRICIA J. TONEY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM BENEDETTO P. PALUMBO AND DONNA PALUMBO, HUSBAND AND WIFE, DATED 9/26/1980, RECORDED 10/3/1980, IN DEED BOOK 803, PAGE 117.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

Plaintiff

MORTGAGE FORECLOSURE

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

17 Mountain Run Road
Penfield, PA 15849

SEE LEGAL DESCRIPTION ATTACHED

Amount due \$103,169.59

Interest From October 15, 2002
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____

By William L. Hansen Prothonotary \$120.00

Clerk

Date October 22, 2002

COURT OF COMMON PLEAS
NO. 02-1383-CD

=====

Credit-Based Asset Servicing and
Securitization, LLC
vs.

Samuel J. Toney III
Patricia J. Toney

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 103,169.59

INTEREST \$ _____
from October 15, 2002 to _____
Date of Sale _____
Per diem @\$28.59

COSTS PAID:
PROTHY \$ 100.00

SHERIFF \$ _____

STATUTORY \$ _____

COSTS DUE PROTHY. \$ _____

PREMISES TO BE SOLD:
17 Mountain Run Road
Penfield, PA 15849


Mark J. Udren, ESQUIRE
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NJ 08034
(856) 482-6900

EXHIBIT "A"
LEGAL DESCRIPTION

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Parcel No.: 0-G03-000-00066

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BEING KNOWN AS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849.

PROPERTY ID NO. 119-G03-0-66

TITLE TO SAID PREMISES IS VESTED IN SAMUEL J. TONEY, III AND PATRICIA J. TONEY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM BENEDETTO P. PALUMBO AND DONNA PALUMBO, HUSBAND AND WIFE, DATED 9/26/1980, RECORDED 10/3/1980, IN DEED BOOK 803, PAGE 117.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13016

CREDIT-BASED ASSET SERVICING & SECURITIZATION

02-1383-CD

VS.

TONEY, SAMUEL J. III & PATRICIA J.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

**NOW SEPTEMBER 6, 2002 AT 1:45 PM DST SERVED THE WITHIN COMPLAINT
IN MORTGAGE FORECLOSURE ON SAMUEL J. TONEY III, DEFENDANT AT
RESIDENCE, 17 MOUNTAIN RUN ROAD, PENFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO SAMUEL J. TONEY III A TRUE AND ATTESTED
COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE
KNOWN TO HIM THE CONTENTS THEREOF.**

SERVED BY: RYEN

**NOW SEPTEMBER 6, 2002 AT 1:45 PM DST SERVED THE WITHIN COMPLAINT
IN MORTGAGE FORECLOSURE ON PATRICIA J. TONEY, DEFENDANT AT
RESIDENCE, 17 MOUNTAIN RUN ROAD, PENFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO SAMUEL J. TONEY III, HUSBAND A TRUE AND
ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE
AND MADE KNOWN TO HIM THE CONTENTS THEREOF.**

SERVED BY: RYEN

Return Costs

Cost	Description
-------------	--------------------

36.35 SHFF. HAWKINS PAID BY: ATTY.

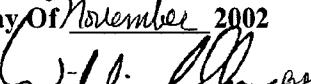
20.00 SURCHARGE PAID BY: ATTY

FILED

sb NOV 13 2002

**William A. Shaw
Prothonotary**

Sworn to Before Me This

13th Day Of November 2002


So Answers,


Chester A. Hawkins
Sheriff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13263

CREDIT-BASED ASSET SERVICING ET AL

02-1383-CD

VS.

TONEY, SAMUEL J. III

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, NOVEMBER 6, 2002 @ 10:00 A.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF JANUARY 10, 2003 WAS SET.

FILED

01/10/2003
JUL 22 2003
cc
KA

William A. Shaw
Prothonotary

NOW, NOVEMBER 6, 2002 @ 10:00 A.M. O'CLOCK SERVED PATRICIA J. TONEY, DEFENDANT, AT HER RESIDENCE 17 MOUNTAIN RUN ROAD, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PATRICIA J. TONEY, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF LEVY AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

NOW, NOVEMBER 6, 2003 @ 10:00 A.M. O'CLOCK SERVED SAMUEL J. TONEY III, DEFENDANT, AT HIS RESIDENCE, 17 MOUNTAIN RUN ROAD, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PATRICIA J. TONEY, WIFE /DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION NOTICE OF SALE, AND COPY OF LEVY, AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

NOW, JANUARY 9, 2003 RECEIVED A FAX FROM THE PLAINTIFF ATTORNEY TO CONTINUE THE SALE TO APRIL 4, 2003 DUE TO BANKRUPTCY FILING.

NOW, APRIL 3, 2003 RECEIVED A FAX FROM THE PLAINTIFF ATTORNEY TO STAY THE SALE SCHEDULED FOR APRIL 4, 2003 DUE TO BANKRUPTCY FILING.

NOW, JUNE, 23, 2003 RECEIVED A LETTER FROM THE PLAINTIFF ATTORNEY TO RETURN THE WRIT TO THE PROTHONOTARY.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13263

CREDIT-BASED ASSET SERVICING ET AL

02-1383-CD

VS.

TONEY, SAMUEL J. III

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

**NOW, JULY 21, 2003 PAID COSTS WITH ADVANCE AND MADE A REFUND OF THE
UNUSED ADVANCE TO THE ATTORNEY.**

**NOW, JULY 22, 2003 RETURN WRIT AS NO SALE HELD. PLAINTIFF ATTORNEY
REQUESTED WRIT BE RETURNED.**

SHERIFF HAWKINS \$200.24

SURCHARGE \$40.00

PAID BY ATTORNEY

Sworn to Before Me This

22nd 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 A. Hawkins
By Cynthia Butler-Augustine
Chester A. Hawkins
Sheriff

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

17 Mountain Run Road
Penfield, PA 15849
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$103,169.59

Interest From October 15, 2002 _____
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____

By Willie L. Shanahan Prothonotary \$120.00
Clerk

Received 10/23/02 @ 3:20 P.M.

