

02-1738-CD  
Banker Trust vs John R Rice al

02

02-1738-CD  
BANKERS TRUST COMPANY OF CALIF. vs. JOHN R. RICE, etc.

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
(610) 941-3600  
ATTORNEY FOR PLAINTIFF

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A. AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D  
THREE PARK PLAZA  
IRVINE, CA 92614

Plaintiff,

v.

JOHN R. RICE and  
NANCY E. RICE, husband and wife,  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666  
AND  
JOHN and JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666

Defendant

FILED

NOV 06 2002

William A. Shaw  
Prothonotary

COMMON PLEAS COURT OF  
CLEARFIELD COUNTY

NO. 02-1738-CO

EJECTMENT

COMPLAINT IN EJECTMENT

NOTICE

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 of 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.**

Lawyer Referral Service  
Court Administrator's Office  
Clearfield County Court House  
230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

**PULEO & D'EMILIO, LLC**  
**PAUL F. D'EMILIO, ESQUIRE**  
**ATTORNEY I.D. #16654**  
**660 SENTRY PARKWAY, SUITE 210**  
**BLUE BELL, PA 19422**  
**(610) 941-3600**

**ATTORNEY FOR PLAINTIFF**

**BANKERS TRUST COMPANY OF**  
**CALIFORNIA, N.A. AS TRUSTEE FOR**  
**UCFC LOAN TRUST 1997-D**  
**THREE PARK PLAZA**  
**IRVINE, CA 92614**

**Plaintiff,**

**v.**

**JOHN R. RICE and**  
**NANCY E. RICE, husband and wife,**  
**R.D. 1, BOX 970, ROUTE 970**  
**OSCELOA MILLS, PA 16666**

**AND**

**JOHN and JANE DOE**  
**R.D.1. BOX 970, ROUTE 970**  
**OSCELOA MILLS, PA 16666**

**Defendants.**

**COMMON PLEAS COURT OF**  
**CLEARFIELD COUNTY**

**NO.**

**EJECTMENT**

**COMPLAINT IN EJECTMENT**

Plaintiff, by its attorney, Paul F. D'Emilio, Esquire, brings this action of Ejectment to secure possession of the premises of **R.D.1. Box 970, Route 970, Osceola Mills, Clearfield County, Pennsylvania 16666**, upon a cause whereof the following is a statement:

1. The Plaintiff is **Bankers Trust Company of California, N.A. as Trustee for UCFC Loan Trust 1997-D**, having its principal place of business at **Three Park Plaza, Irvine, CA 92614**.

2. The Defendants are individuals presently residing at **R.D.1. Box 970, Route 970, Osceola Mills, Pennsylvania**, and presently occupy the property without permission of the legal owner.
3. Said premises, R.D.1. BOX 970, ROUTE 970 , Osceola Mills, Pennsylvania, as more fully described in the legal description attached hereto, made a part hereof and marked Exhibit "A", was sold by the Sheriff of Clearfield County at a Judicial or Sheriff's Sale held on January 4, 2002, after due advertisement according to law, under and by virtue of a Writ of Execution out of the Court of Common Pleas of Clearfield County, at the suit of **United Companies Lending Corporation v. John R. and Nancy E. Rice, No. 00-111-CD.**
4. Said described property was purchased at the said sale by the attorney on the writ for the Plaintiff herein, who is entitled to possession thereof.
5. Settlement has been made with the Sheriff of Clearfield County and the Deed has been or is about to be prepared and executed by the Sheriff and delivered to the Recorder of Deeds in and for the County of Clearfield for recording by which premises R.D.1. Box 970, Route 970 , Osceola Mills, Pennsylvania, will be conveyed to Bankers Trust Compay of California, N.A. as Trustee for UCFC Loan Trust 1997-D, the Plaintiff herein.
6. Defendant is presently in possession of the said premises and has not vacated the said premises subsequent to the Sheriff's Sale despite demands from the Plaintiff for possession.
7. Defendant has no valid legal right to possession of the property.
8. Plaintiff claims the right to possession of the premises to the exclusion of Defendants.

