

03-1588-CD  
WACHOVIA BANK, NATIONAL ASSOC. vs. THOMAS G. DILLEN, et al.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, NATIONAL  
ASSOCIATION, f/k/a FIRST UNION  
NATIONAL BANK (Trustee for the  
PENNSYLVANIA HOUSING FINANCE  
AGENCY), assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK,

Plaintiff,

vs.

THOMAS G. DILLEN and JONI L.  
GALLAHER,

Defendants.

CIVIL DIVISION

NO. 03-1588-19

**COMPLAINT IN MORTGAGE  
FORECLOSURE**

Code  
MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED**  
M 1.25/21.22 85.00  
2003  
OCT 23 2003

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a )  
FIRST UNION NATIONAL BANK (Trustee for the )  
PENNSYLVANIA HOUSING FINANCE AGENCY), )  
assignee of PENNSYLVANIA HOUSING FINANCE )  
AGENCY, assignee of JERSEY SHORE STATE BANK, )  
Plaintiff, ) NO:  
vs. )  
THOMAS G. DILLEN and JONI L. GALLAHER, )  
Defendants. )

**COMPLAINT IN MORTGAGE FORECLOSURE**

**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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD 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.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 - EXT. 20**

### COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 2101 North Front Street, Harrisburg, PA 17105.

2. The Defendant(s) is/are individuals with a last known mailing address of P.O. Box 394, Madera, PA 16661. The property address is **Route 453, Madera, PA 16661** and is the subject of this action.

3. On the 14th day of January, 2000, in consideration of a loan of Thirty-Three Thousand, Two Hundred Fifty and No/100 (\$33,250.00) Dollars made by Jersey Shore State Bank, a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to Jersey Shore State Bank, a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Jersey Shore State Bank, as mortgagee, which mortgage was recorded on the 14th day of January, 2000, in the Office of the Recorder of Deeds of Clearfield County, at Instrument No. 200000690. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

(See Exhibit "A" attached hereto.)

5. On the 14th day of January, 2000, Jersey Shore State Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 14th day of January, 2000, at Instrument No. 200000691 and re-recorded in the Office of the Recorder of Deeds of Clearfield County on the 23rd day of February, 2000, at Instrument No. 200002362. The said assignment is incorporated herein by reference.

6. On the 18th day of August, 2003, Pennsylvania Housing Finance Agency, a PA corporation, assigned to the Plaintiff, Wachovia Bank, National Association, f/k/a First Union National Bank (Trustee for the Pennsylvania Housing Finance Agency), the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County and the said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

8. Since July 1, 2003, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

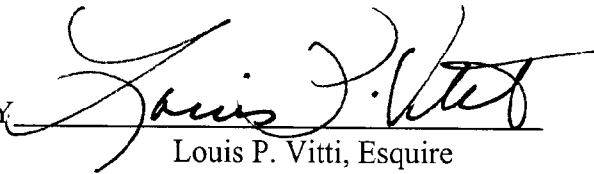
10. The amount due on said mortgage is itemized on the attached schedule.

11. Plaintiff does hereby release the personal representative, heir and/or devisee of the mortgagor(s) from liability for the debt secured by the mortgage.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Thirty-Six Thousand, Five Hundred Ten and 12/100 Dollars (\$36,510.12) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY   
Louis P. Vitti, Esquire  
Attorney for Plaintiff

Dillen, Thomas G.

**SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE**

Unpaid Principal Balance	31,250.00
Interest @ 6.6000% from 06/01/03 through 10/31/2003 (Plus \$5.6507 per day after 10/31/2003 )	858.90
Late charges through 10/21/2003 0 months @ 10.62 Accumulated beforehand (Plus \$10.62 on the 17th day of each month after 10/21/2003 )	148.68
Attorney's fee	1,562.50
Escrow deficit	<u>2,690.04</u>
(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	
<b>BALANCE DUE</b>	<b>36,510.12</b>

ALL that certain piece or parcel of land situate in the Village of Madera, Bigler Township, Clearfield County, Pennsylvania, bounded and described as follows: \_\_\_\_\_