Date October 22, 2002

Chester A. Hawkins
by Cynthia Butler-Aughorlough

COURT OF COMMON PLEAS
NO. 02-1383-CD

=====

Credit-Based Asset Servicing and
Securitization, LLC
vs.
Samuel J. Toney III
Patricia J. Toney

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 103,169.59

INTEREST \$
from October 15, 2002 to
Date of Sale _____
Per diem @\$28.59

COSTS PAID:
PROTHY \$ 120.00

SHERIFF \$ _____

STATUTORY \$ _____

COSTS DUE PROTHY. \$ _____

PREMISES TO BE SOLD:

17 Mountain Run Road
Penfield, PA 15849


Mark J. Udren, ESQUIRE
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NJ 08034
(856) 482-6900

EXHIBIT "A"
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BEING KNOWN AS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849.

PROPERTY ID NO. 119-G03-0-66

TITLE TO SAID PREMISES IS VESTED IN SAMUEL J. TONEY, III AND PATRICIA J. TONEY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM BENEDETTO P. PALUMBO AND DONNA PALUMBO, HUSBAND AND WIFE, DATED 9/26/1980, RECORDED 10/3/1980, IN DEED BOOK 803, PAGE 117.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME TONEY NO. 02-1383-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	10.40
LEVY	15.00
MILEAGE	10.40
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	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	15.00
TOTAL SHERIFF	
COSTS	200.24

DEED COSTS:

ACKNOWLEDGEMENT
REGISTER & RECORDER
TRANSFER TAX 2%
TOTAL DEED

COSTS **0.00**

DEBIT & INTEREST:

DEBT-AMOUNT DUE	103,169.59
INTEREST FROM 10/23/02	
TO BE ADDED	TO SALE DATE
TOTAL DEBT & INTEREST	103,169.59
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	400.05
LATE CHARGES & FEES	
TAXES - collector	
TAXES - tax claim	
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	
DEED COSTS	
ATTORNEY COMMISSION	
SHERIFF COSTS	200.24
LEGAL JOURNAL AD	189.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	

TOTAL COSTS 1,049.29

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

MARK J. UDREN & ASSOCIATES
1040 NORTH KING'S HIGHWAY
SUITE 500
CHERRY HILL, NEW JERSEY 08034
856.482.6900
FAX: 856.482.1199

MARK J. UDREN*
STUART WINNEG**
GAYL SPIVAK ORLOFF***
HEIDI R. SPIVAK***
CHRISTOPHER J. FOX***
CORINA CANIZ***
*ADMITTED NJ, PA, PL
**ADMITTED PA
***ADMITTED NJ, PA
TINA MARIE RICH
OFFICE ADMINISTRATOR

**FREDDIE MAC.
PENNSYLVANIA
DESIGNATED COUNSEL**

PENNSYLVANIA OFFICE
24 NORTH MERION AVENUE
SUITE 240
BRYN MAWR, PA 19010
215-568-9500
215-568-1141 FAX

PLEASE RESPOND TO NEW JERSEY OFFICE

January 9, 2003

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office
Clearfield County Courthouse
1 North Second Street, Suite 116
Clearfield, PA 16830
ATTN: Cindy

Re: Credit-Based Asset Servicing and Securitization, LLC
vs.
Samuel J. Toney III & Patricia J. Toney
Clearfield County C.C.P. No. 02-1383-CD
Premises: 17 Mountain Run Road, Penfield, PA 15849
SS Date: January 10, 2003

Dear Cindy:

Please Postpone the Sheriff's Sale scheduled for January 10, 2003
to April 4, 2003.

Sale is postponed for the following reason:

Defendant (s) filed Bankruptcy Chapter 7 on January 8, 2003, in the
Western District, case no. 03-20254.

Thank you for your attention to this matter.

Sincerely yours,



Mark J. Udren
MARK J. UDREN & ASSOCIATES

/jlb

LAW OFFICES
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NEW JERSEY 08034
856 . 482 . 6900
FAX: 856 . 482 . 1199

MARK J. UDREN*
STUART WINNEG**
GAYL SPIVAK ORLOFF***
HEIDI R. SPIVAK***
CHRISTOPHER J. FOX***
CORINA CANIZ***
*ADMITTED NJ, PA, FL
**ADMITTED PA
***ADMITTED NJ, PA
TINA MARIE RICH
OFFICE ADMINISTRATOR

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PENNSYLVANIA OFFICE
24 NORTH MERION AVENUE
SUITE 240
BRYN MAWR, PA 19010
215-568-9500
215-568-1141 FAX

PLEASE RESPOND TO NEW JERSEY OFFICE

April 3, 2003

Sent via Telefax #814-765-5915

Clearfield County Sheriff's Office
Clearfield County Courthouse
1 North Second Street
Suite 116
Clearfield, PA 16830
ATTN: Cindy

Re: Credit-Based Asset Servicing and Securitization, LLC
vs.
Samuel J. Toney III & Patricia J. Toney
Clearfield County C.C.P. No. 02-1383-CD
Premises: 17 Mountain Run Road, Penfield, PA 15849
SS Date: April 4, 2003

Dear Cindy:

Please Stay the Sheriff's Sale scheduled for April 4, 2003
(postponed from January 10, 2003).

Sale is stayed for the following reason:

Defendant (s) filed Bankruptcy Chapter 7 on January 8, 2003, in the
Western District case no. 03-20254.

Thank you for your attention to this matter.

