

Green Tree Cons. Disc. Co. vs. Rose Kelly  
2004-288-CD

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount Company, f/k/a Conseco Finance Consumer Discount Company 7360 South Kyrene Road Tempe, AZ 85283	COURT OF COMMON PLEAS CIVIL DIVISION
Plaintiff	Clearfield County
v.	
Rose Mary Kelly 222 Clinton Avenue Renovo, PA 17764	NO. 04-288-CJ
Defendant(s)	

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield, PA 16830  
814-765-2641, ext. 5982

FILED

MAR 01 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

**David S. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982**

## **NOTICE**

**The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.**

**If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.**

**This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.**

**UDREN LAW OFFICES, P.C.  
/s/ Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620  
(856) 482-6900**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: **N/A**

Assignments of Record to: **N/A**

Recording Date: **N/A**

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 814 Linden Street

MUNICIPALITY/TOWNSHIP/BOROUGH: Borough of Clearfield

COUNTY: Clearfield

DATE EXECUTED: 04/26/00

DATE RECORDED: 05/02/00 INSTR NO.: 200005955

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

(a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated

below;

(b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 02/10/04:

Principal of debt due	\$48,908.71
Unpaid Interest at 11.51% from 08/10/03 to 02/10/04 (the per diem interest accruing on this debt is \$9.67 and that sum should be added each day after 02/10/04)	1,739.87
Title Report	250.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Late Charges (monthly late charge of \$58.18 should be added in accordance with the terms of the note each month after 02/10/04)	1,621.39
Deferred Interest	2,610.54
Inspection Fee	24.50
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,445.44</u>
TOTAL	\$57,880.45

7. The attorney's fee 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 in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time

limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$57,880.45 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.



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Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
Attorney for Plaintiff  
Attorney I.D. No. 04302

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE STATE OF PENNSYLVANIA,  
COUNTY OF CLEARFIELD, BOROUGH OF CLEARFIELD, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON THE CORNER OF LOT NO. 7, FORMERLY OF IRA JAY; THENCE ALONG  
THE LINE OF LOT NO. 7 IN AN EASTERLY DIRECTION A DISTANCE OF 170 FEET TO AN ALLEY;  
THENCE ALONG SAID ALLEY IN A NORTHERLY DIRECTION A DISTANCE OF 50 FEET TO THE  
CORNER OF LOT NO. 9, FORMERLY OWNED BY W. G. KELLEY; THENCE IN A WESTERLY DIRECTION  
ALONG THE LINE OF LOT NO. 9, A DISTANCE OF 170 FEET TO LINDEN STREET; THENCE ALONG  
LINDEN STREET IN A SOUTHERLY DIRECTION 50 FEET TO A POINT AND PLACE OF BEGINNING.  
BEING KNOWN AS LOT NO. 8 IN BLOCK B OF THE G. L. REED ADDITION TO THE BOROUGH OF  
CLEARFIELD, A PLOT OF PLAN OF WHICH IS RECORDED IN CLEARFIELD COUNTY IN  
MISCELLANEOUS BOOK "U", PAGE 155.

BEING KNOWN AS: 814 LINDEN STREET, CLEARFIELD, PA

TAX PARCEL NO. 4.2-K08-237-54



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

Date of Notice: January 6, 2004

Rose Kelly  
222 Clinton Ave  
Renovo, PA 17764

CERTIFIED NUMBER: 7000153000098199503

## **ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE**

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**EXHIBIT A**



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

January 6, 2004

TO: Rose Kelly  
222 Clinton Ave  
Renovo, PA 17764

Loan No.: 6907256223

SSN: 208361510

Mortgaged Premises:  
814 LINDEN ST  
Clearfield, PA 16830

FROM: Green Tree Consumer Discount Company ("Green Tree")

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM  
YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM  
FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** --- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS.** IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.

**CONSUMER CREDIT COUNSELING AGENCIES** --- If you meet with one of the consumer credit counseling agencies listed at the end of this Notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** --- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** --- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.** (If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** --- The MORTGAGE debt held by the above lender on your property located at: 814 LINDEN ST, Clearfield, PA 16830 IS SERIOUSLY IN DEFAULT because:

**A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: 10-Sep-03 \$291.00, 10-Oct-03 \$291.00, 10-Nov-04 \$291.00, 10-Dec-03 \$291.00, 10-Jan-04 \$291.00. Other charges (explain/itemize): Late Charges \$1,592.29, NSF Fee: \$0.00, Escrow: \$0.00, FT Taxes Advanced: \$24.50, FP-INS PRIN: \$0.00. TOTAL AMOUNT PAST DUE: \$3,071.79.

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

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**HOW TO CURE THE DEFAULT** --- You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS , PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to: Green Tree, 7360 South Kyrene Rd, Tempe, AZ 85283 (do not send cash). You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.)