SITUATE on the easterly side or boundary line of Legislative Route #453 leading from the Village of Madera to the Village of Banion and the Borough of Ramey; said parcel being bounded on the West by Legislative Highway Route No. 453; on the North by the premises now or formerly of a certain Norman Richards; and on the East by an alley; said premises having a frontage of one hundred (100) feet, more or less, along the aforesaid Legislative Highway Route No. 453 and extending equi-distant therefrom in an Easterly direction between the premises now or formerly of said Richard Glenn and Norman Richards a distance of one hundred (100) feet, more or less, to an alley and fronting a distance of one hundred (100) feet, more or less, along the westerly side or boundary line of the aforesaid alley; being designated on the Assessment Maps of the Clearfield County Commissioners Office as Parcel No. 103-K14-488-18. \_\_\_\_\_

Excepting and Reserving such exceptions and reservations as are contained in prior deeds in the chain of title. \_\_\_\_\_

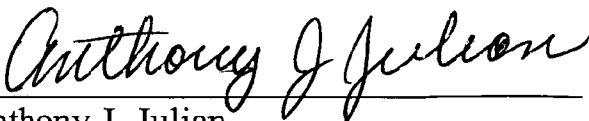
BEING the same premises as were conveyed unto Thomas G. Dillen and Joni L. Gallaher by deed of Brian D. Smeal and Laura E. Smeal, his wife, dated December 11, 1999, and entered for record in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, in Instrument File No. 200000689. \_\_\_\_\_

EXHIBIT"  "



## VERIFICATION

Anthony J. Julian hereby states that he is the Director of Accounting and Loan Servicing Program of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Anthony J. Julian  
Director of Accounting & Loan Servicing

Date: October 21, 2003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, NATIONAL  
ASSOCIATION, f/k/a FIRST UNION  
NATIONAL BANK, (Trustee for the  
PENNSYLVANIA HOUSING FINANCE  
AGENCY), assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK,

Plaintiff,

vs.

THOMAS G. DILLEN and JONI L.  
GALLAHER,

Defendants.

CIVIL DIVISION

NO. 03-1588-CD

**PRAECIPE FOR DEFAULT  
JUDGMENT, CERTIFICATION OF  
MAILING AND AFFIDAVIT OF NON-  
MILITARY SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

FILED

JAN 07 2004

William A. Snow  
Prothonotary, Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE  
STATE BANK,

Plaintiff,

vs.

THOMAS G. DILLEN and JONI L. GALLAHER,

Defendants.

NO. 03-1588- CD

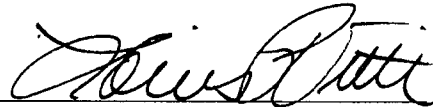
**PRAECIPE FOR DEFAULT JUDGMENT**  
**AND ASSESSMENT OF DAMAGES**

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$36,883.06**, in favor of the Wachovia Bank, National Association, et al, Plaintiff in the above-captioned action, against the Defendants, **Thomas G. Dillen and Joni L. Gallaher** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	<b>\$31,250.00</b>
Interest from <b>06/01/03-01/05/04</b> (Plus <b>\$5.6507</b> per day after <b>01/05/04</b> )	<b>1,231.84</b>
Late charges (Plus <b>\$10.62</b> per month from <b>10/21/03-Sale Date</b> )	<b>148.68</b>
Attorney's fee	<b>1,562.50</b>
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<b><u>2,690.04</u></b>
<b>Total Amount Due</b>	<b><u>\$36,883.06</u></b>

The real estate, which is the subject matter of the Complaint, is situate in the Village of Madera, Bigler Twp, Clearfield Twp & Cmwlt of PA. HET a dwg k/a Route 453, Madera, PA 16661. Parcel No. 103-K14-488-18.

  
Louis P. Vitti, Esquire  
Attorney for the Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

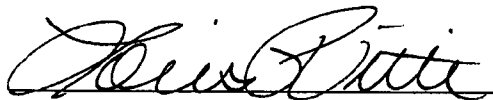
NO. 03-1588- CD

**CERTIFICATION OF MAILING**

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on December 22, 2003, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:

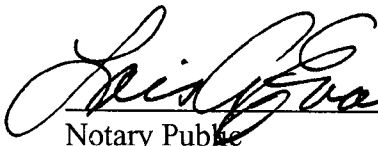
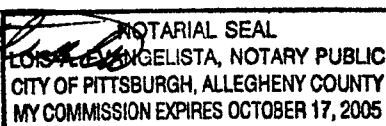


Louis P. Vitti, Esquire  
Attorney for Plaintiff

SWORN to and subscribed

before me this 5th day

of January, 2004.

