

03-1761-CD
CHASE MANHATTAN MORTGAGE CORP. vs DUREL C. HAUSER

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff
v.

TERM
NO. 03-1761-C

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

CLEARFIELD COUNTY

Defendant(s)

CIVIL ACTION - LAW
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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 EXT. 5982

FILED

NOV 25 2003

William A. Shaw
Prothonotary

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

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

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

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

3. On 10/29/1996 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1800, Page 461. By Assignment of Mortgage recorded 7/10/98 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Book No. 1949, Page 226.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 07/01/2003 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

| | |
|-------------------------------|---------------------|
| Principal Balance | \$45,814.67 |
| Interest | 2,109.84 |
| 06/01/2003 through 11/24/2003 | |
| (Per Diem \$11.92) | |
| Attorney's Fees | 1,250.00 |
| Cumulative Late Charges | 68.28 |
| 10/29/1996 to 11/24/2003 | |
| Cost of Suit and Title Search | <u>\$ 550.00</u> |
| Subtotal | \$ 49,792.79 |
| Escrow | |
| Credit | 0.00 |
| Deficit | 348.99 |
| Subtotal | <u>\$ 348.99</u> |
| TOTAL | \$ 50,141.78 |

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 50,141.78, together with interest from 11/24/2003 at the rate of \$11.92 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP

 By: /s/ Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

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

BEGINNING at a post at the corner of land now or formerly of O. Leon Bryant on the West side of South Main Street, 110 feet Southerly from the corner of Rumbarger Avenue and South Main Street; thence along the line of said South Main Street, South 28 $\frac{1}{2}$ degrees West, 82 feet to a post at corner of lot now or formerly of Julius R. Axelson; thence by said Axelson lot, North 61 $\frac{1}{2}$ degrees West, 180 feet to a post on line of lot now or formerly of John Reed estate; thence by line of said John Reed estate lot, North 28 $\frac{1}{2}$ degrees East, 82 feet to a post at the corner of lot now or formerly of Patrick B. Dillman; thence by line of said Dillman lot and lot now or formerly of O. Leon Bryant, South 61 $\frac{1}{2}$ degrees East 180 feet to a post on South Main Street and place of beginning. Having thereon erected a two-story frame dwelling house known as 408 South Main Street.

Furthermore, the premises described herein have also been described pursuant to a survey made by J. J. Fitzpatrick, Registered Surveyor, in June of 1980. Said description is set forth as follows:

BEGINNING at an iron pin at the intersection of the westerly side of South Main Street with the northerly boundary line of the within described lot, said iron pipe being 110 feet in a southeasterly direction from the corner of Rumbarger Avenue and South Main Street; thence along the westerly boundary line of South Main Street South 27 degrees 22 minutes West 82.0 feet to an iron pipe at the Northensterly corner of lands now or formerly of Edward Hopkins; thence North 62 degrees 07 minutes West 180.0 feet to a point at the Northwesterly corner of lands now or formerly of Hopkins; thence North 27 degrees 48 minutes East 82.0 feet in an iron fence post; thence South 62 degrees 07 minutes East 179.7 feet to an iron pipe and the place of beginning.

CONTAINING 14,747 square feet and having erected thereon a two-story frame dwelling house known as 408 South Main Street,

BEING the same premises conveyed by deed of George E. Bell and Elizabeth L. Bell, husband and wife, to Mary B. Lush, an individual, and Mary Shoemaker, an individual, as joint tenants with the right of survivorship, dated April 10, 1986, and recorded in the Office of the Recorder of Clearfield County in Volume 1978, page 164. The said Mary Shoemaker died testate on May 18, 1987, and title became vested in Mary E. Lush as the surviving tenant.

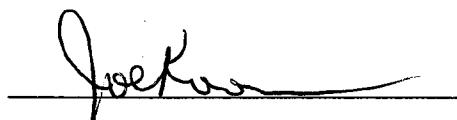
BETING KNOWN AS: 408 SOUTH MAIN STREET.

VERIFICATION

JOE KOONCE hereby states that he/she is

ASSISTANT SECRETARY of CHASE MANHATTAN MORTGAGE

CORPORATION mortgage servicing agent for Plaintiff in this matter, that she is authorized to take this Verification, and that the statements made in the foregoing Civil Action are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



JOE KOONCE

ASSISTANT SECRETARY

DATE: 11/19/03

FILED
O 1205 1205 09
2003
NOV 25 2003

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

CHASE MANHATTAN MORTGAGE CORPORATION

VS.

HAUSER, DUREL C. & ELIZABETH G.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 14873

03-1761-CD

SHERIFF RETURNS

NOW DECEMBER 2, 2003 LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN FOUR (4) COMPLAINT IN MORTGAGE FORECLOSURES ON DUREL C. HAUSER and ELIZABETH G. HAUSER, DEFENDANTS.

NOW DECEMBER 10, 2003 SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURES ON DUREL C. HAUSER and ELIZABETH G. HAUSER, DEFENDANTS BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURNS OF SHERIFF FIELD ARE HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED FOUR (4) COPIES ON ELIZABETH G. HAUSER, DEFENDANT AT THE RR#5 BOX 613, TYRONE, PA. ADDRESS.

NOW DECEMBER 16, 2003 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURES "NOT FOUND" AS TO DUREL C. HAUSER and ELIZABETH G. HAUSER, DEFENDANTS. HOUSE AT 408 SOUTH MAIN ST., DUBOIS, PA. IS "EMPTY".

Return Costs

| Cost | Description |
|-------|--|
| 71.68 | SHERIFF HAWKINS PAID BY: ATTY CK# 315319 |
| 60.00 | SURCHARGE PAID BY: ATTY |
| 65.00 | BLAIR COUNTY SHERIFF PAID BY: ATTY |

Sworn to Before Me This

11th Day Of Dec, 2003
W.A. Shaw

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

So Answers,


Chester A. Hawkins
Sheriff

FILED

01/03/2004
DEC 16 2003

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN OF SERVICE

() (1) The within _____ upon _____ the within named defendant by mailing to _____ by _____ mail, return receipt requested, postage prepaid _____ on the _____ a true and attested copy thereof at _____

The return receipt signed by _____ defendant on the _____ is hereto attached and made part of this return.

() (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2) by mailing a true and attested copy thereof at _____

in the following manner.

() (a) To the defendant by () registered () certified mail, return receipt requested, postage prepaid, addressee only on the _____ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

() (b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the _____

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

() (3) By publication in a daily publication of general circulation in the County of Blair Commonwealth of Pennsylvania, _____ time (s) with publication appearing _____

The affidavit from said publication is hereto attached.

() (4) By mailing to _____ by _____ mail, return receipt requested, postage prepaid, _____ on the _____ a true and attested copy thereof at _____

The _____ returned by the Postal Authorities marked _____ is hereto attached.

