

03-1827-CD
CENDANT MORTGAGE CORP. vs. MICHAEL J. ZIMMERMAN

Federman and Phelan, LLP
By: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center Plaza
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation
4001 Leadenhall Road
Mount Laurel, NJ 08054

: Court of Common Pleas

: Civil Division

v. : Clearfield County

: Term

Michael J. Zimmerman
Or Occupants
RR2 Box 109
Clearfield, PA 16830 : No. 03-1827-CD

:

CIVIL ACTION - EJECTMENT

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 and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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 (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. 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

FILED

DEC 11 2003

William A. Shaw
Prothonotary Clerk of Courts

1. Plaintiff is Cendant Mortgage Corporation.
2. Defendant is Michael J. Zimmerman Or Occupants.
3. Plaintiff is equitable owner of premises located at RR2 Box 109, Clearfield, PA 16830, a legal description of which is attached.
4. Plaintiff became owner of said premises as a result of foreclosure and judicial sale by the Sheriff of Clearfield County, on December 5, 2003.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The defendant is occupying the said premises without right and so far as the plaintiff is informed, without claim of title.
6. Plaintiff has demanded possession of the said premises from the said defendant who has refused to deliver up possession of same.

WHEREFORE, plaintiff seeks to recover possession of said premises.


Francis S. Hallinan, Esquire
Attorney for Plaintiff

ALL those certain lots or tracts of ground located an situate in Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

PARCEL 1 -

BEGINNING at a point on the northern side of a private road and the southeast corner of lot previously owned by James Hoyt and Margaret Hoyt, now or formerly owned by Harry J. Salvatore and Karen C. Salvatore; thence East one hundred (100) feet to a cement post; thence North one hundred eighty-six and one-half (186 1/2) feet (previously referred to incorrectly as eighty-six and one-half feet) to a point on the southeast corner of land now or formerly of James H. Hoyt and Margaret L. Hoyt; thence along land now or formerly of James H. Hoyt and Margaret L. Hoyt West one hundred (100) feet to a point on the northeast corner of lot formerly owned by James H. Hoyt and Margaret L. Hoyt, now or formerly owned by Harry J. Salvatore and Karen G. Salvatore; thence South one hundred eight-six and one-half (186 1/2) feet to a point and place of beginning.

PARCEL 2 -

BEGINNING at a point on a private road, said point being the southwest corner of the parcel of land previously conveyed by John K. Bankey to Malvin Daisher by a deed

dated September 28, 1943, and recorded in Deed Book 373 at Page 204; thence northerly along the line of said previous conveyance one hundred eighty-six and one-half (186 1/2) feet to a point; thence westerly fifty (50) feet to a point; thence southerly one hundred eighty-six and one-half (186 1/2) feet to a point on a private road; thence easterly along said private road fifty (50) feet to the place of beginning.

PARCEL 3 -

BEGINNING at an iron pipe, said pipe being the northern corner of land herein described and also being in the southern line of Lawrence Township, Route T-903; thence by land now or formerly of Samuel B. Yost and Jody F. Yost, also land now or formerly of Bonnie Habarl, South forty-eight (48) degrees twenty-five (25) minutes fifty-five (55) seconds West, three hundred twenty-seven and fifty-seven one-hundredths (327.57) feet to an iron bolt in the northern line of an unimproved road; thence by the northern line of said unimproved road, north twenty-eight (28) degrees twenty-five (25) minutes zero (00) seconds West, fifty and no hundredths (50.00) feet to an iron pipe; thence by land now or formerly of Ronald Bressler and Joyce Bressler, north forty-eight (48) degrees twenty-five (25) minutes fifty-five (55) seconds east, three hundred three and ninety-one one-hundredths (303.91) feet to an iron pipe in the southern line of the beforementioned T-903, south fifty-five (55) degrees forty-two minutes twenty-one (21) seconds east, fifty and twenty-two one-hundredths (50.22) feet to an iron pipe and place of beginning. Containing 0.35 acres.