  
Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

NO. 03-1588-CD

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

---

**IMPORTANT NOTICE**

---

TO: Thomas G. Dillen  
Route 453  
Madera, PA 16661

Joni L. Gallaher  
Box 622, Veterans Street  
Smithmill, PA 16680

Date of Notice: **December 22, 2003**

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.

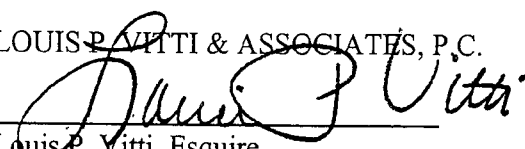
YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 20**

BY:

LOUIS P. VITTI & ASSOCIATES, P.C.

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff  
916 Fifth Avenue  
Pittsburgh, PA 15219

**\*\* THE DEBT COLLECTOR IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.\*\***

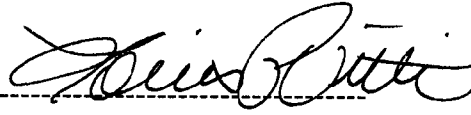
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

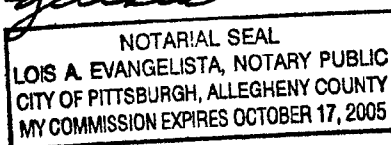
  
Louis P. Vitti, Esquire

SWORN to and subscribed

before me this 5th day

of January, 2004.

  
Notary Public



COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

**NOTICE OF ORDER, DECREE OR JUDGMENT**

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding  
on the 7<sup>th</sup> day of January 2004.

Judgment is as follows: **\$36,883.06.**

\_\_\_\_\_  
Deputy

**\*\* THE DEBT COLLECTOR IS ATTEMPTING TO COLLECT A DEBT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.\*\***

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

**NOTICE OF ORDER, DECREE OR JUDGMENT**

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding  
on the 7<sup>th</sup> day of January 2008<sup>4</sup>.

Judgment is as follows: **\$36,883.06.**

\_\_\_\_\_  
Deputy

**\*\* THE DEBT COLLECTOR IS ATTEMPTING TO COLLECT A DEBT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.\*\***



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

Wachovia Bank, National Association  
Plaintiff(s)

No.: 2003-01588-CD

Real Debt: \$36,883.06

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Thomas G. Dillen  
Joni L. Gallaher  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 7, 2004

Expires: January 7, 2009

Certified from the record this 7th day of January, 2004.

\_\_\_\_\_  
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

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

WACHOVIA BANK

VS.

DILLEN, THOMAS G. & JONI L. GALLAHER

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 14710

03-1588-CD

**SHERIFF RETURNS**

NOW NOVEMBER 10, 2003 AT 11:33 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON THOMAS G. DILLEN, DEFENDANT AT RESIENCCE, RT. 453, MADERA (SMOKE RUN), CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JOHN SPENCER, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: DAVIS/MORGILLO

NOW NOVEMBER 12, 2003 AT 9:50 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JONI L. GALLAHER, DEFENDANT AT RESIDENCE, BOX 622, VETERANS ST., JANESVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JONI L. GALLAHER 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
75.00	SHERIFF HAWKINS PAID BY: ATTY
20.00	SURCHARGE PAID BY: ATTY

Sworn to Before Me This

19<sup>th</sup> Day Of Dec-em 2003

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

So Answers,

*Chester A. Hawkins*  
by *Mauley Hamr*  
Chester A. Hawkins  
Sheriff

FILED  
DEC 19 2003  
012:45:51

William A. Shaw  
Prothonotary, Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, NATIONAL  
ASSOCIATION, f/k/a FIRST UNION  
NATIONAL BANK, (Trustee for the  
PENNSYLVANIA HOUSING FINANCE  
AGENCY), assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK,

Plaintiff,

vs.

THOMAS G. DILLEN and JONI L.  
GALLAHER,

Defendants.