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**IF YOU DO NOT CURE THE DEFAULT** --- If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

**IF THE MORTGAGE IS FORECLOSED UPON** — The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees actually incurred up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** — The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** — If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgagor to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** — It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately one month from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender: Green Tree

Address: 7360 South Kyrene Rd, Tempe AZ 85283

Phone Number: 800-279 9416

Fax Number: 888-221-7375

Contact Person: Collection Department

**EFFECT OF SHERIFF'S SALE** — You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** — You        may or   X   may not (CHECK ONE) sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

YOU MAY ALSO HAVE THE RIGHT:

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT, (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTON UNDER THE FEDERAL BANKRUPTCY LAW.

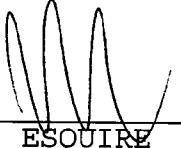
Enclosures: Pennsylvania Consumer Credit Counseling Agency List

Cc: Customer File

*Note: This letter and all subsequent communications (written and/or oral) are issued as part of an attempt to collect a debt and any information obtained will be used for that purpose.*

V E R I F I C A T I O N

Mark J. Udren, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.

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

**GREEN TREE CONSUMER DISCOUNT COMPANY**

**VS.**

**KELLY, ROSE MARY**

**COMPLAINT IN MORTGAGE FORECLOSURE**

**Sheriff Docket # 15253**

**04-288-CD**

**SHERIFF RETURNS**

NOW MARCH 8, 2004 CHARLES ANKEY, SHERIFF OF CLINTON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEAERFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROSE MARY KELLY, DEFENDANT.

NOW MARCH 11, 2004 SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROSE MARY KELLY, DEFENDANT BY DEPUTIZING THE SHERIFF OF CLINTON COUNTY. THE RETURN OF SHERIFF ANKEY IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

NOW APRIL 12, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ROSE MARY KELLY, DEFENDANT. "HOUSE EMPTY" AT 814 LINDEN ST., CLEARFIELD, PA.

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**Return Costs**

<b>Cost</b>	<b>Description</b>
34.74	<b>SHERIFF HAWKINS PAID BY: ATTY CK# 5142</b>
20.00	<b>SURCHARGE PAID BY: ATTY</b>
51.20	<b>SHERIFF OF CLINTON CO. PAID BY: ATTY</b>

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Sworn to Before Me This

12th Day Of April 2004

William A. Shaw

So Answers,



**Chester A. Hawkins**  
Sheriff

**FILED**

APR 12 2004  
018:45 a.m.

William A. Shaw a  
Prothonotary *WAS*

# SHERIFF'S DEPARTMENT

CLINTON COUNTY, PENNSYLVANIA

COURTHOUSE, BASEMENT, LOCK HAVEN, PA 17745

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.  
Do not detach any copies. CCSD ENV.#

159-04

1. PLAINTIFF / S /  
Green Tree Consumer Disc. Co.2. COURT NUMBER  
04-288- CD3. DEFENDANT / S /  
Kelly, Rose Mary4. TYPE OF WRIT OR COMPLAINT  
Notice & Complaint/ForeclosureSERVE { 5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.  
ROSE MARY KELLYAT { 6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)  
222 CLINTON ST. RENOVO, PA 177647. INDICATE UNUSUAL SERVICE:  PERSONAL  PERSON IN CHARGE  DEPUTIZE  CERT. MAIL  REGISTERED MAIL  POSTED  OTHER

NOW, 20, I, SHERIFF OF CLINTON COUNTY, PA., do hereby deputize 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 CLINTON 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 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

MARK UDREN

3/09/04

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

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

SIGNATURE of Authorized CCSD Deputy or Clerk and Title  
CHRISTINA BILBY SECRETARY13. Date Received  
3/09/0414. Expiration/Hearing date  
4/01/0415. 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

Rose Mary Kelly

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)

20. Date of Service

21. Time

3/11/04

2:45 PM

22. ATTEMPTS 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

AFFIRMED and subscribed to before me this

16th

SO ANSWER:

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

CHARLES R. ANKNEY

Signature of Sheriff

Date

SHERIFF OF CLINTON COUNTY

Date

NOTARY PUBLIC

NOTARIAL SEAL

MY COMMISSION EXPIRES 03/16/2004

Christina M. Bilby, NOTARY PUBLIC

I ACKNOWLEDGE RECEIVED, SERVED, AND RETURN SIGNATURE  
OF AUTHOR:  My Commission Expires December 6, 2007

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 \_\_\_\_\_

ROSE MARY KELLY

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

( ) (2) Outside the Commonwealth, pursuant to Pa. RCP.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 the Lock Haven Express, a weekly publication of general circulation in the County of Clinton, Commonwealth of Pennsylvania, one time with publication appearing \_\_\_\_\_

The affidavit from said Lock Haven Express 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 \_\_\_\_\_

SEARCHED	INDEXED
SERIALIZED	FILED
APR 11 1988	
CLERK'S OFFICE, CLINTON COUNTY, PENNSYLVANIA	
PA COMMERCIAL BANK	
100 S. 10TH STREET, HARRISBURG, PA 17102	



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

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

ROBERT SNYDER  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

CYNTHIA AUGHENBAUGH  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

## DEPUTATION

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

PAGE 15253

GREEN TREE CONSUMER DISC. CO.