**WHEREFORE**, Plaintiff prays that its right of possession of premises at R.D.1. BOX 970, ROUTE 970 , Osceola Mills, Pennsylvania 16666, be immediately ordered against defendants and that a Write of Possession be promptly thereafter issued.



PAUL F. DEMILIO, ESQUIRE  
ATTORNEY FOR PLAINTIFF

VERIFICATION

**Terri Skidmore, IAS Eviction Specialist, of Servicing Agent, to the within-named Plaintiff hereby verifies that the statements made in the foregoing Complaint in Ejectment are true and correct. I understand that false statements herein are made subject to the penalties of 18. Pa. C.S. Section 4904 relating to unsworn falsification to authorities.**

DATE: 10-25-02

*Terri Skidmore, IAS  
Eviction Dept Mgr, of Servicing Agent  
Terri Skidmore*

### **LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the Northeast corner of land of which this a part; thence in a Southerly direction along the Western side of LR 17056.84 feet to a point; thence in a Westerly direction twenty feet (20') from and parallel to the Southern boundary line of premises of which this is a part, three hundred eighty two feet (382') to a point; thence in Northerly direction through land of which this is a part one hundred eighty five (185') to a point on the Northern boundary line of land of which this is a part; thence in an Easterly direction along the Northern boundary line of land of which this is part three hundred ten (310') to point and place of beginning. CONTAINING approximately 1 acre.

HAVING erected thereon a building and a mobile home identified as No. 1988 M0126381 A38571428, known as R.D. 1, Box 970, Route 970, and being designated as Tax I.D. No. 112-013-241..

BEING the same premises which Thomas W. Wilson and Elsie Wilson, his wife, by their Deed dated May 26, 1995, and recorded in the Recorder's Office of Clearfield County in Deed Book Volume 1679, page 21, granted and conveyed unto John R. Rice and Nancy E. Rice, his wife..

Tax Parcel #40-R-49

**Exhibit A**

IN THE COMMON PLEAS COURT

OF

CLEARFIELD COUNTY,

PENNSYLVANIA

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A.

PLAINTIFF

v.

JOHN R. AND NANCY E. RICE, H/W  
R.D. 1, BOX 970, ROUTE 970  
OSCEOLA MILLS, PA 16666

AND

JOHN AND JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCEOLA MILLS, PA 16666  
DEFENDANTS

COMPLAINT

Aug 14  
1981 2.30 PM  
8:25 PM  
2 OCT 1981  
K

Paul F. D'Emilio, Esquire  
PULCO & D'EMILIO, LLC  
660 Sentry Parkway, Suite 210  
Blue Bell, PA 19422

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

Sheriff Docket # 13283

**BANKERS TRUST COMPANY OF CALIFORNIA**

**02-1738-CD**

**VS.**

**RICE, JOHN R. & NANCY E.**

**COMPLAINT IN EJECTMENT**

**SHERIFF RETURNS**

---

**NOW NOVEMBER 15, 2002 AT 10:11 AM EST SERVED THE WITHIN COMPLAINT  
IN EJECTMENT ON NANCY E. RICE, DEFENDANT AT RESIDNECE, RD#1 BOX 970,  
RT. 970, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING  
TO NANCY E. RICE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT  
IN EJECTMENT AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

**SERVED BY; DAVIS/MORGILLO**

**NOW NOVEMBER 15, 2002 AT 10:11 AM EST SERVED THE WITHIN COMPLAINT  
IN EJECTMENT ON TENANT/OCCUPANT AT RD#1 BOX 970, T 970, OSCEOLA MILLS,  
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO NANCY RICE, DEFENDANT  
A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND  
MADE KNOWN TO HER THE CONTENTS THEREOF.**

**SERVED BY: DAVIS/MORGILLO**

**NOW JANUARY 27, 2003 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN  
THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO JOHN R. RICE,  
DEFENDANT. DEFENDANT IS "DECEASED".**

---

**Return Costs**

| <b>Cost</b> | <b>Description</b>           |
|-------------|------------------------------|
| 47.00       | SHFF. HAWKINS PAID BY; ATTY. |
| 30.00       | SURCHARGE PAID BY; ATTY.     |

*1/3:54 AM*  
JAN 27 2003

William A. Shaw  
Prothonotary

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

Sheriff Docket # 13283

**BANKERS TRUST COMPANY OF CALIFORNIA**

02-1738-CD

VS.