CIVIL DIVISION

NO. 03-1588-CD

**PRAECIPE FOR WRIT OF  
EXECUTION AND AFFIDAVIT OF  
LAST KNOWN ADDRESS**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

FILED

JAN 07 2004

Wanda A.  
Prothonotary Clerk of Court

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

**PRAECIPE FOR WRIT OF  
EXECUTION IN MORTGAGE FORECLOSURE**

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the  
above-captioned matter as follows:

Amount Due **\$36,883.06**

Interest **01/06/04-Sale Date**

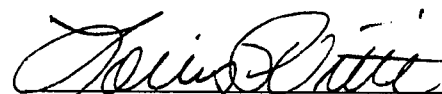
Total

\$           

*125.00 Prothonotary costs*

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate  
in:

Village of Madera, Bigler Twp, Clearfield Twp & Cmwlt of PA. HET a dwg k/a Route 453, Madera,  
PA 16661. Parcel No. 103-K14-488-18.



Louis P. Vitti, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

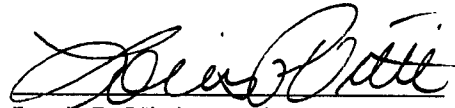
THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

**AFFIDAVIT**


I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief,  
the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute . That  
the Defendants' last known address is Thomas G. Dillen at Route 453, Madera, PA 16661 and Joni L.  
Gallaher at Box 622, Veterans Street, Smithmill, PA 16680.

  
Louis P. Vitti, Esquire

SWORN TO and subscribed

before me this 5th day of

January, 2004.

  
Notary Public

NOTARIAL SEAL  
LOIS A. EVANGELISTA, NOTARY PUBLIC  
CITY OF PITTSBURGH, ALLEGHENY COUNTY  
MY COMMISSION EXPIRES OCTOBER 17, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

**AFFIDAVIT PURSUANT TO RULE 3129.1**

Wachovia Bank, National Association, et al, Plaintiff in the above action, sets forth as of the date the Praeipie for the Writ of Execution was filed the following information concerning the real property located at Route 453, Madera, PA 16661.

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
-------	---

Thomas G. Dillen	Route 453 Madera, PA 16661
------------------	-------------------------------

Joni L. Gallaher	Box 622, Veterans Street Smithmill, PA 16680
------------------	---

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
-------	---

Same as No. 1 above.

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
-------	---

None

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

Name	Address (Please indicate if this cannot be reasonably ascertained)
PA Housing Finance	2101 North Front Street Harrisburg, PA 17105

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

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

6. 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:

Name	Address (Please indicate if this cannot be reasonably ascertained)
None	

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

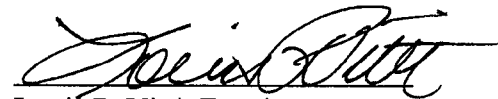
Name	Address (Please indicate if this cannot be reasonably ascertained)
Tax Collector of Bigler Township c/o Kathy Kitko	HC 1, Box 61 A Madera, PA 16661
Commonwealth of PA -DPW	P.O. Box 8016 Harrisburg, PA 17105
Clerk of Courts Criminal/Civil Division	P.O. Box 549 Clearfield, PA 16830
Tax Claim Bureau of Clearfield County	230 East Market Street Clearfield, PA 16830
Court of Common Pleas of Clearfield County Domestic Relations Division	P.O. Box 549 Clearfield, PA 16830
Bureau of Compliance	Clearance Support Section Dept. #281230 Harrisburg, PA 17128-1230 Attn: Susan Blough

Tenant/Occupant

Route 453  
Madera, PA 16661

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.

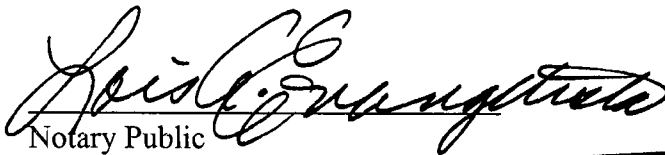
January 5, 2004  
Date

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

SWORN TO and subscribed

before me this 5th day

of January, 2004.

  
Notary Public

NOTARIAL SEAL  
LOIS A. EVANGELISTA, NOTARY PUBLIC  
CITY OF PITTSBURGH, ALLEGHENY COUNTY  
MY COMMISSION EXPIRES OCTOBER 17, 2005



**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

COPY

Wachovia Bank, National Association, f/k/a  
First Union National Bank, (Trustee for the  
Pennsylvania Housing Finance Agency), assignee  
of Pennsylvania Housing Finance Agency, assignee  
of Jersey Shore State Bank

Vs.