() (5) Other _____

DATE RECEIVED

DATE PROCESSED

SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

| | | | | | | | | | | | | | | | | | |
|---|---|---|-------|-----------|------|-----------------|-----------|------------------------|-------|-----------|------|--|-----------|--|-------|-----------|--|
| SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN | | | | | | | | | | | | INSTRUCTIONS: Print legibly, insuring readability of all copies. Do not detach any copies. BCSD ENV. # | | | | | |
| 1. PLAINTIFF / S / <i>Chase Manhattan</i> | | | | | | | | | | | | 2. COURT NUMBER <i>03-1761-CD/60768T</i> | | | | | |
| 3. DEFENDANT / S / <i>Durel C Hauser et al</i> | | | | | | | | | | | | 4. TYPE OF WRIT OR COMPLAINT <i>Mortgage Foreclosure</i> | | | | | |
| SERVE | 5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Durel C Hauser</i> | | | | | | | | | | | | | | | | |
| | 6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>State Roads 4021 Tyrone PA 16680</i> | | | | | | | | | | | | | | | | |
| 7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> PERSONAL <input type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER | | | | | | | | | | | | | | | | | |
| NOW, _____, I, SHERIFF OF BLAIR COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. | | | | | | | | | | | | | | | | | |
| SHERIFF OF BLAIR COUNTY | | | | | | | | | | | | | | | | | |
| 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE: | | | | | | | | | | | | | | | | | |
| NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof. | | | | | | | | | | | | | | | | | |
| 9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: <input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT | | | | | | | | | | | | 10. TELEPHONE NUMBER | | 11. DATE | | | |
| SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE | | | | | | | | | | | | | | | | | |
| 12. I acknowledge receipt of the writ or complaint as indicated above. | | SIGNATURE of Authorized BCSD Deputy or Clerk and Title <i>B Schaefer</i> | | | | | | | | | | 13. Date Received <i>12-5-03</i> | | 14. Expiration/Hearing date <i>12-25-03</i> | | | |
| 15. I hereby CERTIFY and RETURN that I <input type="checkbox"/> have personally served <input type="checkbox"/> have served person in charge. <input type="checkbox"/> have legal evidence of service as shown in "Remarks" (on reverse) <input type="checkbox"/> have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing or posting a TRUE and ATTESTED COPY thereof. | | | | | | | | | | | | | | | | | |
| 16. <input type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below) | | | | | | | | | | | | | | | | | |
| 17. Name and title of individual served <i>Rhonda Hauser</i> | | | | | | | | | | | | 18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/> | | Read Order <input type="checkbox"/> | | | |
| 19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>RR5 Box 613 Tyrone</i> | | | | | | | | | | | | 20. Date of Service <i>12-10-03</i> | | 21. Time <i>2000</i> | | | |
| 22. ATTEMPTS | | Date | Miles | Dep. Int. | Date | Miles | Dep. Int. | Date | Miles | Dep. Int. | Date | Miles | Dep. Int. | Date | Miles | Dep. Int. | |
| 23. Advance Costs | | 24. | 25. | 26. | | 27. Total Costs | | 28. COST DUE OR REFUND | | | | | | | | | |
| 30. REMARKS | | | | | | | | | | | | SO ANSWER. | | | | | |
| AFFIRMED and subscribed to before me this <i>11/4/03</i> day of <i>December</i> , 2003 <i>Carol J. Hauser</i> | | | | | | | | | | | | By (Sheriff/Dep. Sheriff) (Please Print or Type) <i>Sheriff T. Hauser</i> Signature of Sheriff | | | | | |
| Notarial Seal Notary Public Hollidaysburg Boro, Blair County My Commission Expires Apr. 3, 2007 | | | | | | | | | | | | Date <i>12-10-03</i> | | | | | |
| MY COMMISSION EXPIRES APR. 3, 2007 Member Pennsylvania Association of Notary Public OF AUTHORIZED ISSUING AUTHORITY AND TITLE. | | | | | | | | | | | | 39. Date Received | | | | | |

SHERIFF'S RETURN OF SERVICE

(1) The within _____ upon _____, the within named defendant by mailing to _____ by _____ mail, return receipt requested, postage prepaid _____ on the _____ a true and attested copy thereof at _____

The return receipt signed by _____ defendant on the _____ is hereto attached and made part of this return.

(2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and attested copy thereof at _____ in the following manner.

(a) To the defendant by () registered () certified mail, return receipt requested, postage prepaid, addressee only on the _____ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

(b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the _____

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

(3) By publication in a daily publication of general circulation in the County of Blair, Commonwealth of Pennsylvania, _____ time (s) with publication appearing _____

The affidavit from said publication is hereto attached.

(4) By mailing to _____ by _____ mail, return receipt requested, postage prepaid, on the _____ a true and attested copy thereof at _____

The _____ returned by the Postal Authorities marked _____ is hereto attached.

(5) Other _____

DATE RECEIVED

DATE PROCESSED

SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

3-4

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV.#

1. PLAINTIFF / S /

Close Manhattan

2. COURT NUMBER

03-1761-CV/60768T

3. DEFENDANT / S /

Durel C Hauser et al

4. TYPE OF WRIT OR COMPLAINT

Mortgage Foreclosure

SERVE



5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.

Elizabeth G Hauser

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

R.R. 5 Box 103 Tyrone PA 16686

7. INDICATE UNUSUAL SERVICE:

 PERSONAL PERSON IN CHARGE DEPUTIZE CERT. MAIL REGISTERED MAIL POSTED OTHER

NOW, I, Sheriff of Blair County, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of:

 PLAINTIFF
 DEFENDANT

10. TELEPHONE NUMBER

11. DATE

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

B Schreiber

13. Date Received

14. Expiration/Hearing date

12-5-03

12-25-03

15. I hereby CERTIFY and RETURN that I have personally served. have served person in charge. have legal evidence of service as shown in "Remarks" (on reverse) have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing or Posting a TRUE and ATTESTED COPY thereof.16. I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

Elizabeth Hauser

18. A person of suitable age and discretion then residing in the defendant's usual place of abode.

Read Order

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

SAMR

20. Date of Service

21. Time

12-10-03

2000

22. ATTEMPTS Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int.

23. Advance Costs 24. 25. 26. 27. Total Costs 28. COST DUE OR REFUND

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

11/4/

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Sheriff T. Hauser

Date

12-10-03

day of

Carol Greco, Notary Public
Hollidaysburg Boro, Blair County
NOTARY PUBLIC
My Commission Expires Apr. 3, 2007

| |
|---------------|
| Notarial Seal |
|---------------|

MY COMMISSION EXPIRES

Member, Pennsylvania Association Of Notaries

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE
OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

39. Date Received

SHERIFF'S RETURN OF SERVICE

(1) The within _____ upon _____, the within named defendant by mailing to _____ by _____ mail, return receipt requested, postage prepaid _____ on the _____ a true and attested copy thereof at _____

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(2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and attested copy thereof at _____ in the following manner.