**RICE, JOHN R. & NANCY E.**

**COMPLAINT IN EJECTMENT**

**SHERIFF RETURNS**

---

**Sworn to Before Me This**

2<sup>nd</sup> Day Of Jan 2003  
WILLIAM A. SHAW EPT  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

**So Answers,**

Chester A. Hawkins  
by Maury Hahn  
Chester A. Hawkins  
Sheriff

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
(610) 941-3600  
ATTORNEY FOR PLAINTIFF

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A. AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D  
THREE PARK PLAZA  
IRVINE, CA 92614

Plaintiff,

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JOHN R. RICE and  
NANCY E. RICE, husband and wife,  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666  
AND  
JOHN and JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666

Defendant

COMMON PLEAS COURT OF  
CLEARFIELD COUNTY

NO. 02-1738-CV

EJECTMENT

COMPLAINT IN EJECTMENT

NOTICE

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Lawyer Referral Service  
Court Administrator's Office  
Clearfield County Court House  
230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

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

NOV 06 2002

Attest.

*Wes A. R.*  
Prothonotary/  
Clerk of Courts

**VERIFICATION**

Terri Skidmore, IAS Eviction Specialist, of Servicing Agent, to the within-named Plaintiff hereby verifies that the statements made in the foregoing Complaint in Ejectment are true and correct. I understand that false statements herein are made subject to the penalties of 18, Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATE: 10-25-02

*Terri Skidmore, IAS  
Eviction Dept Mgr, of Servicing Agent  
Terri Skidmore*

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
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(610) 941-3600  
ATTORNEY FOR PLAINTIFF

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A. AS TRUSTEE FOR  
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THREE PARK PLAZA  
IRVINE, CA 92614

Plaintiff,

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JOHN R. RICE and  
NANCY E. RICE, husband and wife,  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666  
AND  
JOHN and JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666

Defendant

COMMON PLEAS COURT OF  
CLEARFIELD COUNTY

NO. 02-1738-CJ

EJECTMENT

COMPLAINT IN EJECTMENT

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(814) 765-2641 Ext. 5982

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NOV 06 2002

Attest.

*William S. Brown*  
Prothonotary/  
Clerk of Courts

**PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
(610) 941-3600**

**ATTORNEY FOR PLAINTIFF**

**BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A. AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D  
THREE PARK PLAZA  
IRVINE, CA 92614**

**Plaintiff,**

**v.**

**JOHN R. RICE and  
NANCY E. RICE, husband and wife,  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666**

**AND**

**JOHN and JANE DOE  
R.D.1. BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666**

**Defendants.**

**COMMON PLEAS COURT OF  
CLEARFIELD COUNTY**

**NO.**

**EJECTMENT**

**COMPLAINT IN EJECTMENT**

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2. The Defendants are individuals presently residing at **R.D.1. Box 970, Route 970, Osceola Mills, Pennsylvania**, and presently occupy the property without permission of the legal owner.
3. Said premises, **R.D.1. BOX 970, ROUTE 970 , Osceola Mills, Pennsylvania**, as more fully described in the legal description attached hereto, made a part hereof and marked Exhibit "A", was sold by the Sheriff of Clearfield County at a Judicial or Sheriff's Sale held on January 4, 2002, after due advertisement according to law, under and by virtue of a Writ of Execution out of the Court of Common Pleas of Clearfield County, at the suit of **United Companies Lending Corporation v. John R. and Nancy E. Rice, No. 00-111-CD.**
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7. Defendant has no valid legal right to possession of the property.
8. Plaintiff claims the right to possession of the premises to the exclusion of Defendants.