NO.: 2003-01588-CD

Thomas G. Dillen and  
Joni L. Gallaher

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a First Union National Bank, (Trustee for the Pennsylvania Housing Finance Agency), assignee of Pennsylvania Housing Finance Agency, assignee of Jersey Shore State Bank, Plaintiff(s) from THOMAS G. DILLEN and JONI L. GALLAHER, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
  
Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$36,883.06  
INTEREST: 01/06/04-Sale Date  
PROTH. COSTS: \$  
ATTY'S COMM: \$  
DATE: 01/07/2004

PAID: \$125.00  
SHERIFF: \$  
OTHER COSTS: \$

\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Louis P. Vitti, Esq.  
916 Fifth Ave.  
Pittsburgh, PA 15219  
(412) 281-1725

\_\_\_\_\_  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

NO. 03-1588- CD

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Village of Madera, Bigler Township, Clearfield County, Pennsylvania, bounded and described as follows:

SITUATE on the Easterly side or boundary line of Legislative Route #453 leading from the Village of Madera to the Village of Banion and the Borough of Ramey; said parcel being bounded on the West by Legislative Highway Route No. 453; on the North by the premises now or formerly of a certain Norman Richards; and on the East by an alley; said premises having a frontage of one hundred (100) feet, more or less, along the aforesaid Legislative Highway Route No. 453 and extending equi-distant therefrom in an Easterly direction between the premises now or formerly of said Richard Glenn and Norman Richards a distance of one hundred (100) feet, more or less, to an alley and fronting a distance of one hundred (100) feet, more or less, to an alley and fronting a distance of one hundred (100) feet, more or less, along the Westerly side or boundary line of the aforesaid alley; being designated on the Assessment Maps of the Clearfield County Commissioners Office as Parcel No. 103-K14-488-18.

EXCEPTING and Reserving such exceptions and reservations as are contained in prior deeds in the chain of title.

HAVING erected thereon a dwelling known as Route 453, Madera, PA 16661.

BEING the same premises which Brian D. Smeal and Laura E. Smeal, husband and wife, by deed dated 12/11/1999 and recorded on 01/14/2000 in Clearfield County, Pennsylvania, Recorder of Deeds Office at Instrument No. 200000689, granted and conveyed unto Thomas G. Dillen and Joni L. Gallaher.

FILED

MAR 26 2004

William A. Shaw  
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, NATIONAL  
ASSOCIATION, f/k/a FIRST UNION  
NATIONAL BANK (Trustee for the  
PENNSYLVANIA HOUSING FINANCE  
AGENCY), assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK,

Plaintiff,

vs.

THOMAS G. DILLEN and JONI L.  
GALLAHER,

Defendant.

CIVIL DIVISION

NO. 03-1588-CD

**AFFIDAVIT OF SERVICE**

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

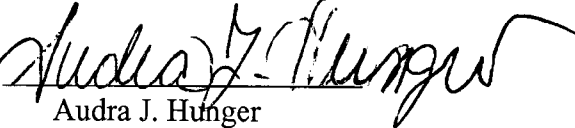
NO. 03-1588-CD

**AFFIDAVIT OF SERVICE**

I, Audra J. Hunger, do hereby certify that a Notice of Sale was mailed and served upon  
all lien holders by Certificate of Mailing for service in the above-captioned case on February 26,  
2004, advising them of the Sheriff's sale of the property at Route 453, Madera, PA 16661, on  
May 7, 2004.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY

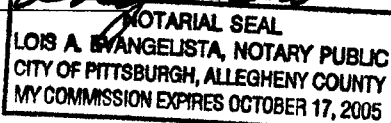
  
Audra J. Hunger

SWORN to and subscribed

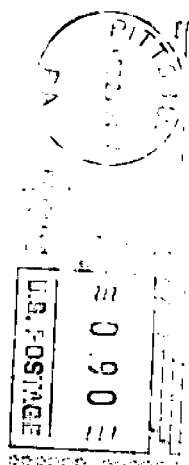
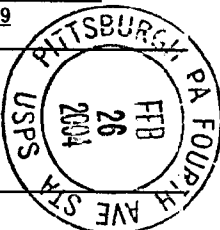
before me this 24th day

of March, 2004.