(a) To the defendant by () registered () certified mail, return receipt requested, postage prepaid, addressee only on the _____, said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

(b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the _____

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

(3) By publication in a daily publication of general circulation in the County of Blair, Commonwealth of Pennsylvania, _____ time (s) with publication appearing _____

The affidavit from said publication is hereto attached.

(4) By mailing to _____ by _____ mail, return receipt requested, postage prepaid, on the _____ a true and attested copy thereof at _____

The _____ returned by the Postal Authorities marked _____ is hereto attached.

(5) Other _____

DATE RECEIVED

DATE PROCESSED

SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S /

Close Marlettan

2. COURT NUMBER

031741-CD/10728T

3. DEFENDANT / S /

Durel C Hauser et al

4. TYPE OF WRIT OR COMPLAINT

Mortgage Foreclosure

SERVE

5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.



Elizabeth C Hauser

AT

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

State Road 4021 Tyrone PA 16686

7. INDICATE UNUSUAL SERVICE:

 PERSONAL PERSON IN CHARGE DEPUTIZE CERT. MAIL REGISTERED MAIL POSTED OTHER

NOW, _____, I, SHERIFF OF BLAIR COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of:

 PLAINTIFF
 DEFENDANT

10. TELEPHONE NUMBER

11. DATE

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

13. Date Received

14. Expiration/Hearing date

12-5-03

12-25-03

15. I hereby CERTIFY and RETURN that have personally served. have served person in charge. have legal evidence of service as shown in "Remarks" (on reverse) have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing/or Posting a TRUE and ATTESTED COPY thereof.16. I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

Elizabeth Hauser

18. A person of suitable age and discretion then residing in the defendant's usual place of abode.

Read Order

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

RR5 Box 613 Tyrone

20. Date of Service

21. Time

12-10-03

2000

22. ATTEMPTS Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int.

23. Advance Costs 24 25 26 27. Total Costs 28. COST DUE OR REFUND

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

11/4

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Jesse C. Hauser

Signature of Sheriff

Date

12-10-03

Date

day of December 2003
 Carol Greco, Notary Public
 Hollidaysburg Boro, Blair County
 My Commission Expires Apr. 3, 2007
 Member, Pennsylvania Association Of Notaries

MY COMMISSION EXPIRES

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE
OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

39. Date Received

SHERIFF'S RETURN OF SERVICE

() (1) The within _____ upon _____, the within named defendant by mailing to _____ by _____ mail, return receipt requested, postage prepaid _____ on the _____, a true and attested copy thereof at _____

The return receipt signed by _____ defendant on the _____ is hereto attached and made part of this return.

() (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and attested copy thereof at _____

in the following manner.

() (a) To the defendant by () registered () certified mail, return receipt requested, postage prepaid, addressee only on the _____ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

() (b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the _____

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

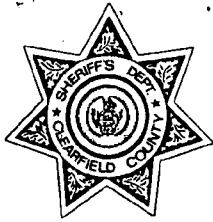
() (3) By publication in a daily publication of general circulation in the County of Blair, Commonwealth of Pennsylvania, _____ time (s) with publication appearing _____

The affidavit from said publication is hereto attached.

() (4) By mailing to _____ by _____ mail, return receipt requested, postage prepaid, on the _____ a true and attested copy thereof at _____

The _____ returned by the Postal Authorities marked _____ is hereto attached.

() (5) Other _____



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 14873

CHASE MANHATTAN MORTGAGE CORP.

TERM & NO. 03-1761-CD

VS

DOCUMENT TO BE SERVED:

DUREL C. HAUSER & ELIZABETH G. HAUSER

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 12/25/2003

MAKE REFUND PAYABLE TO: FEDERMAN & PHELAN, ESQ.

SERVE: DUREL C. HAUSER and ELIZABETH G. HAUSER

ADDRESS: RR#5 BOX 613, TYRONE, PA. And STATE ROAD 4021, TYRONE, PA.(see attached)

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF BLAIR COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 2nd Day of DECEMBER 2003

Respectfully,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

SHERIFF'S RETURN OF SERVICE

Plaintiff(s)

CHASE MANHATTAN MORTGAGE
CORPORATION

CIVIL ACTION NUMBER**SHERIFF'S NUMBER****Defendant(s)**

DUREL C. HAUSER
ELIZABETH G. HAUSER

COST**MILEAGE****DISTRICT**

Summons xx Complaint
 Other

TYPE OF ACTION

Mortgage Foreclosure

✓ PLEASE DEPUTIZE TO THE SHERIFF OF BLAIR
COUNTY TO SERVE THE DEFENDANTS AT THE
ABOVE ADDRESS

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20___, at ___ o'clock, ___ a.m., at
, County of _____, Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ and officer of said Defendant company.
 Other:

SHERIFF

By: _____, Deputy Sheriff

On the ___ day of _____, 20___, at ___ o'clock, ___ a.m., Defendant not found because:

Moved Unknown No Answer Vacant Other

SHERIFF

By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this ___ day of _____, 20___, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of
County to serve this Complaint and make return thereof and according to law.

SHERIFF

By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

Name Frank Federman, Esquire

Id. No. 12248

Address One Penn Center at Suburban Station,
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

**TO BE COMPLETED BY
PROTHONOTARY**

ATTEST _____

Pro Prothy

Date

SHERIFF'S RETURN OF SERVICE

Plaintiff(s)

CHASE MANHATTAN MORTGAGE
CORPORATION

CIVIL ACTION NUMBER**SHERIFF'S NUMBER****Defendant(s)**

DUREL C. HAUSER
ELIZABETH G. HAUSER

COST**MILEAGE****DISTRICT**

Summons Complaint
 Other

TYPE OF ACTION

Mortgage Foreclosure

Serve At
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

Special Instructions

**PLEASE DEPUTIZE TO THE SHERIFF OF BLAIR
COUNTY TO SERVE THE DEFENDANTS AT THE
ABOVE ADDRESS**

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20___, at ____ o'clock, __.m., at _____, County of _____, Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ and officer of said Defendant company.
 Other:

SHERIFF

By: _____, Deputy Sheriff

On the ___ day of _____, 20___, at ____ o'clock, __.m., Defendant not found because:

Moved Unknown No Answer Vacant Other

SHERIFF

By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this ___ day of _____, 20 ___, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of _____ County to serve this Complaint and make return thereof and according to law.