WHEREFORE, Plaintiff prays that its right of possession of premises at R.D.1.  
BOX 970, ROUTE 970 , Osceola Mills, Pennsylvania 16666, be immediately ordered  
against defendants and that a Write of Possession be promptly thereafter issued.

  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY FOR PLAINTIFF

VERIFICATION

Terri Skidmore, IAS Eviction Specialist, of Servicing Agent, to the within-named Plaintiff hereby verifies that the statements made in the foregoing Complaint in Ejectment are true and correct. I understand that false statements herein are made subject to the penalties of 18. Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATE: 10-25-02

*Terri Skidmore, IAS  
Eviction Dept Mgr, of Servicing Agent  
Terri Skidmore*

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the Northeast corner of land of which this a part; thence in a Southerly direction along the Western side of LR 17056.84 feet to a point; thence in a Westerly direction twenty feet (20') from and parallel to the Southern boundary line of premises of which this is a part, three hundred eighty two feet (382') to a point; thence in Northerly direction through land of which this is a part one hundred eighty five (185') to a point on the Northern boundary line of land of which this is a part; thence in an Easterly direction along the Northern boundary line of land of which this is part three hundred ten (310') to point and place of beginning. CONTAINING approximately 1 acre.

HAVING erected thereon a building and a mobile home identified as No. 1988 M0126381 A38571428, known as R.D. 1, Box 970, Route 970, and being designated as Tax I.D. No. 112-013-241..

BEING the same premises which Thomas W. Wilson and Elsie Wilson, his wife, by their Deed dated May 26, 1995, and recorded in the Recorder's Office of Clearfield County in Deed Book Volume 1679, page 21, granted and conveyed unto John R. Rice and Nancy E. Rice, his wife..

Tax Parcel #40-R-49

**Exhibit A**

IN THE COMMON PLEASE COURT

OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A.  
PLAINTIFF

v.

JOHN R. AND NANCY E. RICE, H/W  
R.D. 1, BOX 970, ROUTE 970  
OSCEOLA MILLS, PA 16666

AND  
JOHN AND JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCEOLA MILLS, PA 16666  
DEFENDANTS

COMPLAINT

I HEREBY CERTIFY THAT THE  
WITHIN IS A TRUE AND CORRECT  
COPY OF THE ORIGINAL

Paul F. D'Emilio  
ATTORNEY FOR Plaintiff

Paul F. D'Emilio, Esquire  
PULEO & D'EMILIO, LLC  
660 Sentry Parkway, Suite 210  
Blue Bell, PA 19422

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
(610) 941-3600  
ATTORNEY FOR PLAINTIFF

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,  
Plaintiff,

v.

JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

**PRAECIPE FOR JUDGMENT AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY, C.P.:

Enter Judgment for possession in the above entitled matter in-favor of the Plaintiff, Bankers Trust Company of California, N.A. as Trustee for UCFC Loan Trust 1997-D and against the Defendant, Nancy E. Rice for want of an answer and issue a Writ of Possession for premises R.D. 1, Bix 970, Route 970, Osceloa Mills, PA 16666.



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PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY FOR PLAINTIFF  
ATTORNEY I.D. #16654

AND NOW February 3, 2002, Judgment for Possession is entered in favor of Plaintiff and against Defendant(s) as per the above certification.

William A. Shaw  
PRO PROTHY

**FILED**

FEB 03 2003

William A. Shaw  
Prothonotary

**PULEO & D'EMILIO, LLC**  
**PAUL F. D'EMILIO, ESQUIRE**  
**ATTORNEY I.D. #16654**  
**660 SENTRY PARKWAY, SUITE 210**  
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**ATTORNEY FOR PLAINTIFF**

**BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,  
Plaintiff,**

**v.**

**JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)**

**COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY**

**NO. 02-1738-CD**

**EJECTMENT**

**AFFIDAVIT AS TO NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA

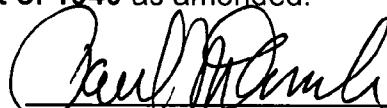
: SS

COUNTY OF DELAWARE

:

PAUL F. D'EMILIO, being duly sworn according to law, deposes and says that he is the agent for the Plaintiff above-named and is authorized to and does make this **Affidavit** on its behalf; and that he has knowledge of the facts set forth herein:

That Defendant, Nancy E. Rice is over twenty-one years of age and that she is not in the military service of the United States or otherwise within the provisions of the **Soldier's and Sailor's Civil Relief Act of 1940** as amended.



