

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

TERM

Plaintiff

v.

NO. 04-205-49

CLEARFIELD COUNTY

DOUGLAS R. MCCONNAUGHEY
115 CLARK STREET
CLEARFIELD, PA 16830

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

FEB 12 2004

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:

DOUGLAS R. MCCONNAUGHEY
115 CLARK STREET
CLEARFIELD, PA 16830

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


3. On 10/15/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200216847.
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 10/01/2003 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	\$29,770.94
Interest	1,000.40
09/01/2003 through 02/11/2004 (Per Diem \$6.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	41.96
10/15/2002 to 02/11/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 32,613.30
Escrow	
Credit	0.00
Deficit	172.04
Subtotal	<u>\$ 172.04</u>
TOTAL	\$ 32,785.34

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 32,785.34, together with interest from 02/11/2004 at the rate of \$6.10 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 PARCEL OF LAND SITUATE IN THE TOWNSHIP OF
LAWRENCE, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED
AS FOLLOWS:

BEGINNING AT AN IRON PIPE IN THE LINE OF CLARK STREET; THENCE BY
CLARK STREET SOUTH FIFTY-SEVEN (57) DEGREES FIFTY (50) MINUTES
EAST SEVENTY-EIGHT AND FOUR TENTHS (78.4) FEET TO AN IRON PIPE IN
THE LINE OF A TWENTY (20) FOOT PUBLIC ALLEY; THENCE BY SAID ALLEY
SOUTH TWELVE (12) DEGREES FORTY-NINE (49) MINUTES WEST ONE
HUNDRED FIFTY-SEVEN (157) FEET, MORE OR LESS, TO AN IRON PIPE IN
THE LINE OF ANOTHER ALLEY; THENCE BY SAID ALLEY NORTH FIFTY-SEVEN
(57) DEGREES FIFTY (50) MINUTES WEST SEVENTY-EIGHT AND FOUR
TENTHS (78.4) FEET TO AN IRON PIPE AT THE LINE OF LOT NOW OR
FORMERLY OF LANE MOORE; THENCE BY THE SAID MOORE LOT NORTH TWELVE
(12) DEGREES FORTY-NINE (49) MINUTES EAST ONE HUNDRED FIFTY-SEVEN
(157) FEET, MORE OR LESS, TO CLARK STREET AND THE PLACE OF
BEGINNING. BEING LOT NO. 29 AND THE EASTERN PORTION OF LOT NO. 28
IN THE PLOT OF LOTS OF WALKER AND GRAHAM, RECORDED IN
MISCELLANEOUS BOOK W, PAGE 123.

BEING THE SAME PROPERTY CONVEYED TO DOUGLAS R. MCCONNAUGHEY BY
DEED FROM DOROTHY A. SMITH, A WIDOW, OF CLEARFIELD, BY AND
THROUGH HER ATTORNEY-IN-FACT, LINDA M. DALE, THROUGH A POWER OF
ATTORNEY, RECORDED 10/17/2002 IN DEED BOOK PAGE 200216846

TAX ID# 123-K8-241-7

ORDER NO. 1538684

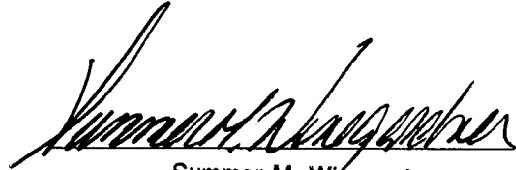
PREMISES BEING: 115 CLARK STREET

VERIFICATION

Summer M. Winegardner 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.



Summer M. Winegardner

Assistant Secretary

DATE: 2/8/24

In The Court of Common Pleas of Clearfield County, Pennsylvania

CHASE MANHATTAN MORTGAGE CORPORATION

Sheriff Docket # 15184

VS.

04-205-CD

MCCONNAUGHEY, DOUGLAS R.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

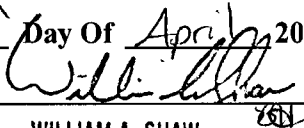
NOW FEBRUARY 17, 2004 AT 11:00 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DOUGLAS R. MCCONNAUGHEY, DEFENDANT AT RESIDENCE, 115 CLARK ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MELISSA MCCONNAUGHEY, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: MCCLEARY/NEVLING

Return Costs

Cost	Description
20.00	SHERIFF HAWKINS PAID BY: ATTY CK# 330612
10.00	SURCHARGE PAID BY: ATTY CK# 330613

Sworn to Before Me This

30th Day Of April, 2004


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

So Answers,



Chester A. Hawkins
Sheriff

FILED

013:008N
APR 30 2004

William A. Shaw
Prothonotary/Clerk of Courts

Notice of Proposed Termination of Court Case

November 5, 2007

RE: 2004-00205-CD


Chase Manhattan Mortgage Corporation

Vs.

Douglas R. McConnaughey

FILED

NOV 05 2007


William A. Shaw
Prothonotary/Clerk of Courts

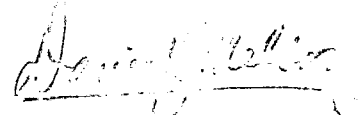
Dear Francis S. Hallinan, Esquire:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **January 4, 2008**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,



Daniel J. Nelson
Court Administrator

Notice of Proposed Termination of Court Case

November 5, 2007

RE: 2004-00205-CD

Chase Manhattan Mortgage Corporation

Vs.

Douglas R. McConnaughey

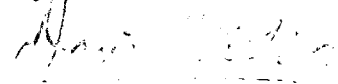
Dear Douglas R. McConnaughey:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **January 4, 2008**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,



Daniel J. Nelson
Court Administrator

PHELAN HALLINAN & SCHMIEG, LLP

Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id No.

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

CHASE MANHATTAN MORTGAGE CORPORATION Plaintiff	:	Court of Common Pleas
	:	
	:	Civil Division
	:	
vs	:	CLEARFIELD County
	:	
DOUGLAS R. MCCONNAUGHEY	:	No. 2004-00205-CD
	:	
Defendant	:	PHS# 87550

FILED
m/12:2007
NOV 13 2007

ICC# 1
Cert of disc
issued to
Atty.

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE

TO THE PROTHONOTARY:

____ Please mark the above referenced case Discontinued and Ended without prejudice.

____ Please mark the above referenced case Settled, Discontinued and Ended.

____ Please mark Judgments satisfied and the Action settled, discontinued and ended.

____ Please Vacate the judgment entered and mark the action discontinued and ended without prejudice.

X Please withdraw the complaint and mark the action discontinued and ended without prejudice.

Date: November 12, 2007

Francis S. Hallinan

Francis Hallinan
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Chase Manhattan Mortgage Corporation

Vs.

No. 2004-00205-CD

Douglas R. McConnaughey

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 November 13, 2007, marked:

Discontinued and ended without prejudice

Record costs in the sum of \$85.00 have been paid in full by Francis S. Hallinan Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 13th day of November A.D. 2007.



William A. Shaw, Prothonotary