SHERIFF

By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

Name Frank Federman, Esquire

Id. No. 12248

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1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

**TO BE COMPLETED BY
PROTHONOTARY**

ATTEST _____

Pro Prothy

Date _____

SHERIFF'S RETURN OF SERVICE

Plaintiff(s)

CHASE MANHATTAN MORTGAGE
CORPORATION

CIVIL ACTION NUMBER**SHERIFF'S NUMBER****Defendant(s)**

DUREL C. HAUSER
ELIZABETH G. HAUSER

COST**MILEAGE****DISTRICT**

Summons xx Complaint
 Other

TYPE OF ACTION

Mortgage Foreclosure

**PLEASE DEPUTIZE TO THE SHERIFF OF BLAIR
COUNTY TO SERVE THE DEFENDANTS AT THE
ABOVE ADDRESS**

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20____, at ____ o'clock, __.m., at
, County of _____, Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ and officer of said Defendant company.
 Other:

SHERIFF

By: _____, Deputy Sheriff

On the ___ day of _____, 20____, at ____ o'clock, __.m., Defendant not found because:

Moved Unknown No Answer Vacant Other

SHERIFF

By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this ___ day of _____, 20____, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of
County to serve this Complaint and make return thereof and according to law.

SHERIFF

By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

Name Frank Federman, Esquire

Id. No. 12248

Address One Penn Center at Suburban Station,
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

**TO BE COMPLETED BY
PROTHONOTARY**

ATTEST _____

Pro Prothy

Date _____

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

TERM

v.

NO. 03-1761-c

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

CLEARFIELD COUNTY

Defendant(s)

CIVIL ACTION - LAW
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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

CLEARFIELD COUNTY

DAVID S. MEHOLICK, COURT ADMINISTRATOR

We hereby certify the CLEARFIELD COUNTY COURTHOUSE
within to be a true and CLEARFIELD, PA 16830
correct copy of the (814) 765-2641 EXT. 5982
original filed of record
FEDERMAN AND PHELAN

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

NOV 25 2003

Attest.

Willie L. Brown
Prothonotary/
Clerk of Courts

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

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

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

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

3. On 10/29/1996 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1800, Page 461. By Assignment of Mortgage recorded 7/10/98 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Book No. 1949, Page 226.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 07/01/2003 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

| | |
|-------------------------------|---------------------|
| Principal Balance | \$45,814.67 |
| Interest | 2,109.84 |
| 06/01/2003 through 11/24/2003 | |
| (Per Diem \$11.92) | |
| Attorney's Fees | 1,250.00 |
| Cumulative Late Charges | 68.28 |
| 10/29/1996 to 11/24/2003 | |
| Cost of Suit and Title Search | <u>\$ 550.00</u> |
| Subtotal | \$ 49,792.79 |
| Escrow | |
| Credit | 0.00 |
| Deficit | 348.99 |
| Subtotal | <u>\$ 348.99</u> |
| TOTAL | \$ 50,141.78 |

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 50,141.78, together with interest from 11/24/2003 at the rate of \$11.92 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP

 By: /s/ Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

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

BEGINNING at a post at the corner of land now or formerly of O. Leon Bryant on the West side of South Main Street, 110 feet Southerly from the corner of Rumbarger Avenue and South Main Street; thence along the line of said South Main Street, South 28 1/2 degrees West, 82 feet to a post at corner of lot now or formerly of Julius R. Axelson; thence by said Axelson lot, North 61 1/2 degrees West, 180 feet to a post on line of lot now or formerly of John Reed estate; thence by line of said John Reed estate lot, North 28 1/2 degrees East, 82 feet to a post at the corner of lot now or formerly of Patrek B. Dillman; thence by line of said Dillman lot and lot now or formerly of O. Leon Bryant, South 61 1/2 degrees East 180 feet to a post on South Main Street and place of beginning. Having thereon erected a two-story frame dwelling house known as 408 South Main Street.

Furthermore, the premises described herein have also been described pursuant to a survey made by J. J. Fitzpatrick, Registered Surveyor, in June of 1980. Said description is set forth as follows:

BEGINNING at an iron pin at the intersection of the westerly side of South Main Street with the northerly boundary line of the within described lot, said iron pipe being 110 feet in a southeasterly direction from the corner of Rumbarger Avenue and South Main Street; thence along the westerly boundary line of South Main Street South 27 degrees 22 minutes West 82.0 feet to an iron pipe at the Northwesterly corner of lands now or formerly of Edward Hopkins; thence North 62 degrees 07 minutes West 180.0 feet to a point at the Northwesterly corner of lands now or formerly of Hopkins; thence North 27 degrees 48 minutes East 82.0 feet to an iron fence post; thence South 62 degrees 07 minutes East 179.7 feet to an iron pipe and the place of beginning.

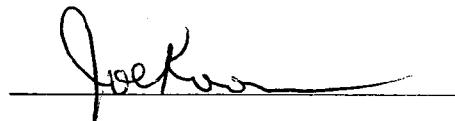
CONTAINING 14,747 square feet and having erected thereon a two-story frame dwelling house known as 408 South Main Street.

BEING the same premises conveyed by deed of George E. Bell and Elizabeth L. Bell, husband and wife, to Mary B. Lush, an individual, and Mary Shoemaker, an individual, as joint tenants with the right of survivorship, dated April 10, 1986, and recorded in the Office of the Recorder of Clearfield County in Volume 1078, page 164. The said Mary Shoemaker died testate on May 18, 1987, and title became vested in Mary E. Lush as the surviving tenant.

BEING KNOWN AS: 408 SOUTH MAIN STREET.

VERIFICATION

JOE KOONCE hereby states that he/she is
ASSISTANT SECRETARY of CHASE MANHATTAN MORTGAGE
CORPORATION mortgage servicing agent for Plaintiff in this matter, that she is authorized to take this
Verification, and that the statements made in the foregoing Civil Action are true and correct to the best of
her knowledge, information and belief. The undersigned understands that this statement is made subject to
the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



JOE KOONCE

ASSISTANT SECRETARY

DATE: 11/19/03

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

TERM

v.

NO. 03-1761-9

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

CLEARFIELD COUNTY

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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CLEARFIELD COUNTY

DAVID S. MEHOLICK, COURT ADMINISTRATOR

We hereby certify the CLEARFIELD COUNTY COURTHOUSE
within to be a true and CLEARFIELD, PA 16830
correct copy of the (814) 765-2641 EXT. 5982
original filed at record
FEDERMAN AND PHELAN

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

NOV 25 2003

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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1. Plaintiff is

CHASE MANHATTAN MORTGAGE CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

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

DUREL C. HAUSER
ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

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

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| TOTAL | \$ 50,141.78 |

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 50,141.78, together with interest from 11/24/2003 at the rate of \$11.92 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP

 By: /s/ Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

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

BEGINNING at a post at the corner of land now or formerly of O. Leon Bryant on the West side of South Main Street, 110 feet Southerly from the corner of Rundbarger Avenue and South Main Street; thence along the line of said South Main Street, South 28 1/4 degrees West, 82 feet to a post at corner of lot now or formerly of Julius R. Axelson; thence by said Axelson lot, North 61 1/4 degrees West, 180 feet to a post on line of lot now or formerly of John Reed estate; thence by line of said John Reed estate lot, North 28 1/4 degrees East, 82 feet to a post at the corner of lot now or formerly of Patrick B. Dillman; thence by line of said Dillman lot and lot now or formerly of O. Leon Bryant, South 61 1/4 degrees East 180 feet to a post on South Main Street and place of beginning. Having thereon erected a two-story frame dwelling house known as 408 South Main Street.

