

03-1018-CD
Conseco Finance Consumer Discount Co. vs. Edith A. Bryan, et al

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15132

CONSECO FINANCE CONSUMER

03-1018-CD

VS.

BRYAN, MICHAEL B.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, FEBRUARY 18, 2004 @ 3:00 P.M. A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF APRIL 2, 2004 WAS SET.

FILED

019:33/07
JUL 14 2004

William A. Shaw
Plathonotary/Clerk of Courts

NOW, MARCH 1, 2004 @ 8:32 A.M. O'CLOCK SERVED MICHAEL B. BRYAN, DEFENDANT, AT HIS RESIDENCE 1780 WALLACETON ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MICHAEL B. BRYAN, DEFENDANT, 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 THE CONTENTS THEREOF.

NOW, MARCH 1, 2004 @ 8:32 A.M. O'CLOCK SERVED EDITH A. BRYAN, DEFENDNT, AT HER RESIDENCE 1780 WALLACETON ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVAINA, BY HANDING TO EDITH A. BRYAN, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

NOW, APRIL 2, 2004 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$30,000.00 + COSTS.

NOW, APRIL 12, 2004 BILLED THE ATTORNEY FOR ADDITIONAL COSTS DUE.

NOW, APRIL 21, 2004 RECEIVED A CHECK FROM THE ATTORNEY FOR ADDITONAL COSTS DUE.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

15132

CONSECO FINANCE CONSUMER

03-1018-CD

VS.

BRYAN, MICHAEL B.

WRIT OF EXECUTION

REAL ESTATE

SHERIFF RETURNS

NOW, JULY 13, 2004 PAID COSTS FROM THE ADVANCE AND ADDITONAL CHECK
FROM THE ATTORNEY.

NOW, JULY 13, 2004 RETURN WRIT AS A SALE BEING HELD ON THE PROPERTY
OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR
\$30,000.00 + COSTS.

NOW, JULY 14, 2004 A DEED WAS FILED.

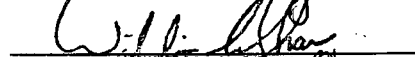
SHERIFF HAWKINS \$828.69

SURCHARGE \$40.00

PAID BY ATTORNEY

Sworn to Before Me This

14th Day Of July 2004



WILLIAM A. SHAW

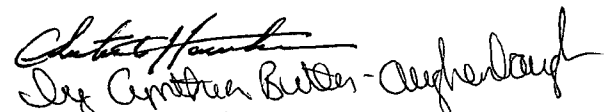
Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,



Chester A. Hawkins

Sheriff

Mortgage Foreclosure
Ground Rent (rem)

COMMONWEALTH OF PENNSYLVANIA
County of CLEARFIELD

Comroe Hing LLP
By: David B. Comroe
1700 Market Street, Suite 1400
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

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:

PREMISES: RR #1, Box 657, Morrisdale, PA, 16858

See Exhibit "A" attached

AMOUNT DUE \$93,400.69

Interest from
11/21/2003 to sale
date @ 14.54%
(Costs to be added)

BY:

Willie L. Hing
Clerk

Date:

12/8/03

Costs-Prothonotary 125.00

Received December 8, 2003 @ 3:30 P.M.
Christina A. Hawkins
By Cynthia Butler-Aufand

COURT OF COMMON PLEAS

No. 03-1018-cd
Term

Conseco Finance Consumer Discount
Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

Plaintiff

vs.

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Defendants

WRIT OF EXECUTION

PREMISES: RR #1, Box 657,
Morrisdale, PA, 16858

Real Debt \$93,400.69

Interest from
11/21/03 to
sale date @
14.54%

Costs Paid:

Prothy.

125.00

Sheriff

Statutory

Costs Due

Prothy.



215-368-0400
COMROE HING LLP
1608 Walnut Street
Suite 300
Philadelphia, PA 19103-5446

DESCRIPTION

ALL THAT CERTAIN lot of land situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner on the South right-of-way line of State Highway, Legislative Route 17113, or Old Erie Pike leading from Allport to Bigler. Said right-of-way is sixteen and five tenths (16.5') feet from the center line of said road. Said iron pin is also located South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) two hundred eighty-six and eight tenths (286.8') feet from the intersection of the Right-of-Way lines of said Legislative Route 17113 and Legislative Route 17061; thence along the Right-of-Way line of Legislative Route 17113 South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) one hundred (100.0') feet to a corner of Lot No. 3; thence along Lot No. 3 South two degrees forty-five minutes West (S. $2^{\circ} 45' W.$) two hundred (200.0') feet to the Right-of-Way line of an access road; thence along said access road North eighty-four degrees two minutes West (N. $84^{\circ} 02' W.$) one hundred (100.0') feet to a stake corner; thence along the East Right-of-Way line of a thirty-three (33.0') foot access road North two degrees forty-five minutes East (N. $2^{\circ} 45' E.$) two hundred (200.0') feet to an iron pin corner and the place of beginning.

CONTAINING 0.46 acres and being Lot No. 4 on the plot plan of the Lloyd Rothrock Lands.

BEING No. RR1 - Box 657 (0.46 acres).