Sincerely yours,

Mark J. Udren
MARK J. UDREN & ASSOCIATES

/jlb

LAW OFFICES
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NEW JERSEY 08034
856 . 482 . 6900
FAX: 856 . 482 . 1199

MARK J. UDREN*
STUART WINNEG**
GAYL SPIVAK ORLOFF***
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***ADMITTED NJ, PA, FL**
****ADMITTED PA**
*****ADMITTED NJ, PA**
TINA MARIE RICH
OFFICE ADMINISTRATOR

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PENNSYLVANIA OFFICE
24 NORTH MERION AVENUE
SUITE 240
BRYN MAWR, PA 19010
215-568-9500
215-568-1141 FAX

PLEASE RESPOND TO NEW JERSEY OFFICE

June 23, 2003

Prothonotary of Clearfield County
Clearfield County Courthouse
1 North Second Street
Suite 116
Clearfield, PA 16830

Re: Credit-Based Asset Servicing and Securitization, LLC
vs.
Samuel J. Toney III & Patricia J. Toney
Clearfield County C.C.P. #02-1383-CD

Dear Sir or Madame:

Enclosed please find Praecept to Return Writ of Execution, from the
original sale scheduled on January 10, 2003.

Thank you for your attention to this matter.

Sincerely yours,

Mark J. Udren, Esquire
MARK J. UDREN & ASSOCIATES

/jlb

Enclosure
cc: Clearfield County Sheriff's Office

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

v.
Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 02-1383-CD

FILED

SEP 02 2003

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE TO FILE PROOF OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to the
captioned matter.

MARK J. UDREN & ASSOCIATES

Date: August 28, 2003

BY:

Mark J. Udren, ESQUIRE
Attorney for Plaintiff

19-AUG-03 20:59:20

Credit-Based Asset Servicing and Securitization, LLC, et. al.,
 Plaintiff(s)
 vs.
 Samuel J. Toney, III, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171
 APS International Plaza
 7800 Glearay Rd.
 Minneapolis, MN 55439-3122

AFFIDAVIT OF SERVICE - Individual

<p>MARK J. UDREN Ms. Jodie L. Boos 1040 North Kings Highway Suite 500 Cherry Hill, NJ 08034</p>

Service of Process on:

—Samuel J. Toney
 Court Case No. 02-1383-CD

State of: 204-38-2462 ss. PA
 County of: Jefferson PA STATE Court/able

Name of Server: CERT/7 B001931 James E. Collier, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 18 day of Aug, 2003, at 8:45 o'clock P M

Place of Service: at RR# 1 Box 86, in Dubois, PA 15801

Documents Served: the undersigned served the documents described as:
Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:
Samuel J. Toney Samuel J. Toney

Person Served, and Method of Service: By personally delivering them into the hands of the person to be served.

By delivering them into the hands of _____, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is _____

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex _____; Skin Color _____; Hair Color _____; Facial Hair _____

Approx. Age _____; Approx. Height _____; Approx. Weight _____

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James E. Collier 8-19-03
 Signature of Server

(Date)

Subscribed and sworn to before me this

19th day of August, 20 03

Dolores M. Schmader

Notary Public (Commission Expires)

APS International, Ltd.

APS File #: 861328-0001

NOTARY SEAL
 DOLORES M. SCHMADER, Notary Public
 Clinton Boro, Clinton County
 My Commission Expires Nov. 10, 2008

V65:40 50-Bny-61

Credit-Enhanced Asset Servicing and Securitization, LLC, et. al.,
Plaintiff(s)
vs.
Samuel J. Toney, III, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171
APS International Plaza
7300 Glenside Rd.
Minneapolis, MN 55439-3123

AFFIDAVIT OF SERVICE - Individual

Service of Process on:

MARK J. UDREN
Mr. Jodie L. Bees
1040 North Kings Highway
Suite 500
Cherry Hill, NJ 08034

—Patricia J. Toney
Court Case No. 02-1383-CD

State of: Pennsylvania on PA.County of: DEPTERSON by PA. State constableName of Server: James E. Collins, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action;Date/Time of Service: that on the 15 day of Aug., 2003, at 8:35 o'clock PMPlace of Service: at RR# Box #6, in Debush, PA 15831

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Person Served, and Method of Service: Patricia J. Toney James E. Collins By personally delivering them into the hands of the person to be served. By delivering them into the hands of Samuel J. Toney, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is Wife

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex ; Skin Color ; Hair Color ; Facial Hair Approx. Age ; Approx. Height ; Approx. Weight To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James E. Collins 8-19-03
Signature of Server (Date)

Subscribed and sworn to before me this

19th day of August, 2003Dolores M. Schmader

Notary Public (Commission Expires)

APS International, Ltd.
APS File # 061328-0001

NOTARIAL SEAL
DOLORES M. SCHMADER, Notary Public
Clarendon Borough, Clinton County
My Commission Expires Nov. 10, 2008

FILED
M 11.30 2003
SEP 02 2003
E A
William A. Shaw
Prothonotary/Clerk of Courts

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren
ATTY. I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849
Defendant(s)

NO. 02-1383-CD

AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P.RULE 3129.1

Plaintiff, by its/his/her Attorney, Mark J. Udren, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praecept for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.

2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".

3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".

4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

Dated: December 30, 2002

FILED

BY:

MARK J. UDREN & ASSOCIATES

Mark J. Udren, Esquire
Attorney for Plaintiff

JAN 06 2003

William A. Shaw
Prothonotary

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing and Securitization, LLC 4828 Loop Central Drive Houston, TX 77081	COURT OF COMMON PLEAS CIVIL DIVISION Clearfield County
Plaintiff	MORTGAGE FORECLOSURE
v.	
Samuel J. Toney III Patricia J. Toney 17 Mountain Run Road Penfield, PA 15849	NO. 02-1383-CD
Defendant(s)	

AMENDED AFFIDAVIT PURSUANT TO RULE 3129.1

Credit-Based Asset Servicing and Securitization, LLC, Plaintiff in the above action, by its attorney, Mark J. Udren, ESQ., sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 17 Mountain Run Road, Penfield, PA 15849