Furthermore, the premises described herein have also been described pursuant to a survey made by J. J. Fitzpatrick, Registered Surveyor, in June of 1980. Said description is set forth as follows:

BEGINNING at an iron pin at the intersection of the westerly side of South Main Street with the northerly boundary line of the within described lot, said iron pipe being 110 feet in a southeasterly direction from the corner of Rundbarger Avenue and South Main Street; thence along the westerly boundary line of South Main Street South 27 degrees 22 minutes West 82.0 feet to an iron pipe at the Northwesterly corner of lands now or formerly of Edward Hopkins; thence North 62 degrees 07 minutes West 180.0 feet to a point at the Northwesterly corner of lands now or formerly of Hopkins; thence North 27 degrees 48 minutes East 82.0 feet to an iron fence post; thence South 62 degrees 07 minutes East 179.7 feet to an iron pipe and the place of beginning.

CONTAINING 14,747 square feet and having erected thereon a two-story frame dwelling house known as 408 South Main Street.

BEING the same premises conveyed by deed of George E. Bell and Elizabeth L. Bell, husband and wife, to Mary B. Lush, an individual, and Mary Shoemaker, an individual, as joint tenants with the right of survivorship, dated April 10, 1986, and recorded in the Office of the Recorder of Clearfield County in Volume 1978, page 164. The said Mary Shoemaker died testate on May 18, 1987, and title became vested in Mary E. Lush as the surviving tenant.

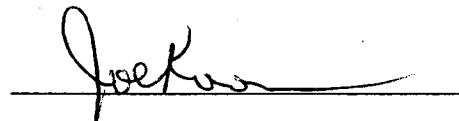
BEING KNOWN AS: 408 SOUTH MAIN STREET.

VERIFICATION

JOE KOONCE hereby states that he/she is

ASSISTANT SECRETARY of CHASE MANHATTAN MORTGAGE

CORPORATION mortgage servicing agent for Plaintiff in this matter, that she is authorized to take this Verification, and that the statements made in the foregoing Civil Action are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



JOE KOONCE

ASSISTANT SECRETARY

DATE: 11/19/03

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CHASE MANHATTAN MORTGAGE CORPORATION

CLEARFIELD COUNTY

Plaintiff

vs

NO. 03-1761-CD

DUREL C. HAUSER
ELIZABETH G. HAUSER

Defendant(s)

SUGGESTION OF RECORD CHANGE
RE: DEFENDANT'S NAME

TO THE PROTHONOTARY:

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

DUREL C. HAUSER
ELIZABETH G. HAUSER

The correct name for the Defendant(s) are:

DUREL C. HAUSER
ELIZABETH G. HAUSER, A/K/A ELISABETH G. HAUSER

Kindly change the information on the docket.

Date: December 17, 2003

Frank Federman
Frank Federman, Esquire
Attorney for Plaintiff

FILED

JAN 12 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED

Moce

3/4/04
JAN
12 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHASE MANHATTAN MORTGAGE
CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER
408 SOUTH MAIN STREET
DUBOIS, PA 15801

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

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DUREL C. HAUSER and ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

| | |
|--------------------------------|--------------------|
| As set forth in Complaint | \$50,141.78 |
| Interest (11/24/03 to 1/26/04) | <u>762.88</u> |
| TOTAL | \$50,904.66 |

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: January 27, 2004


PRO PROTHY

MLD

FILED

JAN 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CHASE MANHATTAN MORTGAGE CORPORATION

Plaintiff No.: 03-1761-CD

VS.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on January 27, 2008.

By: Will. H. Gray DEPUTY

If you have any questions concerning this matter please contact:

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS
Plaintiff :
Vs. : CIVIL DIVISION
: CLEARFIELD COUNTY
DUREL C. HAUSER :
ELIZABETH G. HAUSER : NO. 03-1761-CD
Defendants

TO: DUREL C. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

FILE COPY

Frank Federman
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS
Plaintiff :
Vs. : CIVIL DIVISION
: CLEARFIELD COUNTY
DUREL C. HAUSER :
ELIZABETH G. HAUSER : NO. 03-1761-CD
Defendants

TO: ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

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YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant, DUREL C. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686 .

(c) that defendant, ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686.

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


FRANK FEDERMAN, ESQUIRE

FILED *Atty pd. 20.00*
M 14384 *ice & Notice to Def.*
JAN 27 2004
William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty

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

COPY

Chase Manhattan Mortgage Corporation
Plaintiff(s)

No.: 2003-01761-CD

Real Debt: \$50,904.66

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Durel C. Hauser
Elizabeth G. Hauser a/k/a
Elisabeth G. Hauser
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: January 27, 2004

Expires: January 27, 2009

Certified from the record this 27th 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

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

**CHASE MANHATTAN MORTGAGE
CORPORATION**

vs.

**DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER**

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

No. 03-1761-CD

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

| | |
|------------|--------------------|
| Amount Due | <u>\$50,904.66</u> |
|------------|--------------------|

| | |
|--------------------------------|--|
| Interest from 1/26/04 to | |
| Date of Sale (\$8.37 per diem) | |

and Costs.

125.00 *Prothonotary costs*

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

Note: Please attach description of Property.

MLD

FILED

JAN 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 03-1761-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE MANHATTAN MORTGAGE
CORPORATION

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

Prothonotary/Clerk of Courts

William A. Shaver
JAN 27 2004
100-46-2004
FILED
Atty ad 30.00
desc. to Shaver
Atty ad 30.00

PRAECLPPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Mark H. Homan
Attorney for Plaintiff(s)

Address: RR5 BOX 613, TYRONE, PA 16686
RR5 BOX 613, TYRONE, PA 16686
Where papers may be served.

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

CHASE MANHATTAN MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 408 SOUTH MAIN STREET, DUBOIS, PA 15801:

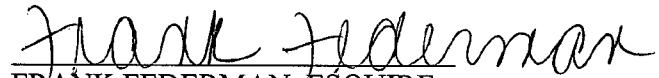
1. Name and address of Owner(s) or reputed Owner(s):

| Name | Last Known Address (if address cannot be reasonably ascertained, please indicate) |
|--|---|
| DUREL C. HAUSER | RR5 BOX 613 TYRONE, PA 16686 |
| ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER | RR5 BOX 613 TYRONE, PA 16686 |

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

SAME AS ABOVE

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

January 23, 2004

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

CHASE MANHATTAN MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at 408 SOUTH MAIN STREET, DUBOIS, PA 15801:

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

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

None.