PARCEL NUMBER: 124-Q-009-32.4

CONTROL NUMBER: 1240-88503

REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

NAME BRYAN NO. 03-1018-CD

NOW, April 2, 2004 , 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 2ND day of APRIL 2004, I exposed the within described real estate of MICHAEL B. BRYAN AND EDITH A. BRYAN to public venue or outcry at which time and place I sold the same to CONSECO FINANCE CONSUMER DISCOUNT COMPANY he/she being the highest bidder, for the sum of \$30,000.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

| | |
|----------------------------|---------------|
| RDR | 15.00 |
| SERVICE | 15.00 |
| MILEAGE | 9.75 |
| LEVY | 15.00 |
| MILEAGE | 9.75 |
| POSTING | 15.00 |
| CSDS | 10.00 |
| COMMISSION 2% | 600.00 |
| POSTAGE | 4.44 |
| HANDBILLS | 15.00 |
| DISTRIBUTION | 25.00 |
| ADVERTISING | 15.00 |
| ADD'L SERVICE | 15.00 |
| DEED | 30.00 |
| ADD'L POSTING | |
| ADD'L MILEAGE | 9.75 |
| ADD'L LEVY | |
| BID AMOUNT | 30,000.00 |
| RETURNS/DEPUTIZE | |
| COPIES/BILLING | 15.00 |
| | 5.00 |
| BILLING/PHONE/FAX | 5.00 |
| TOTAL SHERIFF COSTS | 828.69 |

DEED COSTS:

| | |
|-------------------------|--------------|
| ACKNOWLEDGEMENT | 5.00 |
| REGISTER & RECORDER | 29.00 |
| TRANSFER TAX 2% | |
| TOTAL DEED COSTS | 29.00 |

PLAINTIFF COSTS, DEBT & INTEREST:

| | |
|----------------------------------|------------------|
| DEBT-AMOUNT DUE | 93,400.69 |
| INTEREST 11/21/03 @ 14.54 | |
| 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 | 93,400.69 |

COSTS:

| | |
|---------------------------|--------|
| ADVERTISING | 384.78 |
| TAXES - collector TO 1/05 | 163.16 |
| TAXES - tax claim TO JUNE | 841.48 |
| DUE | |
| LIEN SEARCH | 100.00 |
| ACKNOWLEDGEMENT | 5.00 |
| DEED COSTS | 29.00 |
| SHERIFF COSTS | 828.69 |
| LEGAL JOURNAL AD | 162.00 |
| PROTHONOTARY | 125.00 |
| MORTGAGE SEARCH | 40.00 |
| MUNICIPAL LIEN | |

| | |
|--------------------|-----------------|
| TOTAL COSTS | 2,679.11 |
|--------------------|-----------------|

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

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.:
25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

AMENDED

AFFIDAVIT PURSUANT TO RULE 3129.1

Conseco Finance Consumer Discount Company, Plaintiff in the above action, sets forth as of the date the praecipe for the Writ of Execution was filed, the following information concerning the real property located at RR #1, Box 657, Morrisdale, PA, 16858:

1. Name and address of Owners or Reputed Owners:

Edith A. Bryan
RR #1 Box 657
Morrisdale PA 16858

Michael B. Bryan
RR #1 Box 657
Morrisdale PA 16858

FILED

MAR 03 2004

William A. Shav
Prothonotary/Clerk of Courts

2. Name and address of Defendants in the judgment:

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|

| | | |
|---|--|---|
| Michael B. Bryan RR #1 Box 657 Morrisdale PA 16858 | | 1 |
| Edith A. Bryan RR #1 Box 657 Morrisdale PA 16858 | | |

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

| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|
| | | |

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

| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|
| | | |

5. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|
| | | |

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

| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|
| | | |

| | | |
|---|-------|---|
| Family Court Domestic Relations Division 1 N. 2nd St. Clearfield PA 16830 | 2/5/4 | 3 |
| Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg PA 17105 | 2/5/4 | 3 |
| Commonwealth of Pennsylvania Bureau of Child Support Enforcement 1 N. 2nd St. Clearfield PA 16830 | 2/5/4 | 3 |
| Clearfield County Tax Claim Bureau 1 N. 2nd St. Clearfield PA 16830 | 2/5/4 | 3 |

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.

(attach separate sheet if more space is needed)

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATED:



Plaintiff

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

ACTION OF MORTGAGE FORECLOSURE

vs.

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

AFFIDAVIT PURSUANT TO RULE 3129.2
AND RETURN OF SERVICE PURSUANT TO
PA R.C.P. 405 OF NOTICE OF SALE

David B. Comroe, Esq., Attorney for Plaintiff, Conseco Finance Consumer Discount Company sets forth as of the date of the praecipe for the writ of execution was filed the following information concerning the real property located at RR #1, Box 657, Morrisdale, PA, 16858 to be sold at Sheriff's Sale on April 2, 2004. As required by PA R.C.P. 3129.2 (a) Notice of Sale has been given in the manner required by PA R.C.P. 3129.2 (c) on each of the persons or parties named at the addresses set forth

below on the date and in the manner noted in the margin by the names of each and copies of each notice together with return receipts or proof of mailing are attached as Exhibits. The manner of service, as noted in the margin, utilizes the following codes:

1. Personal Service by the Sheriff or in accordance with Pennsylvania Rule of Civil Procedure 400.1.
2. Certified mail-return receipt attached
3. First Class Mail-Certificate 3817

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. Section 4904 relating to unsworn falsification to authorities.

Date: February 3, 2004



David B. Comroe
Attorney for Plaintiff

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

SHERYL L. AXELROD
BLAIR KALISH ADLER

Clearfield County Tax Claim Bureau
1 N. 2nd St.
Clearfield PA 16830

February 3, 2004

RE: Conesco Finance Consumer Discount Company vs Michael B.
Bryan, Edith A. Bryan
Docket No.: Term, 03-1018-cd
Property Address: RR #1, Box 657, Morrisdale, PA, 16858
NOTICE OF SALE OF REAL PROPERTY

Dear Sir/Madam:

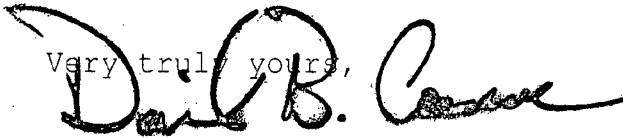
Please be advised that the property and improvements, if any, as set forth above, will be sold by the Sheriff of CLEARFIELD County, in the County Court House, 1 NORTH SECOND STREET, SUITE 116, CLEARFIELD, PA on April 2, 2004, at 10:00 AM.