TERM & NO. 04-288-CD

DOCUMENT TO BE SERVED:

VS

COMPLAINT IN MORTGAGE FORECLOSURE

ROSE MARY KELLY

**SERVE BY:** 03/31/2004

**MAKE REFUND PAYABLE TO:** UDREN LAW OFFICE

**SERVE:** ROSE MARY KELLY

**ADDRESS:** 222 CLINTON AVE., RENOVO, PA. 17764

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 CLINTON COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 8th Day of MARCH 2004

Respectfully,

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

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

WE HEREBY CERTIFY THE  
WITHIN TO BE A TRUE AND  
UDREN LAW OFFICES, ~~CORRECT COPY OF THE ORIGINAL~~ ATTORNEY FOR PLAINTIFF  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
M  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

Green Tree Consumer Discount Company, f/k/a Conseco Finance Consumer Discount Company 7360 South Kyrene Road Tempe, AZ 85283	COURT OF COMMON PLEAS CIVIL DIVISION Clearfield County
Plaintiff	
v.	
Rose Mary Kelly 222 Clinton Avenue Renovo, PA 17764	NO. 04-288-CJ
Defendant(s)	

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield, PA 16830  
814-765-2641, ext. 5982

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

MAR 01 2004

Attest.

*William L. Shaw*  
Prothonotary/  
Clerk of Courts

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentear una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiene, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

**David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982**

## **NOTICE**

**The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.**

**If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.**

**This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.**

**UDREN LAW OFFICES, P.C.  
/s/ Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620  
(856) 482-6900**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: **N/A**

Assignments of Record to: **N/A**

Recording Date: **N/A**

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 814 Linden Street

MUNICIPALITY/TOWNSHIP/BOROUGH: Borough of Clearfield

COUNTY: Clearfield

DATE EXECUTED: 04/26/00

DATE RECORDED: 05/02/00 INSTR NO.: 200005955

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

(a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated

below;

(b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 02/10/04:

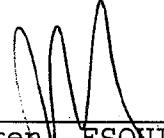
Principal of debt due	\$48,908.71
Unpaid Interest at 11.51% from 08/10/03 to 02/10/04 (the per diem interest accruing on this debt is \$9.67 and that sum should be added each day after 02/10/04)	1,739.87
Title Report	250.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Late Charges (monthly late charge of \$58.18 should be added in accordance with the terms of the note each month after 02/10/04)	1,621.39
Deferred Interest	2,610.54
Inspection Fee	24.50
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,445.44</u>
<b>TOTAL</b>	<b>\$57,880.45</b>

7. The attorney's fee 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 in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time

limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$57,880.45 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.



---

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
Attorney for Plaintiff  
Attorney I.D. No. 04302

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE STATE OF PENNSYLVANIA,  
COUNTY OF CLEARFIELD, BOROUGH OF CLEARFIELD, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON THE CORNER OF LOT NO. 7, FORMERLY OF IRA JAY; THENCE ALONG  
THE LINE OF LOT NO. 7 IN AN EASTERLY DIRECTION A DISTANCE OF 170 FEET TO AN ALLEY;  
THENCE ALONG SAID ALLEY IN A NORTHERLY DIRECTION A DISTANCE OF 50 FEET TO THE  
CORNER OF LOT NO. 9, FORMERLY OWNED BY W. G. KELLEY; THENCE IN A WESTERLY DIRECTION  
ALONG THE LINE OF LOT NO. 9, A DISTANCE OF 170 FEET TO LINDEN STREET; THENCE ALONG  
LINDEN STREET IN A SOUTHERLY DIRECTION 50 FEET TO A POINT AND PLACE OF BEGINNING.  
BEING KNOWN AS LOT NO. 8 IN BLOCK B OF THE G. L. REED ADDITION TO THE BOROUGH OF  
CLEARFIELD, A PLOT OF PLAN OF WHICH IS RECORDED IN CLEARFIELD COUNTY IN  
MISCELLANEOUS BOOK "U", PAGE 155.