  
Notary Public

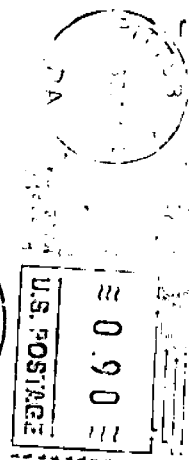
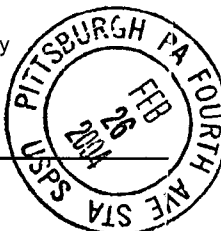


U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b>Louis P. Vitti &amp; Associates, P.C.</b> <b>916 Fifth Avenue, Pittsburgh, PA 15219</b>	
One piece of ordinary mail addressed to: Tax Claim Bureau of Clearfield County 230 East Market Street Clearfield, PA 16830	
PS Form 3817, January 2001	

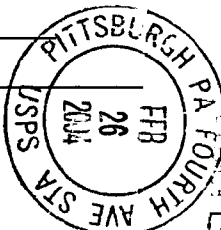


AJ/Dillen/5-7-04

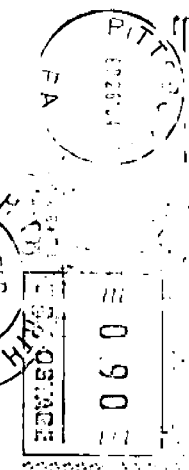
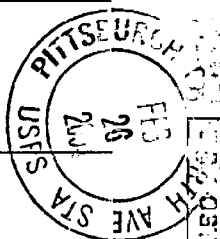
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b>Louis P. Vitti &amp; Associates, P.C.</b> <b>916 Fifth Avenue, Pittsburgh, PA 15219</b>	
One piece of ordinary mail addressed to: Court of Common Pleas of Clearfield County Domestic Relations Division P.O. Box 549 Clearfield, PA 16830	
PS Form 3817, January 2001	



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b>Louis P. Vitti &amp; Associates, P.C.</b> <b>916 Fifth Avenue, Pittsburgh, PA 15219</b>	
One piece of ordinary mail addressed to: Bureau of Compliance Clearance Support Section Dept. #281230 Harrisburg, PA 17128-1230 Attn: Susan Blough	
PS Form 3817, January 2001	



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b>Louis P. Vitti &amp; Associates, P.C.</b> <b>916 Fifth Avenue, Pittsburgh, PA 15219</b>	
One piece of ordinary mail addressed to: Tenant/Occupant Route 453 Madera, PA 16661	
PS Form 3817, January 2001	



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b><u>Louis P. Vitti &amp; Associates, P.C.</u></b> <b><u>916 Fifth Avenue, Pittsburgh, PA 15219</u></b>	
One piece of ordinary mail addressed to: PA Housing Finance 2101 North Front Street Harrisburg, PA 17105	

PS Form 3817, January 2001

AJ/Dillen/5-7-04

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b><u>Louis P. Vitti &amp; Associates, P.C.</u></b> <b><u>916 Fifth Avenue, Pittsburgh, PA 15219</u></b>	
One piece of ordinary mail addressed to: Tax Collector of Bigler Township c/o Kathy Kitko HC 1, Box 61 A Madera, PA 16661	