This property and improvements, if any, is being sold pursuant to a Judgment entered in favor of Plaintiff and against Defendants in the Court of Common Pleas of CLEARFIELD County.

The name of the owners, real owners and reputed owners of the aforesaid property is as set forth as the Defendants above. It has come to our attention that you might be a creditor to the Defendants named herein. Sheriff's Sale of the mortgaged property could adversely affect your interest if you are, in fact, a junior creditor herein.

A Schedule of Distribution will be filed by the sheriff on a date specified by the Sheriff no later than thirty (30) days after said sale, and a distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days after the date said schedule. You should check with the Sheriff's office by calling to determine the actual date of the filing of the said schedule.

Very truly yours,


David B. Comroe, Esquire

DBC/jv

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

SHERYL L. AXELROD
BLAIR KALISH ADLER

Family Court
Domestic Relations Division
1 N. 2nd St.
Clearfield, PA 16830

February 3, 2004

RE: Consecro Finance Consumer Discount Company vs Michael B.
Bryan, Edith A. Bryan
Docket No.: Term, 03-1018-cd
Property Address: RR #1, Box 657, Morrisdale, PA, 16858
NOTICE OF SALE OF REAL PROPERTY

Dear Sir/Madam:

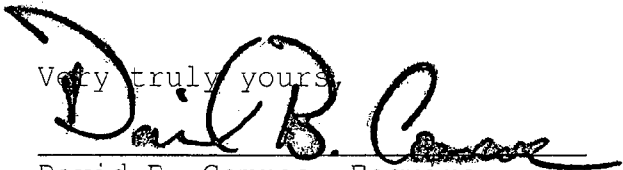
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Very truly yours,


David B. Comroe, Esquire

DBC/jv

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SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

SHERYL L. AXELROD
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Department of Welfare
P.O. Box 2675
Harrisburg PA 17105

February 3, 2004

RE: Consecro Finance Consumer Discount Company vs Michael B.
Bryan, Edith A. Bryan
Docket No.: Term, 03-1018-cd
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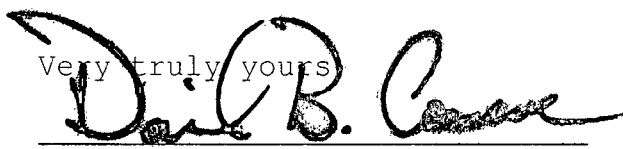
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Very truly yours


David B. Comroe, Esquire

DBC/jv

LAW OFFICES
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SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

SHERYL L. AXELROD
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Bureau of Child Support Enforcement
1 N. 2nd St.
Clearfield PA 16830

February 3, 2004

RE: Conseco Finance Consumer Discount Company vs Michael B.
Bryan, Edith A. Bryan
Docket No.: Term, 03-1018-cd
Property Address: RR #1, Box 657, Morrisdale, PA, 16858
NOTICE OF SALE OF REAL PROPERTY

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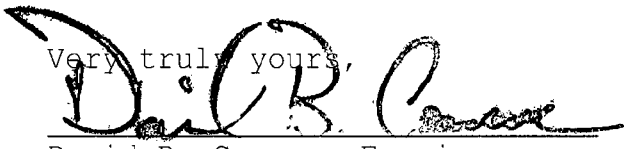
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Very truly yours,


David B. Comroe, Esquire

DBC/jv

CONTOUR LINE LLP
1608 Walnut Street

Philadelphia PA 19104

Article Number

1. I usually don't do this

Postage

Fee

Handling Charge

**Actual Value
if Registered**

Insured Value

Due Send
if CODDC
FeeSC
FeeSH
FeeRD
eeRR
Fee

Check type of mail or service:

| | |
|--|--|
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> Recorded Delivery (International) |
| <input type="checkbox"/> COD | <input type="checkbox"/> Registered |
| <input type="checkbox"/> Delivery Confirmation | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Signature Confirmation |
| <input type="checkbox"/> Insured | |

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

2. Conserved Bryan Amu

3. Clearfield County Tax Claim

Comm. of PA Dept. of Culture

Wednesday, 11/11/20

| | |
|--|--|
| | |
|--|--|

7/1/73

7

8.

APR 1 1964

Received at Post Office

PS Form 3877, February 2002 (Page 1 of 2)

Complete by Typewriter, Ink, or Ball Point Pen

See Privacy Act Statement on Reverse

FILED

MAR 03 2004

William A. Shaw

Prothonotary/Clerk of Courts

PRAECIPE FOR WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

FILED

DEC 08 2003

William A. Shaw
Prothonotary/Clerk of Courts

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue Writ of Execution in the above matter:

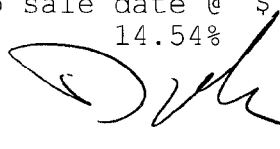
PREMISES: RR #1, Box 657, Morrisdale, PA, 16858