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

Samuel J. Toney III 17 Mountain Run Road, Penfield, PA 15849

Patricia J. Toney 17 Mountain Run Road, Penfield, PA 15849

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

SAME AS NO. 1 ABOVE

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

Name _____ Address _____

DEBOIS REGIONAL MEDICAL CENTER P. O. BOX 447, DEBOIS, IA 515801

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

Name _____ Address _____

Plaintiff herein. See Caption above

Chrylsler First Consumer Ste. 120, #1, Williamsburgh Place
Discount Co. Warrendale, PA 15086

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

Name Address

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

Real Estate Tax Dept. 1 N. Second St., Ste. 116
Clearfield, PA 16830

Domestic Relations Section 1 N. Second St., Ste. 116
Clearfield, PA 16830

Commonwealth of PA, Bureau of Compliance, Dept. 280946
Department of Revenue Harrisburg, PA 17128-0946

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

Tenants/Occupants 17 Mountain Run Road, Penfield, PA 15849

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.

MARK J. UDREN & ASSOCIATES

DATED: DECEMBER 30, 2002

Mark J. Udren, ESQ.
Attorney for Plaintiff

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 02-1383-CD

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

Defendant(s)

DATE: November 14, 2002

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

OWNER(S): SAMUEL J. TONEY, III & PATRICIA J. TONEY

PROPERTY: 17 Mountain Run Road, Penfield, PA 15849

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on JANUARY 10, 2003, at 10:00 AM, IN THE CLEARFIELD COUNTY COURTHOUSE, 1 NORTH SECOND STREET, SUITE 116, CLEARFIELD, PA. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

EXHIBIT A

Name and
Address
Of Sender
JODIE

LAW OFFICES OF MARK J. UDREN &
ASSOCIATES
1040 N. KINGS HIGHWAY, SUITE 500
CHEERRY HILL, NJ 08034

Registered
 Insured
 COD
 Certified

Return Receipt for
Merchandise
 Int'l Recorded Del.
 Express Mail

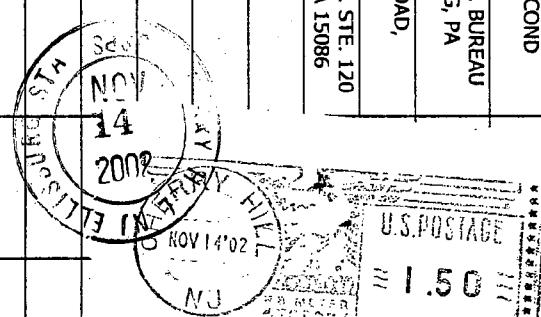
Check appropriate block for
Registered Mail:
 With Postal Insurance
 Without postal Insurance

Postmark and Date of Rec'd/lnr

Affix stamp here if issued
as certificate of mailing or
for additional copies of this
bill.

Rst. Del. Fee

Remarks



Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Sender If COD	R.R. Fee	S.D. Fee	Stamps	Rst. Del. Fee
1	TONEY	CLEARFIELD COUNTY TAX CLAIM BUREAU 1 NORTH SECOND STREET, SUITE 116, CLEARFIELD, PA 16830										
2	0234012	DOMESTIC RELATIONS SECTION 1 NORTH SECOND STREET, SUITE 116, CLEARFIELD, PA 16830										
3		COMMONWEALTH OF PA, DEPT. OF REVENUE, BUREAU OF COMPLIANCE, DEPT. 280946, HARRISBURG, PA 17128-0946										
4		TENANTS/OCCUPANTS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849										
5	CLEARFIELD COUNTY	CHRYSLER FIRST CONSUMER DISCOUNT CO. STE. 120 #1, WILLIAMSBURG PLACE, WARRENTON, PA 15086										
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)									
5		5	X									

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-negotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.

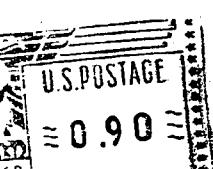
Name and Address of Sender
MARK J. UPTON & ASSOCIATES
 1040 N. KINGSTON HIGHWAY
 SUITE 500
 CHERRY HILL, NJ 08034

Line **1** **CHERRY HILL, NJ 08034**
 Article Number

Check type of mail or service:
 Certified Recorded Delivery (International)
 COD Registered
 Delivery Confirmation Return Receipt for Merchandise
 Express Mail Signature Confirmation
 Insured

Affix Stamp Here
 (If issued as a
 certificate of mailing,
 or for additional
 copies of this bill)

EXHIBIT A



Line	Addressee Name, Street, and PO Address	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1	Dubroff, Levine & Carter PO Box 447, Dubroff, NJ 0701											
2	Clayfield											
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												

Total Number of Pieces
 Listed by Sender

Postmaster, Per (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500 per piece subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500, but optional Express Mail service merchandise insurance is available for up to \$50,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for registered mail. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

Delivery Confirmation

Signature Confirmation

Special Handling

Restricted Delivery

Return Receipt

FILED NO
1128 BY CC

JAN 06 2003

William A. Shaw
Prothonotary

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

PRAECIPE TO REISSUE WRIT OF EXECUTION

TO THE SHERIFF:

Reissue Writ of Execution in the above matter:

Amount due \$103,169.59

Interest From October 15, 2002
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____

Prothonotary costs 127.00

MARK J. UDREN & ASSOCIATES

M

Mark J. Udren, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

MAY 30 2003

William A. Shaw
Prothonotary

624

FILED

cc Shaffer
Counts w/ prop. description

May 30 2003

Attn pd 7:00

William A. Shaw
Prothonotary

KA

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udran, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 02-1383-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

17 Mountain Run Road
Penfield, PA 15849
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$103,169.59

Interest From October 15, 2002
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____
Prothonotary costs \$ 127.00
Prothonotary _____
By _____
Clerk _____

5-30-03 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Willie L. Hansen
Deputy Prothonotary

Date 5/30/03

COURT OF COMMON PLEAS
NO. 02-1383-CD

=====

Credit-Based Asset Servicing and
Securitization, LLC

vs.