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

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

None.

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

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

None.

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

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

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

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

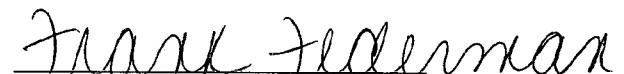
Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

408 SOUTH MAIN STREET
DUBOIS, PA 15801

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

January 23, 2004

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

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

CHASE MANHATTAN MORTGAGE
CORPORATION

No.: 03-1761-CD

vs.

CLEARFIELD COUNTY

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

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

**CHASE MANHATTAN MORTGAGE
CORPORATION**

vs.

**DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER**

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

NO.: 03-1761-CD

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: **408 SOUTH MAIN STREET, DUBOIS, PA 15801**

(See legal description attached.)

| | |
|--|---|
| Amount Due | <u>\$50,904.66</u> |
| Interest from 1/26/04 to Date of Sale (\$8.37 per diem) | <u>\$ _____</u> |
| Total | <u>\$ _____</u> Plus costs as endorsed. <i>125.00 Prothonotary costs</i> |

Will Hauser
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

Dated January 27, 2004
(SEAL)

MLD

No. 03-1761-CD

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

CHASE MANHATTAN MORTGAGE CORPORATION

VS.

DUREL C. HAUSER
ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

| | |
|--|--------------------|
| Real Debt | <u>\$50,904.66</u> |
| Int. from 1/26/04 to Date of Sale (\$8.37 per diem) | _____ |
| Costs | _____ |
| Proth. Pd. | <u>125.00</u> |
| Sheriff | |

Mark Haenman
Attorney for Plaintiff

Address: RR5 BOX 613, TYRONE, PA 16686
RR5 BOX 613, TYRONE, PA 16686
Where papers may be served.

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

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

BEGINNING at a post at the corner of land now or formerly of O. Leon Bryant on the West side of South Main Street, 110 feet Southerly from the corner of Rumbarger Avenue and South Main Street; thence along the line of said South Main Street, South 28 1/4 degrees West, 82 feet to a post at corner of lot now or formerly of Julius R. Axelson; thence by said Axelson lot, North 61 3/4 degrees West, 180 feet to a post on line of lot now or formerly of John Reed estate, thence by line of said John Reed estate lot, North 28 1/4 degrees East, 82 feet to a post at the corner of lot now or formerly of Patrick B. Dillman; thence by line of said Dillman lot and lot now or formerly of O. Leon Bryant, South 61 3/4 degrees East 180 feet to a post on South Main Street and place of beginning.

HAVING thereon erected a two-story frame dwelling house known as 408 South Main Street.

FURTHERMORE, the premises described herein have also been described pursuant to a Survey made by J.J. Fitzpatrick, Registered Surveyor, in June of 1980. Said description is set forth as follows:

BEGINNING at an iron pin at the intersection of the Westerly side of South Main Street with the Northerly boundary line of the within described lot, said iron pipe being 110 feet in a Southeasterly direction from the corner of Rumbarger Avenue and South Main Street; thence along the Westerly boundary line of South Main Street South 27 degrees 32 minutes West 82.0 feet to an iron pipe at the Northeasterly corner of lands now or formerly of Edward Hopkins; thence North 62 degrees 07 minutes West 180.0 feet to a point at the Northwesterly corner of lands now or formerly of Hopkins; thence North 27 degrees 48 minutes East 82.0 feet to an iron fence post; thence South 63 degrees 07 minutes East 179.7 feet to an iron pipe and the place of beginning.

CONTAINING 14.747 square feet and having erected thereon a two-story frame dwelling house known as 408 South Main Street.

Tax Parcel #7-5-09-2465

TITLE TO SAID PREMISES IS VESTED IN Durel C. Hauser and Elizabeth G. Hauser, husband by Deed from Mary E. Lash, single, dated 10/28/1996 and recorded 11/4/1996 in Record Book Volume 1800, Page 457.

OFFICE OF THE PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

TEAM 5

FILED
ml:1440
FEB 09 2004

William A. Shaw
Prothonotary/Clerk of Courts

ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER
408 SOUTH MAIN STREET
DUBOIS, PA 15801

INSUFFICIENT ADDRESS
 ATTEMPTED NOT KNOWN
 NO SUCH NUMBER/ STREET
~~REASONABLE DELIVERABLE AS ADDRESSEE~~
 UNABLE TO FORWARD

INSUFFICIENT ADDRESS
 ATTEMPTED NOT KNOWN OTHER
~~NO SUCH NUMBER/STREET~~ NO DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

A logo consisting of a stylized 'A' and 'R' with the text 'RETURN TO SENDER' written vertically through them.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHASE MANHATTAN MORTGAGE
CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER
408 SOUTH MAIN STREET
DUBOIS, PA 15801

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

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DUREL C. HAUSER and ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

| | |
|--------------------------------|--------------------|
| As set forth in Complaint | \$50,141.78 |
| Interest (11/24/03 to 1/26/04) | <u>762.88</u> |
| TOTAL | \$50,904.66 |

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: January 27, 2004

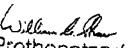

PRO PROTHY

MLD

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

JAN 27 2004

Attest.


Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CHASE MANHATTAN MORTGAGE
CORPORATION

Plaintiff No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on January 27, 2004.

By: Willie L. Hall ~~DEPUTY~~

If you have any questions concerning this matter please contact:

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

**THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE
PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD
NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY
ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
DUREL C. HAUSER : NO. 03-1761-CD
ELIZABETH G. HAUSER
Defendants

TO: DUREL C. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

FILE COPY

Frank Federman
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
DUREL C. HAUSER : NO. 03-1761-CD
ELIZABETH G. HAUSER
Defendants

TO: ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant, DUREL C. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686 .

(c) that defendant, ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686.

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


FRANK FEDERMAN, ESQUIRE

OFFICE OF THE PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

TEAM 5

DUREL C. HAUSER
408 SOUTH MAIN STREET
CLEARFIELD, PA 16830

A INSUFFICIENT ADDRESS
 C ATTEMPTED, NOT KNOWN OTHER
 S NO SUCH NUMBER/STREET
 UNABLE TO FORWARD

RTS
RETURN TO SENDER



FILED
FEB 09 2004
11:14 AM

William A. Shaw
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHASE MANHATTAN MORTGAGE
CORPORATION
3415 VISION DRIVE
COLUMBUS, OH 43219

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER
408 SOUTH MAIN STREET
DUBOIS, PA 15801

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

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DUREL C. HAUSER and ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

| | |
|--------------------------------|--------------------|
| As set forth in Complaint | \$50,141.78 |
| Interest (11/24/03 to 1/26/04) | <u>762.88</u> |
| TOTAL | \$50,904.66 |

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: January 27, 2004

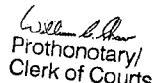

PRO PROTHY

MLD

I hereby certify this to be a true
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statement filed in this case.