See Exhibit "A" attached

(Costs to be added) AMOUNT DUE \$93,400.27

Interest from 11/21/2003 to sale date @ \$
14.54%

125.00 Prothonotary costs



David B. Comroe, Esquire
Attorney for Plaintiff

DESCRIPTION

ALL THAT CERTAIN lot of land situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner on the South right-of-way line of State Highway, Legislative Route 17113, or Old Erie Pike leading from Allport to Bigler. Said right-of-way is sixteen and five tenths (16.5') feet from the center line of said road. Said iron pin is also located South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) two hundred eighty-six and eight tenths (286.8') feet from the intersection of the Right-of-Way lines of said Legislative Route 17113 and Legislative Route 17061; thence along the Right-of-Way line of Legislative Route 17113 South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) one hundred (100.0') feet to a corner of Lot No. 3; thence along Lot No. 3 South two degrees forty-five minutes West (S. $2^{\circ} 45' W.$) two hundred (200.0') feet to the Right-of-Way line of an access road; thence along said access road North eighty-four degrees two minutes West (N. $84^{\circ} 02' W.$) one hundred (100.0') feet to a stake corner; thence along the East Right-of-Way line of a thirty-three (33.0') foot access road North two degrees forty-five minutes East (N. $2^{\circ} 45' E.$) two hundred (200.0') feet to an iron pin corner and the place of beginning.

CONTAINING 0.46 acres and being Lot No. 4 on the plot plan of the Lloyd Rothrock Lands.

BEING No. RR1 - Box 657 (0.46 acres).

PARCEL NUMBER: 124-Q-009-32.4

CONTROL NUMBER: 1240-88503

FILED

Aug 20. 2000

7/2:2004
DEC 08 2003

William A. Shaw
Prothonotary/Clerk of Courts

Certificate To The Sheriff

Conseco Finance Consumer Discount
Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

M.C.

C.P. (Circle One)

Plaintiff

vs.

Term
No. 03-1018-cd

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Defendants

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 Defendants 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 Defendants 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 not applicable, state which Defendants are residents of the Commonwealth of Pennsylvania:

Residents: _____

This certification must be signed by the attorney of record if an appearance has been entered; otherwise certification must be signed by Plaintiff.

Name: David B. Comroe, Esquire
Phone No.: (215) 568-0400

Signature: _____

Address:
1608 Walnut Street, Suite 300
Philadelphia, PA 19103

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.:
25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

AFFIDAVIT PURSUANT TO RULE 3129.1

Conseco Finance Consumer Discount Company, Plaintiff in the above action, sets forth as of the date the praecipe for the Writ of Execution was filed, the following information concerning the real property located at RR #1, Box 657, Morrisdale, PA, 16858:

1. Name and address of Owners or Reputed Owners:

Edith A. Bryan
RR #1 Box 657
Morrisdale PA 16858

Michael B. Bryan
RR #1 Box 657
Morrisdale PA 16858

2. Name and address of Defendants in the judgment:

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
|--|-------------|---------------------|

| | | |
|--|--|--|
| Michael B. Bryan RR #1 Box 657 Morrisdale PA 16858 Edith A. Bryan RR #1 Box 657 Morrisdale PA 16858 | | |
|--|--|--|

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

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
| | | |

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

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
| | | |

5. Name and address of every other person who has any record interest in or record lien on the property and whose interest may be affected by the sale:

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
| | | |

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

| | | |
|--|-------------|---------------------|
| | <u>Date</u> | <u>Service Code</u> |
| | | |

| | | |
|--|--|--|
| Family Court Domestic Relations Division 1 N. 2nd St. Clearfield PA 16830 Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg PA 17105 Commonwealth of Pennsylvania Bureau of Child Support Enforcement 1 N. 2nd St. Clearfield PA 16830 Clearfield County Tax Claim Bureau 1 N. 2nd St. Clearfield PA 16830 | | |
|--|--|--|


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

(attach separate sheet if more space is needed)

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATED:

12/2/03



Plaintiff

COPY

Mortgage Foreclosure
Ground Rent (rem)

COMMONWEALTH OF PENNSYLVANIA
County of CLEARFIELD

Comroe Hing LLP
By: David B. Comroe
1700 Market Street, Suite 1400
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

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:

PREMISES: RR #1, Box 657, Morrisdale, PA, 16858

See Exhibit "A" attached

AMOUNT DUE \$93,400.69

Interest from
11/21/2003 to sale
date @ 14.54%
(Costs to be added)

Costs - Prothonotary 125.00

BY: _____
Clerk

Date: 12/8/03

COURT OF COMMON PLEAS

No. 03-1018-cd
Term

Conseco Finance Consumer Discount
Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

Plaintiff

vs.

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Defendants

WRIT OF EXECUTION

PREMISES: RR #1, Box 657,
Morrisdale, PA, 16858

Real Debt \$93,400.69

Interest from
11/21/03 to
sale date @
14.54%

Costs Paid:

Prothy.

125.00

Sheriff

Statutory

Costs Due

Prothy.



215-368-0400
COMROE HING LLP
1608 Walnut Street
Suite 300
Philadelphia, PA 19103-5446

DESCRIPTION

ALL THAT CERTAIN lot of land situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner on the South right-of-way line of State Highway, Legislative Route 17113, or Old Erie Pike leading from Allport to Bigler. Said right-of-way is sixteen and five tenths (16.5') feet from the center line of said road. Said iron pin is also located South eighty-four degrees two minutes East (S. $84^{\circ} 02'$ E.) two hundred eighty-six and eight tenths (286.8') feet from the intersection of the Right-of-Way lines of said Legislative Route 17113 and Legislative Route 17061; thence along the Right-of-Way line of Legislative Route 17113 South eighty-four degrees two minutes East (S. $84^{\circ} 02'$ E.) one hundred (100.0') feet to a corner of Lot No. 3; thence along Lot No. 3 South two degrees forty-five minutes West (S. $2^{\circ} 45'$ W.) two hundred (200.0') feet to the Right-of-Way line of an access road; thence along said access road North eighty-four degrees two minutes West (N. $84^{\circ} 02'$ W.) one hundred (100.0') feet to a stake corner; thence along the East Right-of-Way line of a thirty-three (33.0') foot access road North two degrees forty-five minutes East (N. $2^{\circ} 45'$ E.) two hundred (200.0') feet to an iron pin corner and the place of beginning.