Samuel J. Toney III
Patricia J. Toney

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 103,169.59

INTEREST \$
from October 15, 2002 to
Date of Sale _____
Per diem @\$28.59

COSTS PAID:

PROTHY \$ _____

SHERIFF \$ _____

STATUTORY \$ _____

COSTS DUE PROTHY. \$ 127.00

PREMISES TO BE SOLD:

17 Mountain Run Road
Penfield, PA 15849


Mark J. Udren, ESQUIRE
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NJ 08034
(856) 482-6900

SEARCHED _____
INDEXED _____
SERIALIZED _____
FILED _____
RECORDED _____
SERIALIZED _____
INDEXED _____
SEARCHED _____
FILED _____

EXHIBIT "A"
LEGAL DESCRIPTION

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

BEGINNING at an iron pin situate in the center of Legislative Route No. 17301, said iron pin also being at the Southwest corner of land now or formerly owned by John Morelli, being Lot No. 8 in the Palumbo Plan of Lots; thence along the centerline of Legislative Route No. 17031, the following courses and distances; North 82 degrees 26' west a distance of 77.76 feet to an iron pin; North 86 degrees 40' 50" West, 62.45 feet to an iron pin thence North 03 degrees 00' West a distance of 222.4 feet to an iron pin at the Southerly line of Lot No. 2 in the Palumbo Plan of Lots; thence along the Southerly line of said Lot No. 2 and Lot No. 3 in the Palumbo Plan of Lots, North 86 degrees 30' East a distance of 156.6 feet to an iron at the Northwest corner of Lot No. 7; thence along the Westerly line of Lots No. 7 and 8 in the Palumbo Plan of Lots, South 01 degrees 13' West, a distance of 347.8 feet to an iron pin and place of beginning.

Parcel No.: 0-G03-000-00066

Current/Prior Deed Reference: Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife to Samuel J. Toney, III and Patricia J. Toney, husband and wife dated 9/26/80 recorded on 10/3/80 at DBV 803, Page 117.

BEING KNOWN AS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849.

PROPERTY ID NO. 119-G03-0-66

TITLE TO SAID PREMISES IS VESTED IN SAMUEL J. TONEY, III AND PATRICIA J. TONEY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM BENEDETTO P. PALUMBO AND DONNA PALUMBO, HUSBAND AND WIFE, DATED 9/26/1980, RECORDED 10/3/1980, IN DEED BOOK 803, PAGE 117.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing and Securitization, LLC 4828 Loop Central Drive Houston, TX 77081	COURT OF COMMON PLEAS CIVIL DIVISION Clearfield County
Plaintiff	NO. 02-1383-CD
v.	
Samuel J. Toney III Patricia J. Toney 17 Mountain Run Road Penfield, PA 15849	
Defendant(s)	

PRAECIPE TO RETURN WRIT OF EXECUTION

TO THE SHERIFF:

Kindly return the Writ of Execution to Mark J. Udren & Associates
with regard to the referenced matter.

DATED: June 23, 2003

MARK J. UDREN & ASSOCIATES

Mark J. Udren, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED

JUN 27 2003

William A. Shaw
Prothonotary

FILED

No cc

11-3584

JUN 27 2003

Atty indicated
that he sent copy
to Sheriff

William A. Shaw
Prothonotary

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849
Defendant(s)

NO. 02-1383-CD

SEP 24 2003
m 12:05 PM
William A. Shaw
Prothonotary/Clerk of Courts
No Lien

FILED

AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P.RULE 3129.1

Plaintiff, by its/his/her Attorney, Mark J. Udren, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praeclipe for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

Dated: September 15, 2003

MARK J. UDREN & ASSOCIATES

BY:

Mark J. Udren, Esquire
Attorney for Plaintiff

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 02-1383-CD

v.
Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849
Defendant(s)

DATE: July 31, 2003

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY

OWNER(S): Samuel J. Toney III and Patricia J. Toney

PROPERTY: 17 Mountain Run Road
Penfield, PA 15849

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on September 5, 2003, at 10:00 AM, in the Clearfield County Courthouse, 1 North Second Street, Suite 116. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

| EXHIBIT A.

Name and Address Of Sender		Law Offices Mark J. Udren & Assoc. 1040 N. Kings Highway, Suite 500 Cherry Hill, NJ 08034		Check appropriate block for certificate of mailing or for additional copies of this bill.				
Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge			
1	Toney	Dubois Regional Medical Center, PO Box 447, Dubois, PA 15801						
2	0234012	Chrysler First Consumer Discount Co, Suite 120, #1 Williamsburg, Place, Warrendale, PA 15086						
3	Clearfield	Real Estate Tax Dept., 1 N. Second St., Ste 116 Clearfield, PA 16830						
4	Jodie	Domestic Relations Section, 1 N. Second St., Ste 116 Clearfield, PA 16830						
5		Commonwealth of PA, Dept. of Revenue, Bureau of Compliance, Dept. 280946, Harrisburg, PA 17128-0946						
6		Tenant(s)/Occupants, 17 Mountain Run Rd., Penfield, PA 15849						
7								
8								
9								
10								
11								
12								
13								
14								
15								
Total number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail Document Reconstruction Insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on International mail. Special handling charges apply only to third and fourth class parcels.					

PS Form 3877, February 1994

Form Must be Completed by Typewriter, Ink or Ball Point Pen

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail reconstruction insurance is \$30,000 per place subject to a limit of \$60,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 1000, §91.3 and §921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on International mail. Special handling charges apply only to third and forth class parcels.

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
NO. 02-1383-CD

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

Defendant(s)

PRAECIPE TO FILE PROOF OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to the
captioned matter.