JAN 27 2004

Attest.


Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CHASE MANHATTAN MORTGAGE CORPORATION

Plaintiff No.: 03-1761-CD

VS.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
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By: William H. Chan DEPUTY

If you have any questions concerning this matter please contact:

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
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Philadelphia, PA 19103-1814
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FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS
Plaintiff :
Vs. : CIVIL DIVISION
: CLEARFIELD COUNTY
DUREL C. HAUSER :
ELIZABETH G. HAUSER : NO. 03-1761-CD
Defendants

TO: DUREL C. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

FILE COPY

Frank Federman
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP
FRANK FEDERMAN, ESQ., Id. No. 12248
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(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION : COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

DUREL C. HAUSER
ELIZABETH G. HAUSER
Defendants

: NO. 03-1761-CD

TO: ELIZABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686

DATE OF NOTICE: DECEMBER 31, 2003

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman

FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

No.: 03-1761-CD

vs.

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant, DUREL C. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686 .

(c) that defendant, ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, is over 18 years of age, and resides at RR5 BOX 613, TYRONE, PA 16686.

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


FRANK FEDERMAN, ESQUIRE

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

PLAINTIFF
CHASE MANHATTAN MORTGAGE
CORPORATION

ACCT. #1904142174 / 175 000 899

DEFENDANT
DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

COURT NO.: 03-1761-CD

FILED

SERVE DUREL C. HAUSER AT:
RR5 BOX 613
TYRONE, PA 16686

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: JUNE 4, 2004

APR 15 2004

William A. Shaw
Prothonotary/Clerk of Courts

SERVED

Served and made known to Durel C. Hauser, Defendant on the 07 day of April, 2004, at 7:02, o'clock P. M., at RR5 Box 613, Bell-Tip Road, Tyrone, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s).

Relationship is Wife.

Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ an officer of said Defendant's company.
 Other: _____

Description: Age 51 Height 5'6" Weight 130 Race W Sex F Other _____

I, Thomas P. Chathams, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 8th day
of APRIL, 2004.

Notary:

Marilyn A. Campbell

By:

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock __. M., Defendant NOT FOUND because:

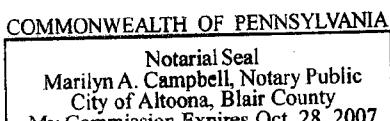
Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this 8th day
of APRIL, 2004. By:

Notary:

ATTORNEY FOR PLAINTIFF
FRANK FEDERMAN, ESQUIRE
ID.#12248
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000



Member, Pennsylvania Association of Notaries

AFFIDAVIT OF SERVICE

PLAINTIFF

CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

ACCT. #1904142174-1175000889

DEFENDANT

DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSERCOURT NO.: 03-1761-CDSERVE ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER AT:
RR5 BOX 613
TYRONE, PA 16686TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: JUNE 4, 20004SERVED

Served and made known to Elizabeth G. Hauser, Defendant on the 17 day of April, 2004, at 7:02 o'clock P. M., at RR 5 Box 613, Bell-Tip Road, Tyrone, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s).
 Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ an officer of said Defendant's company.
 Other: _____.

Description: Age 51 Height 5'6" Weight 130 Race W Sex F Other _____

I, Thomas P. Chathams, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 8th day
of April, 2004.

Notary:

Marilyn A. Campbell

By:

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock P. M., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this _____ day
of _____, 200____. By:

Notary:

COMMONWEALTH OF PENNSYLVANIA

| |
|-------------------------------------|
| Notarial Seal |
| Marilyn A. Campbell, Notary Public |
| City of Altoona, Blair County |
| My Commission Expires Oct. 28, 2007 |

Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
FRANK FEDERMAN, ESQUIRE
I.D.#12248
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

FILED NO
APR 15 2004
GHD

William A. Shaw
Prothonotary/Clerk of Courts

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

**CHASE MANHATTAN MORTGAGE CLEARFIELD COUNTY
CORPORATION**

**3415 VISION DRIVE
COLUMBUS, OH 43219**

v.

**COURT OF COMMON PLEAS
CIVIL DIVISION**

NO.: 03-1761-CD

**DUREL C. HAUSER
ELIZABETH G. HAUSER A/K/A
ELISABETH G. HAUSER
RR5 BOX 613
TYRONE, PA 16686**

PRAECIPE TO MARK JUDGMENT TO USE PLAINTIFF

TO THE PROTHONOTARY:

Please mark the judgment in the above captioned matter to the use of
SFJV-2003-1, LLC..

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Date: March 31, 2004

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of **SFJV-2003-1, LLC , USE
PLAINTIFF.**

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff
FILED

Date: March 31, 2004

APR 08 2004

William A. Shaw
Prothonotary

FILED
2:35 PM APR 08 2004
M WOCC

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15302

CHASE MANHATTAN MORTGAGE CORPORATION

03-1761-CD

VS.
HAUSER, DUREL C.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, MAY 17, 2004 @ 10:40 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 JUNE 4, 2004 WAS SET.

FILED *No CC*
** 013:57 AM*
OCT 19 2004

William A. Shaw
Prothonotary/Clerk of Courts

NOW, APRIL 7, 2004 THE ATTORNEY HAD A PROCESS SERVER SERVE THE DEFENDANTS WITH THE NOTICE OF SALE AT RR 5, BOX 613 BELL-TIP ROAD, TYRONE.

NOW, APRIL 19, 2004 SERVED DUREL C. HAUSER AT RR 5, BOX 613, TYRONE, PA, WITH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY BY REGULAR AND CERTIFIED MAIL CERTIFIED #70033110000193805973

NOW, APRIL 19, 2004 SERVED ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER AT RR 5, BOX 613, TYRONE PA, WITH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY BY REGULAR AND CERTIFIED MAIL. CERTIFIED #70033110000193805980

NOW, MAY 14, 2004 RECEIVED CERTIFIED #70033110000193805980 FOR ELIZABETH G. HAUSER A/K/A ELISABETH G. HAUSER, RR 5, BOX 613, TYRONE, PA BACK UNCLAIMED.

NOW, MAY 14, 2003 RECEIVED CERTIFIED #70033110000193805973 FOR DUREL C. HAUSER, RR 5, BOX 613, TYRONE, PA, BACK UNCLAIMED.

NOW, JUNE 4, 2004 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. THE PLAINTIFF PURCHASED THE PROPERTY FOR \$1.00 + COSTS.

NOW, AUGUST 27, 2004 CALLED FOR DEED INSTRUCTIONS.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15302

CHASE MANHATTAN MORTGAGE CORPORATION

03-1761-CD

VS.
HAUSER, DUREL C.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, OCTOBER 11, 2004 GAVE THE DEED TO THE DEPUTIES TO TAKE TO DUBOIS
CITY FOR THE CITY SEAL.