CONTAINING 0.46 acres and being Lot No. 4 on the plot plan of the Lloyd Rothrock Lands.

BEING No. RR1 - Box 657 (0.46 acres).

PARCEL NUMBER: 124-Q-009-32.4

CONTROL NUMBER: 1240-88503

FILED

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: NOV 21 2003
25694

William A. Shaw
Prothonotary

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

PRAECIPE FOR ENTRY OF JUDGMENT
AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Enter Judgment in the amount of \$93,400.69 in favor of the Plaintiff and against the Defendants for failure to file an Answer in the above action within twenty (20) days from the date of service of the Complaint and assess Plaintiff's damages as follows:

| | |
|--|-------------|
| (a) Principal Debt | \$64,383.27 |
| (b) Late Charges at \$84.37 per month from | \$759.33 |
| 02/20/2003 to 03/20/2003. Late Charges at | \$0.00 |
| per month from 03/21/2003 to 11/17/2003. | |

(c) Interest from 01/20/2003 through \$7,853.11
11/17/2003 at \$26.00

(d) Total Escrow Deficit to date \$14,373.26

(e) Reasonable Attorney's fees as in the above \$3,219.16

stated amount reflect third party sale only.

If the Mortgagor reinstates the account,
attorney's fees will be reasonable based upon
work performed.

(f) Title Report \$335.00

(g) Court Filing Charges \$115.50

(h) Uncollected Late Charge(s) \$2,362.05

(i) Escrow Credit \$0.00

TOTAL AMOUNT DUE \$93,400.69

DATED: November 17, 2003

Respectfully submitted,
Comroe Hing LLP

BY: 

David B. Comroe, Esquire
Attorney for Plaintiff

Damages assessed as above
this day of

, 20 .

Pro Prothonotary

NON-MILITARY AFFIDAVIT

STATE OF
COUNTY OF

:
:
: SS

RE: BRYAN

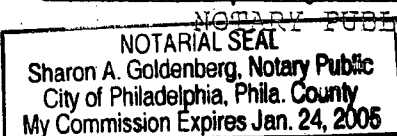
_____, being first duly sworn on
oath deposes and says:

1. That I am employed by the Plaintiff herein as servicer of the mortgage.
2. That the captioned individual(s) are the owners of the premises described in the mortgage or deed of trust.
3. That the collection procedures of the Plaintiff are designed to discover facts concerning the titleholder's occupations and military status.
4. That said procedures were followed in connection with the current delinquency.
5. That, on information and belief, that captioned titleholders are not incompetent or in any branch of the military service.

[Signature]

Sworn to and subscribed before me
this 17th day of November, 2003.

Sharon A. Goldenberg
NOTARY PUBLIC



Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858


Term
No. 03-1018-cd

Defendants

.....
::

CERTIFICATION

David B. Comroe, Esq., Attorney for Plaintiff in the above captioned matter, hereby certifies that the provisions of the Emergency Mortgage Relief Act, P.L. 1688 No. 621, as amended, December 23, 1983 have been met.

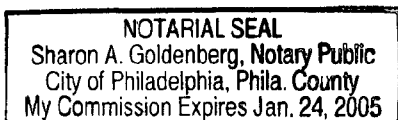


David B. Comroe, Esquire
Attorney for Plaintiff

Sworn to and subscribed before me
this 18th day of November, 2003.



Notary Public



Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

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RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858


Term
No. 03-1018-cd

Defendants

.....
::

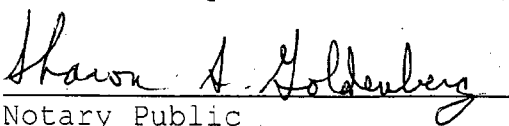
CERTIFICATION

David B. Comroe, Esq., Attorney for Plaintiff in the above captioned matter, hereby certifies that the provisions of the Emergency Mortgage Relief Act, P.L. 1688 No. 621, as amended, December 23, 1983 have been met.



David B. Comroe, Esquire
Attorney for Plaintiff

Sworn to and subscribed before me
this 18th day of November, 2003.



Notary Public

NOTARIAL SEAL
Sharon A. Goldenberg, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Jan. 24, 2005

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

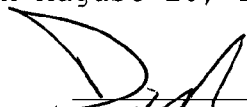
Term
No. 03-1018-cd

Defendants

.....

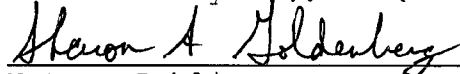
Certification of Service

David B. Comroe, Esquire, Attorney for Plaintiff in the above captioned matter, being duly sworn according to law certifies that Notices of Intention to Take Judgement, as set forth in PA R.C.P., 237.1 copies of the Complaint in Mortgage Foreclosure were served upon the Defendants by Certified Mail and Regular, First-class Mail on August 28, 2003.

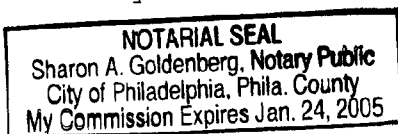


David B. Comroe, Esquire
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED before me
this 18th day of November, 2003.