MARK J. UDREN & ASSOCIATES

Date: August 28, 2003

BY:

Mark J. Udren, ESQUIRE
Attorney for Plaintiff

EXHIBIT E

Credit-Based Asset Servicing and Securitization, LLC, et al.,
Plaintiff(s)

vs.
Samuel J. Toney, III, et al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171
APS International Plaza
7800 Glenway Rd.
Minneapolis, MN 55439-3122

AFFIDAVIT OF SERVICE – Individual

MARK J. UDREN
Mr. Judith L. Boos
1040 North Kings Highway
Suite 500
Cherry Hill, NJ 08034

Service of Process on:

—Samuel J. Toney
Court Case No. 02-1383-CD

State of: 206-38-2462) ss. PA

County of: Jefferson) PA STATE COURTABLE

Name of Server: James E. Collins, undersigned, being duly sworn, deposes and says
that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 18 day of Aug, 2007, at 5:35 o'clock P M

Place of Service: at RR# 1 Box 86, in Dubois, PA 15801

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Samuel J. Toney Samuel J. Toney

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of _____, a person of
suitable age and discretion residing at the Place of Service,
whose relationship to the person to be served is _____

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex _____; Skin Color _____; Hair Color _____; Facial Hair _____
Approx. Age _____; Approx. Height _____; Approx. Weight _____

To the best of my knowledge and belief, said person was not engaged in the US Military at
the time of service.

Signature of Server: Undersigned declares under penalty of perjury
that the foregoing is true and correct.

James E. Collins 8-19-07
Signature of Server (Date)

Subscribed and sworn to before me this
19th day of August, 20 07
Dolores M. Schmader
Notary Public (Commission Expires)

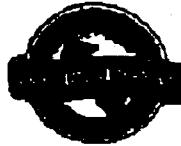
APS International, Ltd.

APS File #: 061328-0001

NOTARY SEAL
DOLORES M. SCHMADER, Notary Public
Clarion Banc, Clarion County
My Commission Expires Nov. 10, 2008

EXHIBIT B

Credit-Based Asset Servicing and Securitization, LLC, et. al.,
Plaintiff(s)
vs.
Samuel J. Toney, III, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171
APS International Plaza
7800 Glearay Rd.
Minneapolis, MN 55439-3122

AFFIDAVIT OF SERVICE - Individual

MARK J. UDREN

Mr. Jodie L. Boos
1040 North Kings Highway
Suite 500
Cherry Hill, NJ 08034

Service of Process on:

—Patricia J. Toney
Court Case No. 02-1383-CD

State of: 206-38-2462 on PA.

County of: Jefferson Pa. State Constable

Name of Server: James E. Collier, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 18 day of Aug., 2003, at 8:25 o'clock A M

Place of Service: at RRE Box 26, in Dubois, PA 15801

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Patricia J. Toney Samuel J. Toney husband

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of Samuel J. Toney, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is Husband

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex ; Skin Color ; Hair Color ; Facial Hair

Approx. Age ; Approx. Height ; Approx. Weight

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James E. Collier 8-19-03
Signature of Server (Date)

Subscribed and sworn to before me this

19th day of August, 2003

Dolores M. Schmader

Notary Public (Commission Expires)

APS International, Ltd.

APS File # 061328-0001

NOTARIAL SEAL
DOLORES M. SCHMADER, Notary Public
Clarion County, Clarion County
My Commission Expires Nov. 10, 2008

EXHIBIT E

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 14356

CREDIT-BASED ASSET SERVICING AND SECURITIZATION, LLC

02-1383-CD

VS.

TONEY, SAMUEL J. III

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, AUGUST 11, 2003 @ 1:50 P.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF SEPTEMBER 5, 2003 WAS SET.

NOW, AUGUST 18, 2003 @ 8:25 P.M. O'CLOCK PA STATE CONSTABLE JAMES E. COLLINS SERVED PATRICIA J. TONEY, DEFENDANT, AT RR #8, BOX 86, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SAMUEL J. TONEY, III HUSBAND/DEFENDANT, A NOTICE OF SHERIFF'S SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, AUGUST 18, 2003 @ 8:25 P.M. O'CLOCK PA STATE CONSTABLE JAMES E. COLLINS SERVED TONEY, III, DEFENDANT, AT RR #8, BOX 86, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SAMUEL J. TONEY, III, DEFENDANT A NOTICE OF SHERIFF'S SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

AUGUST 19, 2003 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF'S SALE FOR 30 DAYS TO OCTOBER 10, 2003.

NOW, AUGUST 23, 2003 SERVED PATRICIA J. TONEY, DEFENDANT BY CERTIFIED AND REGULAR MAIL TO RR #8, BOX 86, DUBOIS, CLEARFIELD COUNTY PENNSYLVANIA WITH NOTICE OF SHERIFF'S SALE, A COPY OF THE ORIGINAL WRIT OF EXECUTION, AND COPY OF THE LEVY, SIGNED FOR BY SAMUEL J. TONEY, III, HUSBAND/DEFENDANT.

FILED
01/20/04
DEC 16 2003
CR
REB

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 14356

CREDIT-BASED ASSET SERVICING AND SECURITIZATION, LLC

02-1383-CD

VS.

TONEY, SAMUEL J. III

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, AUGUST 23, 2003 SERVED SAMUEL J. TONEY, III, DEFENDANT BY CERTIFIED AND REGUALR MAIL TO RR #8, BOX 86, DUBOIS, CLEARFIELD COUNTY PENNSYLVANIA WITH NOTICE OF SHERIFF'S SALE, A COPY OF THE ORIGINAL WRIT OF EXECUTION, AND COPY OF THE LEVY, SIGNED FOR BY SAMUEL J. TONEY, III, DEFENDNAT.

NOW, OCTOBER 10, 2003 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, OCTOBER 20, 2003 BILLED ATTORNEY FOR COSTS DUE.

NOW, OCTOBER 29, 2003 RECEIVED CHECK FROM THE ATTORNEY.