NOW, OCTOBER 18, 2004 PAID COSTS FROM THE ADVANCE AND MADE A REFUND
OF THE UNUSED ADVANCE TO THE ATTORNEY.

NOW, OCTOBER 18, 2004 RETURNED WRIT AS A SALE BEING HELD ON THE
PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE
PLAINTIFF FOR \$1.00 + COSTS.

NOW, OCTOBER 18, 2004 A DEED WAS FILED.

SHERIFF HAWKINS \$225.19

SURCHARGE \$40.00

PAID BY ATTORNEY

Sworn to Before Me This

19th Day Of October 2004
William A. Shaw

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

So Answers,

Chester A. Hawkins
by Cynthia Butter-Augustcey
Chester A. Hawkins
Sheriff

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME HAUSER NO. 03-1761-CD

NOW, June 4, 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 4TH day of JUNE 2004, I exposed the within described real estate of DUREL C. HAUSER AND ELIZABETH G. HAUSER A/K/ ELISABETH G. HAUSER to public venue or outcry at which time and place I sold the same to CHASE MANHATTAN MORTGAGE CORPORATION 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 | |
| LEVY | 15.00 |
| MILEAGE | 14.25 |
| POSTING | 15.00 |
| CSDS | 10.00 |
| COMMISSION 2% | |
| POSTAGE | 14.94 |
| 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 |
| TOTAL SHERIFF COSTS | 225.19 |
| DEED COSTS: | |
| ACKNOWLEDGEMENT | 5.00 |
| REGISTER & RECORDER | 29.00 |
| TRANSFER TAX 2% | |
| TOTAL DEED COSTS | 29.00 |

PLAINTIFF COSTS, DEBT & INTEREST:

| | |
|----------------------------------|------------------|
| DEBT-AMOUNT DUE | 50,904.66 |
| INTEREST | |
| 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 | 50,904.66 |
| COSTS: | |
| ADVERTISING | 475.20 |
| TAXES - collector PAID | |
| TAXES - tax claim NONE | |
| DUE | |
| LIEN SEARCH | 100.00 |
| ACKNOWLEDGEMENT | 5.00 |
| DEED COSTS | 29.50 |
| SHERIFF COSTS | 225.19 |
| LEGAL JOURNAL AD | 180.00 |
| PROTHONOTARY | 125.00 |
| MORTGAGE SEARCH | 40.00 |
| MUNICIPAL LIEN | |
| TOTAL COSTS | 1,179.89 |

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

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

PLAINTIFF
CHASE MANHATTAN MORTGAGE
CORPORATION

ACCT. #1904142174 1175 000889

DEFENDANT
DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

COURT NO.: 03-1761-CD

SERVE DUREL C. HAUSER AT:
RR5 BOX 613
TYRONE, PA 16686

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: JUNE 4, 2004

SERVED

Served and made known to Durel C. Hauser, Defendant on the 07 day of April, 2004, at 7:02, o'clock P. M., at RR5 Box 613, Bell-Tip Road, Tyrone, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s).
Relationship is Wife.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 an officer of said Defendant's company.
 Other: _____

Description: Age 51 Height 5'6" Weight 130 Race W Sex F Other _____

I, Thomas P. Chathams, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 8th day
of APRIL, 2004.

Notary:

By:

Marilyn A. Campbell

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock __. M., Defendant NOT FOUND because:

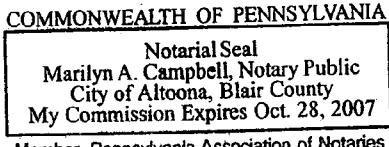
Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this _____ day
of _____, 2000. By:

Notary:

ATTORNEY FOR PLAINTIFF
FRANK FEDERMAN, ESQUIRE
I.D.#12248
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000



Member, Pennsylvania Association of Notaries

AFFIDAVIT OF SERVICE

PLAINTIFF
CHASE MANHATTAN MORTGAGE
CORPORATION

CLEARFIELD COUNTY

ACCT. #1904142174 / 175000889

DEFENDANT
DUREL C. HAUSER
ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER

COURT NO.: 03-1761-CD

SERVE ELIZABETH G. HAUSER
A/K/A ELISABETH G. HAUSER AT:
RR5 BOX 613
TYRONE, PA 16686

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: JUNE 4, 2004

SERVED

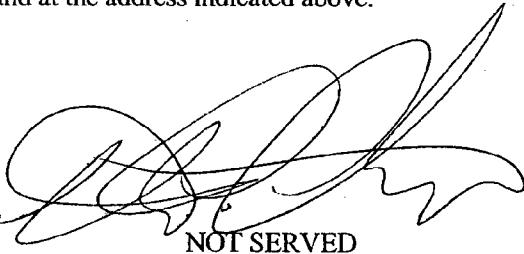
Served and made known to Elizabeth G. Hauser, Defendant on the 17 day of April, 2004, at 7:02 o'clock P. M., at RR 5 Box 613, Bell-Tip Road, Tyrone, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ an officer of said Defendant's company.
 Other: _____.

Description: Age 51 Height 5'6" Weight 130 Race W Sex F Other _____

I, Thomas P. Chatthams, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 8th day
of April, 2004.

Notary: Marilyn A. Campbell By: 

NOT SERVED

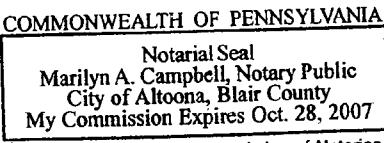
On the _____ day of _____, 200____, at _____ o'clock __. M., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this 8th day
of April, 2004. By:

Notary:



Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
FRANK FEDERMAN, ESQUIRE
ID.#12248
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

CHESTER A. HAWKINS

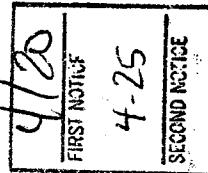
SHERIFF

COURTHOUSE

1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



7003 3110 0001 9380 5973



RTS

DUREL C. HAUSER
RR 5, BOX 613
TYRONE, PA 16686

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S NO SUCH NUMBER STREET
 OTHER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

Received 5-14-04

16686 0866 0001 0TTE 0002

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

For delivery information visit our website at www.usps.com

| | |
|---|---------|
| OFFICIAL USE | |
| Postage | \$ 1.60 |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restituted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 1.60 |

688
16686 0866 0001 0TTE 0002

CLEARFIELD PA
Post Office
APR 19 2004
USPS

Sent To Durel C. Hauser
Street, Apt. No., RR 5, Box 613
City, State, ZIP+4 Tyrone, PA 16686

PS Form 3800, June 2002
GPO: 2002 OMB Control No. 1190-0102
GPO: 2002 OMB Control No. 1190-0102
See Reverse for Instructions