Notary Public



Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858


Term
No. 03-1018-cd

Defendants

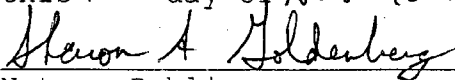
.....

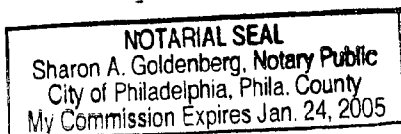
Certification of Service

David B. Comroe, Esquire, Attorney for Plaintiff in the above captioned matter, being duly sworn according to law certifies that Notices of Intention to Take Judgement, as set forth in PA R.C.P., 237.1 copies of the Complaint in Mortgage Foreclosure were served upon the Defendants by Certified Mail and Regular, First-class Mail on August 28, 2003.


David B. Comroe, Esquire
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED before me
this 1st day of November, 2003.


Notary Public



Identification No.: 25694

LLP
David B. Comroe
8 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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:

Pennsylvania Bar Association
100 South St., Box 168, Harrisburg, PA 17108-0186
800-932-0311

AVISO IMPORTANTE

USTED ESTA EN REBELDIA PORQUE HA FALLADO EN TOMAR LA ACCION EXIGIDA DE SU PARTE EN ESTE CASO. A MENOS DE QUE USTED ACTUE DENTRO DE DIEZ DIAS DE LA PECHA DE ESTE AVISO. SE PUEDE REGISTRAR UNA SEN-TENCIA CONTRA USTED. SIN EL BENEFICIO DE UNA AUDIENCIA Y PUEDE PERDER SU PROPIEDAD O OSTROS DERECHOS IMPORTANTES. USTED DEBE LLEVAR ESTE AVISO A UN ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO Y NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO. DEBE COMUNICARSE CON LA SIGUIENTE OFICINA PARA AVERIGUAR DONDE PUEDE OBTENER AYUDA LEGAL:

Pennsylvania Bar Association
100 South St., Box 168, Harrisburg, PA 17108-0186
800-932-0311

DATE OF SERVICE: August 28, 2003

THIS IS A PROCESS THE PURPOSE OF WHICH IS TO COLLECT A DEBT AND ANY INFORMATION OBTAINED FROM YOU OR ANYONE ELSE WILL BE USED TO THAT END.

FILED

IN 1:36 PM per go
Noted to be up
NOV 21 2003

William A. Shaw
Prothonotary

COPY

OFFICE OF THE PROTHONOTARY
Court of Common Pleas

TO: Michael B. Bryan and
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer Discount
Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

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

| | |
|--------------|----------------------------------|
| <u> X </u> | Judgment by Default |
| <u> </u> | Money Judgment |
| <u> </u> | Judgment in Replevin |
| <u> </u> | Judgment for Possession |
| <u> </u> | Judgment on Aware of Arbitration |
| <u> </u> | Judgment on Verdict |
| <u> </u> | Judgment on Court Findings |

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:
ATTORNEY David B. Comroe at this telephone number:
(215)568-0400.

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.:
25694

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858
Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No. 03-1018-cd

Defendants

.....

PRAECIPE FOR ENTRY OF JUDGMENT
AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Enter Judgment in the amount of \$93,400.69 in favor of the Plaintiff and against the Defendants for failure to file an Answer in the above action within twenty (20) days from the date of service of the Complaint and assess Plaintiff's damages as follows:

| | |
|--|-------------|
| (a) Principal Debt | \$64,383.27 |
| (b) Late Charges at \$84.37 per month from | \$759.33 |
| 02/20/2003 to 03/20/2003. Late Charges at | \$0.00 |
| per month from 03/21/2003 to 11/17/2003. | |

(c) Interest from 01/20/2003 through 11/17/2003 at \$26.00 \$7,853.11

(d) Total Escrow Deficit to date \$14,373.26

(e) Reasonable Attorney's fees as in the above \$3,219.16

stated amount reflect third party sale only.

If the Mortgagor reinstates the account, attorney's fees will be reasonable based upon work performed.

(f) Title Report \$335.00

(g) Court Filing Charges \$115.50

(h) Uncollected Late Charge(s) \$2,362.05

(i) Escrow Credit \$0.00

TOTAL AMOUNT DUE \$93,400.69

DATED: November 17, 2003

Respectfully submitted,
Comroe Hing LLP

BY: 
David B. Comroe, Esquire
Attorney for Plaintiff

Damages assessed as above
this day of

, 20

Pro Prothonotary

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

COPY

Conseco Finance Consumer Discount Company
Plaintiff(s)

No.: 2003-01018-CD

Real Debt: \$93,400.69

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Edith A. Bryan
Michael B. Bryan
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 21, 2003

Expires: November 21, 2008

Certified from the record this 21st day of November, 2003

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

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215)568-0400
Attorney for Plaintiff

Identification No.: 25694 **FILED**

JUL 10 2003

William A. Shaw
Prothonotary

Conseco Finance Consumer
Discount Company
7360 S. Kyrene Road
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Edith A. Bryan
RR #1, Box 657
Morrisdale, PA 16858
and
Michael B. Bryan
RR #1, Box 657
Morrisdale, PA 16858

Term
No.

03-1018-CD

Defendants

CIVIL ACTION: FORECLOSURE - COMPLAINT

.....

N O T I C E

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 the 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.