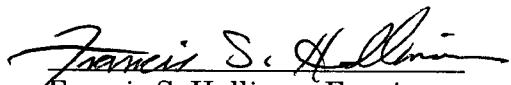
PROPERTY ADDRESS: RR2 BOX 109

VERIFICATION

Francis S. Hallinan hereby states that he is the attorney for the Plaintiff in this eviction action and is authorized to make this verification. The statements made in the foregoing Civil Action - Ejectment are correct to the best of my knowledge, information, and belief. I was the attorney for the Plaintiff or Plaintiff's predecessor in interest in the underlying foreclosure action. I am with the law firm on the writ of execution, and my law firm or an agent of my firm purchased the property on behalf of the Plaintiff by bidding on the property at the sheriff's sale. I am making this verification rather than a representative of the Plaintiff because I have personal knowledge of the purchase of this property at sheriff's sale.

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

12/10/03
Date


Francis S. Hallinan, Esquire
Attorney for Plaintiff

In The Court of Common Pleas of Clearfield County, Pennsylvania

CENDANT MORTGAGE CORPORATION

VS.

ZIMMERMAN, MICHAEL J. or occupants

COMPLAINT IN EJECTMENT

Sheriff Docket # 14928

03-1827-CD

SHERIFF RETURNS

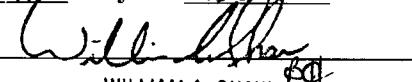
NOW JANUARY 16, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE
WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO MIHAEL J. ZIMMERMAN or
OCCUPANTS. HOUSE LOCATED AT RR#2 BOX 109, CLEARFIELD PA. IS "EMPTY".

Return Costs

Cost	Description
16.00	SHERIFF HAWKINS PAID BY: ATTY CK# 318747
10.00	SURCHARGE PAID BY: ATTY CK# 318748

Sworn to Before Me This

11th Day Of Jan. 2004


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

So Answers,


by Marilyn Harr
Chester A. Hawkins
Sheriff

FILED

1/3/2004
JAN 16 2004 *WES*

William A. Shaw
Prothonotary/Clerk of Courts

Federman and Phelan, LLP
By: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center Plaza
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

I hereby certify to be a true
and accurate copy of the original
statement of the case.

DEC 11 2003

Attest.

12
Notary/
Clerk of Courts

Cendant Mortgage Corporation
4001 Leadenhall Road
Mount Laurel, NJ 08054

: Court of Common Pleas

v.

: Civil Division

Michael J. Zimmerman
Or Occupants
RR2 Box 109
Clearfield, PA 16830

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CLEARFIELD COUNTY

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

We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN

1. Plaintiff is Cendant Mortgage Corporation.
2. Defendant is Michael J. Zimmerman Or Occupants.
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Francis S. Hallinan
Francis S. Hallinan, Esquire
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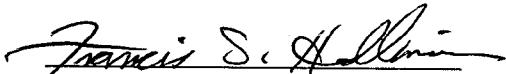
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12/10/03
Date


Francis S. Hallinan, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN, LLP
By: Frank Federman, Esquire
Atty. I.D. No.: 12248
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION

Plaintiff
vs.

Court of Common Pleas
CLEARFIELD County
No. 03-1827-CD

MICHAEL J. ZIMMERMAN OR OCCUPANTS

Defendant(s)

PRAECIPE TO WITHDRAW COMPLAINT,
VACATE JUDGMENT AND DISCONTINUE AND
END ACTION, WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, vacate the judgment and mark this case discontinued and ended, upon payment of your costs only.

Date

5/26/04

Frank Federman
Frank Federman
Attorney for Plaintiff

FILED

m

JUN 01 2004

William A. Shaw
Prothonotary

THE HONORABLE WILLIAM L. HENRY, SPECIALLY PRESIDING

MONDAY, MAY 10, 2004:

9:30

WILLIAM M. DANCH
vs.

PAUL E. CHERRY, an adult
individual, and CHERRY & CHERRY,
a Pennsylvania Corporation

No. 03-1770-CD

Plaintiff's Motion to Compel and Motion for Sanctions

Theron G. Noble, Esquire

Jack Humphrey, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

copy

Cendant Mortgage Corporation

Vs.
Michael J. Zimmerman

No. 2003-01827-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 1, 2004, marked:

Discontinued, settled and ended.

Record costs in the sum of \$111.00 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of June A.D. 2004.

William A. Shaw, Prothonotary