NOW, DECEMBER 16, 2003 PAID COSTS.

NOW, DECEMBER 16, 2003 RETURN WRIT AS A SALE BEING HELD ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.,

NOW, DECEMBER 16, 2003 A DEED WAS FILED.

SHERIFF HAWKINS \$237.65

SURCHARGE \$40.00

PAID BY ATTORNEY

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 14356

CREDIT-BASED ASSET SERVICING AND SECURITIZATION, LLC

02-1383-CD

VS.

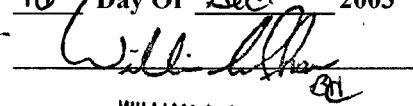
TONEY, SAMUEL J. III

WRIT OF EXECUTION REAL ESTATE

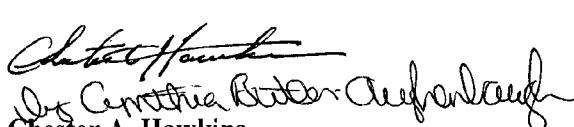
SHERIFF RETURNS

Sworn to Before Me This

16th Day Of Dec. 2003


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

So Answers,


Chester A. Hawkins
Sheriff

MARK J. UDREN & ASSOCIATES
BY: Mark J. Udren, Esquire
ATTY I.D. NO. 04302
1040 N. KINGS HIGHWAY, SUITE 500
CHERRY HILL, NJ 08034
856-482-6900

ATTORNEY FOR PLAINTIFF

Credit-Based Asset Servicing
and Securitization, LLC
4828 Loop Central Drive
Houston, TX 77081

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

Plaintiff

MORTGAGE FORECLOSURE

v.

Samuel J. Toney III
Patricia J. Toney
17 Mountain Run Road
Penfield, PA 15849

NO. 02-1383-CD

Defendant(s)

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

17 Mountain Run Road
Penfield, PA 15849
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$103,169.59

Interest From October 15, 2002
to Date of Sale _____
Per diem @\$28.59

(Costs to be added) \$ _____
Prothonotary costs \$ 127.00
By _____ Prothonotary
Willie L. Hansen
Clerk

5-30-03 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Date 5/30/03

Willie L. Hansen
Deputy Prothonotary

Received 5-30-03 @ 3:15 P.M.

Chester A. Hawkins
by Cynthia Butter-Alpernbaugh

14

EXHIBIT "A"
LEGAL DESCRIPTION

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

BEGINNING at an iron pin situate in the center of Legislative Route No. 17301, said iron pin also being at the Southwest corner of land now or formerly owned by John Morelli, being Lot No. 8 in the Palumbo Plan of Lots; thence along the centerline of Legislative Route No. 17301, the following courses and distances; North 82 degrees 26' west a distance of 77.76 feet to an iron pin; North 86 degrees 40' 50" West, 62.45 feet to an iron pin thence North 03 degrees 00' West a distance of 222.4 feet to an iron pin at the Southerly line of Lot No. 2 in the Palumbo Plan of Lots; thence along the Southerly line of said Lot No. 2 and Lot No. 3 in the Palumbo Plan of Lots, North 86 degrees 30' East a distance of 156.6 feet to an iron at the Northwest corner of Lot No. 7; thence along the Westerly line of Lots No. 7 and 8 in the Palumbo Plan of Lots, South 01 degrees 13' West, a distance of 347.8 feet to an iron pin and place of beginning.

Parcel No.: 0-G03-000-00066

Current/Prior Deed Reference: Deed from Benedetto P. Palumbo and Donna Palumbo, husband and wife to Samuel J. Toney, III and Patricia J. Toney, husband and wife dated 9/26/80 recorded on 10/3/80 at DBV 803, Page 117.

BEING KNOWN AS 17 MOUNTAIN RUN ROAD, PENFIELD, PA 15849.

PROPERTY ID NO. 119-G03-0-66

TITLE TO SAID PREMISES IS VESTED IN SAMUEL J. TONEY, III AND PATRICIA J. TONEY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM BENEDETTO P. PALUMBO AND DONNA PALUMBO, HUSBAND AND WIFE, DATED 9/26/1980, RECORDED 10/3/1980, IN DEED BOOK 803, PAGE 117.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME TONEY II NO. 02-1383-CD

NOW, October 10, 2003 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 10TH day of OCTOBER 2003, I exposed the within described real estate of SAMUEL J. TONEY III AND PATRICIA J. TONEY to public venue or outcry at which time and place I sold the same to CREDIT-BASED ASSET SERVICING AND SECURITIZATION, LLC 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	11.52
LEVY	15.00
MILEAGE	11.52
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	14.11
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	9.50
TOTAL SHERIFF COSTS	237.65
DEED COSTS:	
ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	
TOTAL DEED COSTS	28.50

*Paid to
Court Deed
Costs*

PLAINTIFF COSTS, DEBT & INTEREST:

DEBT-AMOUNT DUE	103,169.59
INTEREST FROM 10/15/02	
TO BE ADDED TO SALE DATE	
ATTORNEY FEES	
PROTH. SATISFACTION	
LATE CHARGES & FEES	
COST OF SUIT -TO BE ADDED	
FORECLOSURE FEES/ESCROW DEFICIT	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	
TOTAL DEBT & INTEREST	103,169.59
COSTS:	
ADVERTISING	406.98
TAXES - collector	TO 12/5/03
TAXES - tax claim	NONE
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	237.65
LEGAL JOURNAL AD	198.00
PROTHONOTARY	127.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	2,841.76

*Paid to
Court Deed
Costs*

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

V65:20 E0-BMV-61

Credit-Based Asset Servicing and Securitization, LLC, et al.
 Plaintiff(s)
 vs.
 Samuel J. Toney, III, et al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171