Pennsylvania Bar Association
100 South St., Box 168, Harrisburg, PA 17108-0186
800-932-0311

**THIS IS A PROCESS THE PURPOSE OF
WHICH IS TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED FROM YOU OR
ANYONE ELSE WILL BE USED TO THAT END.**

A V I S O

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

RECUERDE: SI USTED NO REPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA COUTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE.

SI NO CONOCE A UN ABOGADO, LLAME AL "LAWYER REFERENCE SERVICE" (SERVICIO DE REFERENCIA DE ABOGADOS), 215-238-6300.

Pennsylvania Bar Association
100 South St., Box 168, Harrisburg, PA 17108-0186
800-932-0311

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.

COMROE HING LLP
1608 WALNUT STREET, SUITE 300
PHILADELPHIA, PA 19103-5446

(215) 568-0400
(215) 568-5560 FAX
WWW.COMROEHING.COM

1. Plaintiff is Conseco Finance Consumer Discount Company, with its principal offices at 7360 S. Kyrene Road, MSD Foreclosure Unit, Tempe, AZ 85282.

2. Defendants are Michael B. Bryan and Edith A. Bryan, with an address as set forth above.

3. On June 15, 2000 Michael B. Bryan and Edith A. Bryan executed and delivered a Mortgage upon premises hereinafter described to Conseco Bank, Inc., which mortgage was recorded in the Department of Record at CLEARFIELD County, Pennsylvania in Mortgage Book INST # 200008718, at page on June 21, 2000.

4. The said mortgage was assigned on July 7, 2000 to Conseco Finance Consumer Discount Company, said Assignment being recorded in Assignment of Mortgage Book No. INST# 200013565, Page on September 13, 2000.

5. The premises subject to said Mortgage are known as RR #1, Box 657, Morrisdale, PA 16858 and are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

6. The Defendants are the record and real owners of the said real estate subject to the Mortgage.

7. The said Mortgage is in default by reason of the fact that the monthly installments of principal and interest as due on February 20, 2003, and as due on the first day of each month thereafter are still due and owing and have not been paid; and by the terms of the said Mortgage, upon failure to make such payments when due, the whole of the principal balance and all interest due

thereon, together with late charges and other recoverable sums and attorney's fee are now due and payable forthwith.

8. Due to a small, \$26.64 escrow credit, the monthly installment payment composed of principal and interest due under the terms of said Mortgage and Mortgage Note for the month of February, 2003 was EIGHT HUNDRED SEVENTEEN DOLLARS AND 04 CENTS (\$817.04). The monthly payment returned on March 20, 2003 to EIGHT HUNDRED FORTY THREE DOLLARS AND 68 CENTS (\$843.68).

9. The following amounts are therefore due and owing on said Mortgage:

| | |
|--|-------------|
| (a) Principal Debt | \$64,383.27 |
| (b) Late Charges at \$84.37 per month from 02/20/2003 to 06/30/2003. | \$337.48 |
| (c) Interest from 01/20/2003 through 06/30/2003 at \$26.00 per diem. | \$4,212.60 |
| (d) Total Escrow Deficit to date. | \$14,240.06 |
| (e) Reasonable Attorney's fees as in the above stated amount reflect third party sale only. If the Mortgagor reinstates the account, attorney's fees will be reasonable based upon work performed. | \$3,219.16 |
| (f) Title Report | \$335.00 |
| (g) Court Filing Charges | \$115.50 |
| (h) Uncollected Late Charge(s) | \$2,362.05 |
| (i) Escrow Credit | \$0.00 |
| TOTAL AMOUNT DUE | \$89,205.12 |

In addition, interest at the rate of \$26.00 per day on the unpaid principal balance will continue to accrue until the default is resolved. Any payments which are allowable under the mortgage

document and are necessary to protect Plaintiff, relating to real estate taxes owed or which become due on the mortgaged property together with fire or homeowners insurance premiums necessary to protect the Plaintiff, or any reasonable costs necessary to protect the property from waste or vandalism shall also become due and owing by Defendants to Plaintiff when expended by Plaintiff.


10. Pursuant to the provisions of Act 91 of the Pennsylvania General Assembly the Combined Act 6/91 Notice was sent to the Defendants by Certified Mail, Return Receipt Requested and by regular First Class Mail. Attached hereto and made a part hereof as Exhibit "B" is a true and correct copy of said Notices and same are incorporated by reference herein as though fully set forth at length.

WHEREFORE, Plaintiff prays judgment against Defendants in the sum of \$89,205.12 plus interest and late charges at the contract rate to date of Judgment as set forth above and costs, both of suit and as set forth above, and for foreclosure and sale of the mortgaged premises.

DATED: June 30, 2003

Respectfully submitted,

Comroe Hing LLP

By: 
David B. Comroe, Esquire
Supreme Court I.D. 25694
Attorneys for Plaintiff

VERIFICATION

Ruth Hernandez, Foreclosure Manager for Plaintiff, having express authorization to enter into this verification verifies the foregoing Complaint in Mortgage Foreclosure and avers that the statements of fact therein contained are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, and that same are true upon the signer's personal knowledge or information and belief?

A handwritten signature in cursive script, appearing to read 'Ruth H', is written over a horizontal line.