PAUL F. D'EMILIO, ESQUIRE

**SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 26th DAY  
OF December , 2002.**

Kristen L. Verity  
**NOTARY PUBLIC**

|                                    |
|------------------------------------|
| <b>NOTARIAL SEAL</b>               |
| KRISTEN L. VERITY, Notary Public   |
| Springfield Twp., Delaware County  |
| My Commission Expires May 12, 2003 |

**PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
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ATTORNEY FOR PLAINTIFF**

**BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,  
Plaintiff,**

**v.**

**JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)**

**COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY**

**NO. 02-1738-CD**

**EJECTMENT**

**AFFIDAVIT OF NOTICE OF INTENT TO ENTER DEFAULT JUDGEMENT**

I, PAUL F. D'EMILIO, ESQUIRE, attorney for the Plaintiff, **Bankers Trust Company of California, N.A. as Trustee for UCFC Loan Trust 1997-D**, does hereby certify that a **Notice of Intent to Enter Default Judgement** was mailed on **December 11, 2002** to the Defendant listed below by Certificate of Mailing; a copy of the Notice and the original certification of mailing are attached hereto, made a part hereof, and marked Exhibit "A".

**Nancy E. Rice  
R.D. 1, Box 970, Route 970  
Osceloa Mills, PA 16666**



**PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY FOR PLAINTIFF**

**EXHIBIT “A”**

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
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BANKERS TRUST COMPANY OF :  
CALIFORNIA, N.A. AS TRUSTEE FOR :  
UCFC LOAN TRUST 1997-D :  
THREE PARK PLAZA :  
IRVINE, CA 92614

v.

JOHN R. RICE and :  
NANCY E. RICE, husband and wife, :  
R.D. 1, BOX 970, ROUTE 970 :  
OSCELOA MILLS, PA 16666 :  
AND  
JOHN and JANE DOE :  
R.D. 1, BOX 970, ROUTE 970 :  
OSCELOA MILLS, PA 16666 :

COMMON PLEAS COURT OF  
CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

DATE OF NOTICE: DECEMBER 11, 2002

TO: NANCY E. RICE  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666

NOTICE OF INTENT TO ENTER DEFAULT JUDGMENT

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 (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Reference Service for Clearfield County  
COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second and Market Streets  
Clearfield, PA 16830  
(814) 765-2641 Ext. 50-51

  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY FOR PLAINTIFF

|   |             |                        |  |
|---|-------------|------------------------|--|
| U.S. POSTAL SERVICE   |             | CERTIFICATE OF MAILING |  |
| MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT   |             |                        |  |
| PROVIDE FOR INSURANCE - POSTMASTER  |             |                        |  |
| Recei   | LAW OFFICES |                        |  |
| PULEO & D'EMILIO, LLC   |             |                        |  |
| 660 SENTRY PARKWAY, SUITE 210   |             |                        |  |
| BLUE BELL, PENNSYLVANIA 19422   |             |                        |  |
| One piece of ordinary mail addressed to:<br><u>Nancy E. Rice</u><br><u>R.D. 1, Box 970, Route 970</u><br><u>Osceloa Mills, PA 16666</u> |             |                        |  |
|    |             |                        |  |

PS Form 3817, Mar. 1989

Affix fee here in stamps  
or meter postage and  
post mark. Inquire of  
Postmaster for current

U.S. POSTAGE PB 35281222  
230 9.32 300 900 DEC 11 2002  
86 MATTED FROM ZIP CODE 19422

**CLEARFIELD COUNTY  
OFFICE OF THE PROTHONOTARY**

**CCPY**

**TO: Nancy E. Rice  
R.D.1, Box 970, Route 970  
Osceloa Mills, PA 16666**

**Bankers Trust Company of California,  
N.A., Trustee for UCFC Loan Trust 1997-  
D,  
Plaintiff**

**v.**

**John R. Rice and Nancy E. Rice,  
husband and wife,  
Defendants**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**NO. 02-1738-CD**

**EJECTMENT**

**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.

- 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 Thomas I. Puleo,  
Esquire at (610) 941-3600.**

**FILED**

Att'y Pd.  
2/10/03

FEB 03 2003

Notice & copy of front pg. of Judg.