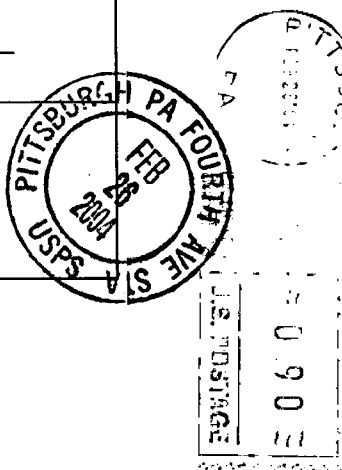
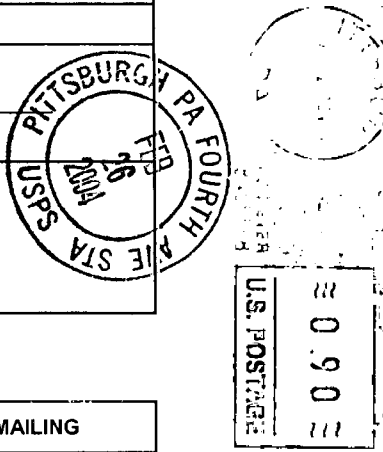
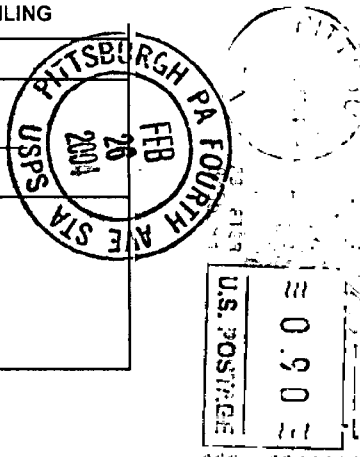
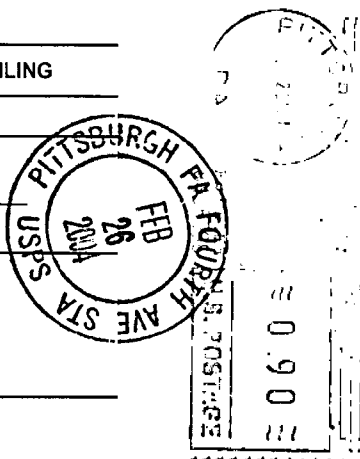
PS Form 3817, January 2001

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b><u>Louis P. Vitti &amp; Associates, P.C.</u></b> <b><u>916 Fifth Avenue, Pittsburgh, PA 15219</u></b>	
One piece of ordinary mail addressed to: Commonwealth of PA - DPW P.O. Box 8016 Harrisburg, PA 17105	

PS Form 3817, January 2001

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: <b><u>Louis P. Vitti &amp; Associates, P.C.</u></b> <b><u>916 Fifth Avenue, Pittsburgh, PA 15219</u></b>	
One piece of ordinary mail addressed to: Clerk of Courts Criminal/Civil Division P.O. Box 549 Clearfield, PA 16830	

PS Form 3817, January 2001



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

Sheriff Docket # 15208

WACHOVIA BANK, NATIONAL ASSOCIATION ET AL

03-1588-CD

VS.

DILLEN, THOMAS G.

WRIT OF EXECUTION

REAL ESTATE

**SHERIFF RETURNS**

---

NOW, MARCH 4, 2004 @ 10:10 A.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF MAY 7, 2004 WAS SET.

FILED  
JUL 22 2004  
William A. Shaw  
Prothonotary, Clerk of Courts

NOW, MARCH 4, 2004 @ 10:37 A.M. O'CLOCK SERVED JONI L. GALLAHER, DEFENDANT, AT HER RESIDENCE BOX 622, VETERANS STREET, SMITHMILL, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JONI L. GALLAHER, 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, MARCH 4, 2004 @ 10:45 A.M. O'CLOCK SERVED THOMAS G. DILLEN, DEFENDANT, AT HIS EMPLOYMENT K & B WOOD PRODUCTS, BECARRIA, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO THOMAS G. DILLEN, 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, MAY 7, 2004 A SALE WAS HELD ON THE PROERTY OF THE DEFENDNATS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, JULY 20, 2004 PAID COSTS FROM THE ADVANCE AND MADE A REFUND OF THE UNUSED ADVANCE TO THE PLAINTIFF'S ATTORNEY.

NOW, JULY 22, 2004 RETURN WRIT AS A SALE BEING HELD ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTII FOR

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

Sheriff Docket # 15208

WACHOVIA BANK, NATIONAL ASSOCIATION ET AL

03-1588-CD

VS.

DILLEN, THOMAS G.

WRIT OF EXECUTION

REAL ESTATE

**SHERIFF RETURNS**

---

**\$1.00 + COSTS.**

NOW, JULY 22, 2004 A DEED WAS FILED.

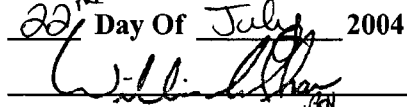
SHERIFF HAWKINS \$257.44

SURCHARGE \$40.00

PAID BY ATTORNEY



---

Sworn to Before Me This

22<sup>nd</sup> 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



**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Wachovia Bank, National Association, f/k/a  
First Union National Bank, (Trustee for the  
Pennsylvania Housing Finance Agency), assignee  
of Pennsylvania Housing Finance Agency, assignee  
of Jersey Shore State Bank

Vs.