Ruth Hernandez, Foreclosure Manager

DESCRIPTION

ALL THAT CERTAIN lot of land situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner on the South right-of-way line of State Highway, Legislative Route 17113, or Old Erie Pike leading from Allport to Bigler. Said right-of-way is sixteen and five tenths (16.5') feet from the center line of said road. Said iron pin is also located South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) two hundred eighty-six and eight tenths (286.8') feet from the intersection of the Right-of-Way lines of said Legislative Route 17113 and Legislative Route 17061; thence along the Right-of-Way line of Legislative Route 17113 South eighty-four degrees two minutes East (S. $84^{\circ} 02' E.$) one hundred (100.0') feet to a corner of Lot No. 3; thence along Lot No. 3 South two degrees forty-five minutes West (S. $2^{\circ} 45' W.$) two hundred (200.0') feet to the Right-of-Way line of an access road; thence along said access road North eighty-four degrees two minutes West (N. $84^{\circ} 02' W.$) one hundred (100.0') feet to a stake corner; thence along the East Right-of-Way line of a thirty-three (33.0') foot access road North two degrees forty-five minutes East (N. $2^{\circ} 45' E.$) two hundred (200.0') feet to an iron pin corner and the place of beginning.

CONTAINING 0.46 acres and being Lot No. 4 on the plot plan of the Lloyd Rothrock Lands.

BEING No. RR1 - Box 657 (0.46 acres).

PARCEL NUMBER: 124-Q-009-32.4

CONTROL NUMBER: 1240-88503



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7360 S Kyrene Road
Tempe, Arizona 85283-4583
888-315-8733

EDITH BRYAN
RR 1 BOX 657
MORRISDALE, PA 16858

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

APRIL 21, 2003

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 INMEDITAMENTE 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.



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APRIL 21, 2003

TO: EDITH BRYAN
RR 1 BOX 657
MORRISDALE, PA 16858

Mortgaged Premises:
RR1 BOX 657
MORRISDALE, PA 16858

Loan No.: 6907689746
Social Security No.: 194425491

FROM: Conseco Finance Consumer Discount Company

**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



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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: **RR1 BOX 657 MORRISDALE, PA 16858** 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: 2/20/03 due \$817.04, 3/20/03 due \$843.68, 4/20/03 due \$843.68, due \$ & due . Other charges: Escrow: \$ Late Charges \$2530.80 NSF Fee: \$ FPINSURPRINC: FT Taxes Advanced: \$10.25 **TOTAL AMOUNTS PAST DUE: \$5045.45.**

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

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 \$5045.45, 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: Conseco Finance, 7360 So Kyrene Rd, Tempe, AZ 85253 (do not send cash). 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.)



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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 the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not 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 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.

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 mortgager 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 one month 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: Conseco Finance Consumer Discount Company

Address: 7360 So Kyrene Rd, Tempe AZ 85253

Phone Number: 1-800-279-9416

Fax Number: 480/333-6460

Contact Person: Ruth Hernandez

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.



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ASSUMPTION OF MORTGAGE 888-1-1-87 You _____ may or X may not (CHECK ONE) sell or 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.

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.



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Tempe, Arizona 85283-4583
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MICHAEL BRYAN
RR 1 BOX 657
MORRISDALE, PA 16858

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

APRIL 21, 2003

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.

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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.

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7360 S Kyrene Road
Tempe, Arizona 85283-4583
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APRIL 21, 2003

TO: MICHAEL BRYAN
RR 1 BOX 657
MORRISDALE, PA 16858

Mortgaged Premises:
RR1 BOX 657
MORRISDALE, PA 16858

Loan No.: 6907689746
Social Security No.: 180648223

FROM: Conseco Finance Consumer Discount Company

**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**

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- 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.

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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.

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A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due: **2/20/03 due \$817.04, 3/20/03 due \$843.68, 4/20/03 due \$843.68, due \$ & due . Other charges: Escrow: \$ Late Charges \$2530.80 NSF Fee: \$ FPINSURPRINC: FT Taxes Advanced: \$10.25 TOTAL AMOUNTS PAST DUE: \$5045.45.**

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

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 \$5045.45, 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: Conseco Finance, 7360 So Kyrene Rd, Tempe, AZ 85253 (do not send cash). 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.)



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7360 S Kyrene Road
Tempe, Arizona 85283-4583
888-315-8733

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 the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not 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 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.

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 mortgagor 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 one month 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: Conseco Finance Consumer Discount Company

Address: 7360 So Kyrene Rd, Tempe AZ 85253

Phone Number: 1-800-279-9416

Fax Number: 480/333-6460

Contact Person: Ruth Hernandez

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.



CONSECO®

CONSECO FINANCE SERVICING CORP.
7360 S Kyrene Road
Tempe, Arizona 85283-4583

ASSUMPTION OF MORTGAGE 888315-8715 You _____ may or X may not (CHECK ONE) sell or 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.

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.

FILED 2cc shf
m 10:10
JUL 10 2003 Atty pd. 85.00

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

CONSECO FINANCE CONSUMER DISCOUNT CO.

VS.

BRYAN, EDITH A. & MICHAEL B.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket #

14331

03-1018-CD

SHERIFF RETURNS

NOW JULY 23, 2003 AT 9:35 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON EDITH A. BRYAN, DEFENDANT AT RESIDENCE, RD#1 BOX 657, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO EDITH A. BRYAN A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

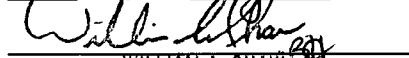
NOW JULY 23, 2003 AT 9:35 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MICHAEL B. BRYAN, DEFENDANT AT RESIDENCE, RD#1 BOX 657, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO EDITH BRYAN, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

| Cost | Description |
|-------|---|
| 33.36 | SHERIFF HAWKINS PAID BY: ATTY CK# 23560 |
| 20.00 | SURCHARGE PAID BY: ATTY CK# 23561 |

Sworn to Before Me This

26th Day Of August 2003



WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,



Chester A. Hawkins

Sheriff

FILED

01336811
AUG 26 2003



William A. Shaw
Prothonotary/Clerk of Courts