William A. Shaw  
Prothonotary

No Statement - (Possession)

*W.A. Shaw*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,

Plaintiff,

v.

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)

PRAECIPE TO ISSUE WRIT OF POSSESSION

TO THE PROTHONOTARY:

Issue Writ of Possession in the above matter, for possession of (describe property)

Premises: R.D. 1, Box 970, Route 970  
Osceloa Mills, PA 16666

As more fully described as Exhibit "A"  
attached hereto and made a part thereof

**FILED**

FG 03 2003

  
\_\_\_\_\_  
Paul F. D'Emilio, Esquire  
Attorney for Plaintiff

William A. Shaw  
Prothonotary

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the Northeast corner of land of which this a part; thence in a Southerly direction along the Western side of LR 17056.84 feet to a point; thence in a Westerly direction twenty feet (20') from and parallel to the Southern boundary line of premises of which this is a part, three hundred eighty two feet (382') to a point; thence in Northerly direction through land of which this is a part one hundred eighty five (185') to a point on the Northern boundary line of land of which this is a part; thence in an Easterly direction along the Northern boundary line of land of which this is part three hundred ten (310') to point and place of beginning. CONTAINING approximately 1 acre.

HAVING erected thereon a building and a mobile home identified as No. 1988 M0126381 A38571428, known as R.D. 1, Box 970, Route 970, and being designated as Tax I.D. No. 112-013-241..

BEING the same premises which Thomas W. Wilson and Elsie Wilson, his wife, by their Deed dated May 26, 1995, and recorded in the Recorder's Office of Clearfield County in Deed Book Volume 1679, page 21, granted and conveyed unto John R. Rice and Nancy E. Rice, his wife..

Tax Parcel #40-R-49

**Exhibit A**

**FILED**

Atty Rd. 20.00

1cc Shaffer

10 3/10. 5/03 & 2003  
FEB 03 2003

*E. K. E.*

William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA

*COPY*

COUNTY OF CLEARFIELD

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,

Plaintiff,

v.

JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

**WRIT OF POSSESSION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property:

Premises: R.D. 1, Box 970, Route 970  
Osceola Mills, PA 16666

As more fully described as Exhibit "A"  
attached hereto and made a part thereof

(2) To satisfy the costs against  
directed to levy upon any property of  
interest therein. you are  
and sell

*Prothonotary*

By \_\_\_\_\_  
Clerk

Date \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CCP No. 02-1738-CD

BANKERS TRUST COMPANY OF CALIFORNIA, N.A. AS  
TRUSTEE FOR UCFC LOAN TRUST 1997-D  
Plaintiff,

v.

JOHN R. RICE AND NANCY E. RICE, HUSBAND AND  
WIFE  
Defendant(s).

---

WRIT OF POSSESSION

---

PREMISES:

R.D. 1, Box 970, Route 970  
Osceloa Mills, PA 16666

LAW OFFICES  
PULEO & D'EMILIO, LLC  
660 Sentry Parkway, Suite 210  
Blue Bell, PA 19422  
(610) 941-3600

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the Northeast corner of land of which this a part; thence in a Southerly direction along the Western side of LR 17056.84 feet to a point; thence in a Westerly direction twenty feet (20') from and parallel to the Southern boundary line of premises of which this is a part, three hundred eighty two feet (382') to a point; thence in Northerly direction through land of which this is a part one hundred eighty five (185') to a point on the Northern boundary line of land of which this is a part; thence in an Easterly direction along the Northern boundary line of land of which this is part three hundred ten (310') to point and place of beginning. CONTAINING approximately 1 acre.