APS International Plaza
 7800 Glenway Rd.
 Minneapolis, MN 55439-3122

AFFIDAVIT OF SERVICE – Individual

MARK J. UDREN Mr. Jodie L. Boos 1040 North Kings Highway Suite 500 Cherry Hill, NJ 08034
--

Service of Process on:

—Samuel J. Toney
 Court Case No. 62-1383-CD

State of: 206-38-2462) in PA
 County of: Jefferson) PA STATE COURTHOUSE

Name of Server: JAMES E. COLLINS, undersigned, being duly sworn, deposes and says
 that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 18 day of Aug, 2003, at 8:35 o'clock PM

Place of Service: at RR3, Box 86, in Dubois, PA 15801

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Samuel J. Toney Samuel J. Toney

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of _____, a person of
 suitable age and discretion residing at the Place of Service,
 whose relationship to the person to be served is _____

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex _____; Skin Color _____; Hair Color _____; Facial Hair _____

Approx. Age _____; Approx. Height _____; Approx. Weight _____

To the best of my knowledge and belief, said person was not engaged in the US Military at
 the time of service.

Signature of Server: Undersigned declares under penalty of perjury
 that the foregoing is true and correct.

James E. Collins 8-19-03
 Signature of Server (Date)

Subscribed and sworn to before me this
19th day of August, 20 03
Dolores M. Schmader
 Notary Public (Commission Expires)

APS International, Ltd.

APS File #: 061328-0001

NOTARY SEAL
 DOLORES M. SCHMADER, Notary Public
 Clinton Bars, Clinton County
 My Commission Expires Nov. 10, 2008

Credit-Based Asset Servicing and Securitization, LLC, et. al.,
Plaintiff(s)
vs.
Samuel J. Toney, III, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171
APS International Plaza
7300 Cherry Rd.
Minneapolis, MN 55439-3122

AFFIDAVIT OF SERVICE - Individual

Service of Process on:

—Patricia J. Toney
Court Case No. 02-1383-CD

MARK J. UDREN

Mr. Jedd L. Boos
1040 North Kings Highway
Suite 500
Cherry Hill, NJ 08034

State of PA, on PA.

County of Jefferson by STATE CONSTABLE

Name of Server: JAMES E COLLINS, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 15 day of Aug., 2003, at 8:25 o'clock P M

Place of Service: at RR# Box 56, in Jefferson, PA 15022

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Person Served, and Patricia J. Toney Samuel J. Toney 15025

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of Samuel J. Toney, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is Husband

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex ; Skin Color ; Hair Color ; Facial Hair

Approx. Age ; Approx. Height ; Approx. Weight

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server:

Undersigned declares under penalty of perjury that the foregoing is true and correct.

James E. Collins 8-19-03
Signature of Server (Date)

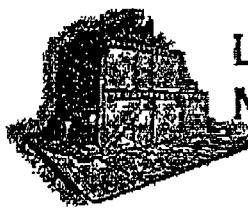
APS International, Ltd.
APS File # 061328-0001

Subscribed and sworn to before me this

19th day of August, 2003

Dolores M. Schmader
Notary Public (Commission Expires)

NOTARIAL SEAL
DOLORES M. SCHMADER, Notary Public
Clarion Banc, Clarion County
My Commission Expires Nov. 10, 2008



**LAW OFFICES OF
MARK J. UDREN & ASSOCIATES**

1040 N. KINGS HIGHWAY SUITE 500 CHERRY HILL, NJ 08034
(856)482-6900 VOICE - (856)482-1199 FAX

PENNSYLVANIA OFFICE
24 NORTH MARION AVE.
MURFREE 240
5TH FLOOR, PH. 19000
(215) 566-5800 VOICE
(215) 566-1141 FAX

PLEASE SEND ALL RESPONSES TO THE NEW JERSEY OFFICE

MARK J. UDREN
PENNSYLVANIA
DESIGNATED COUNSEL

Facsimile Transmittal

To: Cindy Fax: 814-765-6915
From: Jodie Date: 8-19-03
Re: Toney Pages: 3 N/ CML
CC:

Urgent

For Review

Please Comment

Please Reply

Please Recycle



*Cindy -
Please see Service in
the Toney - we will
just need to pp 30 days
from 9/5/03 -*

- Jodie -

CONFIDENTIAL

LAW OFFICES
MARK J. UDREN & ASSOCIATES
1040 NORTH KINGS HIGHWAY
SUITE 500
CHERRY HILL, NEW JERSEY 08034
856 . 482 . 6900
FAX: 856 . 482 . 1199

MARK J. UDREN**
STUART WINNEG**
GAYL SPIVAK ORLOFF***
HEIDI R. SPIVAK***
CHRISTOPHER J. FOX***
CORINA CANZ***
****ADMITTED NJ, PA, FL**
*****ADMITTED PA**
*****ADMITTED NJ, PA**
TINA MARIE RICH
OFFICE ADMINISTRATOR

ERREDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PENNSYLVANIA OFFICE
24 NORTH MENON AVENUE
SUITE 240
BRYN MAWR, PA 19010
215-568-9500
215-568-1141 FAX

PLEASE RESPOND TO NEW JERSEY OFFICE

August 28, 2003

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office
 Clearfield County Courthouse
 1 North Second Street
 Suite 116
 Clearfield, PA 16830
 ATTN: Cindy

Re: Credit-Based Asset Servicing and Securitization, LLC
 vs.
 Samuel J. Toney III & Patricia J. Toney
 Clearfield County C.C.P. No. 02-1383-CD
 Premises: 17 Mountain Run Road, Penfield, PA 15849
 SS Date: September 5, 2003

Dear Cindy:

Please Postpone the Sheriff's Sale scheduled for September 5, 2003
 to October 10, 2003.

Sale is postponed for the following reason:

To allow time for Service of the Notice of Sale.

Thank you for your attention to this matter.

Sincerely yours,

Mark J. Udren
 MARK J. UDREN & ASSOCIATES

jlb