NO.: 2003-01588-CD

Thomas G. Dillen and  
Joni L. Gallaher

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a First Union National Bank, (Trustee for the Pennsylvania Housing Finance Agency), assignee of Pennsylvania Housing Finance Agency, assignee of Jersey Shore State Bank, Plaintiff(s) from THOMAS G. DILLEN and JONI L. GALLAHER, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$36,883.06  
INTEREST: 01/06/04-Sale Date  
PROTH. COSTS: \$  
ATTY'S COMM: \$  
DATE: 01/07/2004

PAID: \$125.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 7<sup>th</sup> day  
of January A.D. 2004  
At 2:00 A.M./P.M. (P.M.)

Chester A. Hauke  
Sheriff By Cynthia B. Oughenlaugh

Requesting Party: Louis P. Vitti, Esq.  
916 Fifth Ave.  
Pittsburgh, PA 15219  
(412) 281-1725

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NATIONAL ASSOCIATION, f/k/a FIRST :  
UNION NATIONAL BANK (Trustee for the PENNSYLVANIA :  
HOUSING FINANCE AGENCY), assignee of PENNSYLVANIA :  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE :  
STATE BANK, :

Plaintiff, :

NO. 03-1588- CD

vs. :

THOMAS G. DILLEN and JONI L. GALLAHER, :

Defendants. :

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Village of Madera, Bigler Township, Clearfield County, Pennsylvania, bounded and described as follows:

SITUATE on the Easterly side or boundary line of Legislative Route #453 leading from the Village of Madera to the Village of Banion and the Borough of Ramey; said parcel being bounded on the West by Legislative Highway Route No. 453; on the North by the premises now or formerly of a certain Norman Richards; and on the East by an alley; said premises having a frontage of one hundred (100) feet, more or less, along the aforesaid Legislative Highway Route No. 453 and extending equi-distant therefrom in an Easterly direction between the premises now or formerly of said Richard Glenn and Norman Richards a distance of one hundred (100) feet, more or less, to an alley and fronting a distance of one hundred (100) feet, more or less, to an alley and fronting a distance of one hundred (100) feet, more or less, along the Westerly side or boundary line of the aforesaid alley; being designated on the Assessment Maps of the Clearfield County Commissioners Office as Parcel No. 103-K14-488-18.

EXCEPTING and Reserving such exceptions and reservations as are contained in prior deeds in the chain of title.

HAVING erected thereon a dwelling known as Route 453, Madera, PA 16661.

BEING the same premises which Brian D. Smeal and Laura E. Smeal, husband and wife, by deed dated 12/11/1999 and recorded on 01/14/2000 in Clearfield County, Pennsylvania, Recorder of Deeds Office at Instrument No. 200000689, granted and conveyed unto Thomas G. Dillen and Joni L. Gallaher.

# REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

NAME DILLEN NO. 03-1588-CD

NOW, May 7, 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 7TH day of MAY 2004, I exposed the within described real estate of THOMAS G. DILLEN AND JONI L. GALLAHER to public venue or outcry at which time and place I sold the same to WACHOVIA BANK, NATIONAL ASSOCIATION, F/K/A FIRST UNION NATIONAL BANK, (TRUSTEE FOR THE PENNSYLVANIA ET AL he/she being the highest bidder, for the sum of \$1.00 + COSTS and made the following appropriations, viz:

## SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	41.25
LEVY	15.00
MILEAGE	15.75
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00
<b>TOTAL SHERIFF COSTS</b>	<b>257.44</b>

## DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	32.50
TRANSFER TAX 2%	
<b>TOTAL DEED COSTS</b>	<b>32.50</b>

## PLAINTIFF COSTS, DEBT & INTEREST:

DEBT-AMOUNT DUE	36,883.06
INTEREST 1/6/04	
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	
<b>TOTAL DEBT &amp; INTEREST</b>	<b>36,883.06</b>

## COSTS:

ADVERTISING	414.48
TAXES - collector TO 1/7/04	110.79
TAXES - tax claim NONE	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	32.50
SHERIFF COSTS	257.44
LEGAL JOURNAL AD	198.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	

**TOTAL COSTS 1,283.21**

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