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BEING the same premises which Thomas W. Wilson and Elsie Wilson, his wife, by their Deed dated May 26, 1995, and recorded in the Recorder's Office of Clearfield County in Deed Book Volume 1679, page 21, granted and conveyed unto John R. Rice and Nancy E. Rice, his wife..

Tax Parcel #40-R-49

**Exhibit A**

PULEO & D'EMILIO, LLC  
PAUL F. D'EMILIO, ESQUIRE  
ATTORNEY I.D. #16654  
660 SENTRY PARKWAY, SUITE 210  
BLUE BELL, PA 19422  
(610) 941-3600  
ATTORNEY FOR PLAINTIFF

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A. AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D  
THREE PARK PLAZA  
IRVINE, CA 92614

Plaintiff,

v.

JOHN R. RICE and  
NANCY E. RICE, husband and wife,  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666  
AND  
JOHN and JANE DOE  
R.D. 1, BOX 970, ROUTE 970  
OSCELOA MILLS, PA 16666

COMMON PLEAS COURT OF  
CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

Defendant

ORDER TO SETTLE, DISCONTINUE AND END

TO THE PROTHONOTARY, P.C.:

Kindly mark the above entitled matter settled, discontinued and ended upon payment of your cost only.

  
\_\_\_\_\_  
Paul F. D'Emilio, Esquire  
Attorney for Plaintiff

FILED

JUN 02 2003

William A. Shaw  
Prothonotary

**FILED**

M 1:41 BA 2cc & sent to Plaintiff

JUN 02 2003 copy to CA

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**Bankers Trust Company of California**

vs.

**No. 2002-01738-CD**

**John R. Rice**  
**Nancy E. Rice**  
**John Doe**  
**Jane Doe**



**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 2, 2003, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$202.00 have been paid in full by Attorney for Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of June A.D. 2003.

---

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

**CIVIL DIVISION**

**Bankers Trust Company of California**

vs.

No. 2002-01738-CID

John R. Doe  
Nancy E. Doe  
John Doe  
Jane Doe

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 2, 2003, marked:

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IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of June A.D. 2003.

\_\_\_\_\_  
William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 13764

NO: 02-1738-CD

PLAINTIFF: BANKERS TRUST COMPANY OF CALIFORNIA, N.A. AS TRUSTEE FOR UCFC LOAN TRUST 1997-D  
vs.  
DEFENDANT: RICE, JOHN R.

WRIT OF EXECUTION POSSESSION

SHERIFF RETURN

DATE RECEIVED WRIT: 2/4/2003

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO AND AMOUNT

SOLD TOTAL AMOUNT PLUS COSTS

WRIT RETURNED 2/23/2010

FILED  
02:47 pm  
FEB 23 2010

William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

5/28/2003 @ 6:15 PM SERVED NANCY E. RICE

SERVED NANCY E. RICE, DEFENDANT, AT HER RESIDENCE R. D. #1, BOX 970, ROUTE 970, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO NANCY E. RICE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

@ SERVED JOHN R. RICE

DECEASED

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, FEBRUARY 23, 2010 RETURN WRIT AS SETTLED, DISCONTINUED AND ENDED.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 13764  
NO: 02-1738-CD

PLAINTIFF: BANKERS TRUST COMPANY OF CALIFORNIA, N.A. AS TRUSTEE FOR UCFC LOAN TRUST 1997-D  
VS.  
DEFENDANT: RICE, JOHN R.

WRIT OF EXECUTION POSSESSION

SHERIFF RETURN

---

SHERIFF HAWKINS \$167.60

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

BANKERS TRUST COMPANY OF  
CALIFORNIA, N.A., AS TRUSTEE FOR  
UCFC LOAN TRUST 1997-D,  
Plaintiff,

v.

JOHN R. RICE AND NANCY E. RICE,  
HUSBAND AND WIFE,  
Defendant(s)

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY

NO. 02-1738-CD

EJECTMENT

**WRIT OF POSSESSION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property:

Premises: R.D. 1, Box 970, Route 970  
Osceola Mills, PA 16666

As more fully described as Exhibit "A"  
attached hereto and made a part thereof

(2) To satisfy the costs against  
directed to levy upon any property of  
interest therein. you are  
and sell

*Prothonotary*

By \_\_\_\_\_

*William L. Shanahan*

Clerk

Received 2-4-03 at 3:30 P.M. Date February 3, 2003  
Chester A. Hawkins  
By Cynthia Butler - Clerical

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CCP No. 02-1738-CD

BANKERS TRUST COMPANY OF CALIFORNIA, N.A. AS  
TRUSTEE FOR UCFC LOAN TRUST 1997-D  
Plaintiff,

v.

JOHN R. RICE AND NANCY E. RICE, HUSBAND AND  
WIFE  
Defendant(s).

WRIT OF POSSESSION

PREMISES:

R.D. 1, Box 970, Route 970  
Osceola Mills, PA 16666

LAW OFFICES  
PULEO & DEMILIO, LLC  
660 Sentry Parkway, Suite 210  
Blue Bell, PA 19422  
(610) 941-3600

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Tax Parcel #40-R-49

**Exhibit A**

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME NANCY E. RICE

NO. 02-1738-CD

NOW, February 23, 2010, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Rice, John R. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                            |                 |                                |                 |
|----------------------------|-----------------|--------------------------------|-----------------|
| RDR                        | 9.00            | DEBT-AMOUNT DUE                |                 |
| SERVICE                    | 9.00            | INTEREST @ %                   | 0.00            |
| MILEAGE                    | 129.60          | FROM TO                        |                 |
| LEVY                       |                 |                                |                 |
| MILEAGE                    |                 | PROTH SATISFACTION             |                 |
| POSTING                    |                 | LATE CHARGES AND FEES          |                 |
| HANDBILLS                  |                 | COST OF SUIT-TO BE ADDED       |                 |
| COMMISSION                 | 0.00            | FORECLOSURE FEES               |                 |
| POSTAGE                    |                 | ATTORNEY COMMISSION            |                 |
| HANDBILLS                  |                 | REFUND OF ADVANCE              |                 |
| DISTRIBUTION               |                 | REFUND OF SURCHARGE            | 20.00           |
| ADVERTISING                |                 | SATISFACTION FEE               |                 |
| ADD'L SERVICE              | 5.00            | ESCROW DEFICIENCY              |                 |
|                            |                 | PROPERTY INSPECTIONS           |                 |
| ADD'L POSTING              |                 | INTEREST                       |                 |
| ADD'L MILEAGE              |                 | MISCELLANEOUS                  |                 |
| ADD'L LEVY                 |                 |                                |                 |
| BID/ SETTLEMENT AMOUNT     |                 | <b>TOTAL DEBT AND INTEREST</b> | <b>\$187.60</b> |
| RETURNS/DEPUTIZE           |                 |                                |                 |
| COPIES                     | 5.00            | <b>COSTS:</b>                  |                 |
|                            |                 | ADVERTISING                    | 0.00            |
| BILLING/PHONE/FAX          | 10.00           | TAXES - COLLECTOR              |                 |
| CONTINUED SALES            |                 | TAXES - TAX CLAIM              |                 |
| MISCELLANEOUS              |                 | DUE                            |                 |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$167.60</b> | LIEN SEARCH                    |                 |
|                            |                 | ACKNOWLEDGEMENT                |                 |
|                            |                 | SHERIFF COSTS                  | 167.60          |
|                            |                 | LEGAL JOURNAL COSTS            | 0.00            |
|                            |                 | PROTHONOTARY                   |                 |
|                            |                 | MORTGAGE SEARCH                |                 |
|                            |                 | MUNICIPAL LIEN                 |                 |
|                            |                 | <b>TOTAL COSTS</b>             | <b>\$167.60</b> |
|                            |                 | <b>TOTAL COSTS</b>             | <b>\$187.60</b> |

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. 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