BEING KNOWN AS: 814 LINDEN STREET, CLEARFIELD, PA

TAX PARCEL NO. 4.2-K08-237-54



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

Date of Notice: January 6, 2004

Rose Kelly  
222 Clinton Ave  
Renovo, PA 17764

CERTIFIED NUMBER: 70001530000098199503

## **ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE**

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**EXHIBIT A**



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

January 6, 2004

TO: Rose Kelly  
222 Clinton Ave  
Renovo, PA 17764

Loan No.: 6907256223

SSN: 208361510

Mortgaged Premises:  
814 LINDEN ST  
Clearfield, PA 16830

FROM: Green Tree Consumer Discount Company ("Green Tree")

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM  
YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM  
FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** --- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS.** IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.

**CONSUMER CREDIT COUNSELING AGENCIES** --- If you meet with one of the consumer credit counseling agencies listed at the end of this Notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** --- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** --- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT. (If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)**

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** --- The MORTGAGE debt held by the above lender on your property located at: 814 LINDEN ST, Clearfield, PA 16830 IS SERIOUSLY IN DEFAULT because:

**A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS** for the following months and the following amounts are now past due: 10-Sep-03 \$291.00, 10-Oct-03 \$291.00, 10-Nov-04 \$291.00, 10-Dec-03 \$291.00, 10-Jan-04 \$291.00. Other charges (explain/itemize): Late Charges \$1,592.29, NSF Fee: \$0.00, Escrow: \$0.00, FT Taxes Advanced: \$24.50, FP-INS PRIN: \$0.00. **TOTAL AMOUNT PAST DUE: \$3,071.79.**

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

---

**HOW TO CURE THE DEFAULT** --- You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS , PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to: Green Tree, 7360 South Kyrene Rd, Tempe, AZ 85283 (do not send cash). You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.)

---

**IF YOU DO NOT CURE THE DEFAULT** --- If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.



Green Tree  
Mortgage Services Division  
7360 South Kyrene Rd  
Tempe, AZ 85283

**IF THE MORTGAGE IS FORECLOSED UPON** — The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees actually incurred up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the **THIRTY (30) DAY** period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** — The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** — If you have not cured the default within the **THIRTY (30) DAY** period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgager to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** — It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately one month from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender: Green Tree  
Address: 7360 South Kyrene Rd, Tempe AZ 85283  
Phone Number: 800-279 9416  
Fax Number: 888-221-7375  
Contact Person: Collection Department

**EFFECT OF SHERIFF'S SALE** — You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** — You        may or   X   may not (CHECK ONE) sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.



Green Tree  
Mortgage Services Division  
7360 South Kylene Rd  
Tempe, AZ 85283

YOU MAY ALSO HAVE THE RIGHT:

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT, (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTON UNDER THE FEDERAL BANKRUPTCY LAW.

Enclosures: Pennsylvania Consumer Credit Counseling Agency List

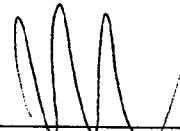
Cc: Customer File

*Note: This letter and all subsequent communications (written and/or oral) are issued as part of an attempt to collect a debt and any information obtained will be used for that purpose.*

V E R I F I C A T I O N

Mark J. Udren, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.



UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE

NO. 04-288-CD

**PRAECIPE FOR WRIT OF EXECUTION**

**TO THE SHERIFF:**

Issue Writ of Execution in the above matter:

Amount due \$58,693.21

Interest From 4/17/04  
to Date of Sale \_\_\_\_\_  
Per diem @\$9.67

(Costs to be added) \$ 125.00 *Prothonotary  
Costs*

UDREN LAW OFFICES, P.C.

Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**FILED**

APR 19 2004

William A. Shaw  
Prothonotary/Clerk of Courts

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO.04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 04-288-CD

CERTIFICATE TO THE SHERIFF

I HEREBY CERTIFY THAT:

I. The judgment entered in the above matter is based on an Action:

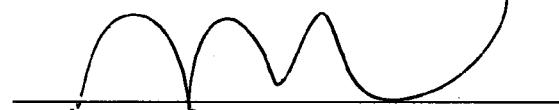
- A. In Assumpsit (Contract)
- B. In Trespass (Accident)
- C. In Mortgage Foreclosure
- D. On a Note accompanying a purchase money mortgage and the property being exposed to sale is the mortgaged property.

II. The Defendant(s) own the property being exposed to sale as:

- A. An individual
- B. Tenants by Entireties
- C. Joint Tenants with right of survivorship
- D. A partnership
- E. Tenants in Common
- F. A corporation

III. The Defendant(s) is (are):

- A. Resident in the Commonwealth of Pennsylvania
- B. Not resident in the Commonwealth of Pennsylvania
- C. If more than one Defendant and either A or B above is not applicable, state which Defendant is resident of the Commonwealth of Pennsylvania.  
Resident:

  
Mark J. Udren, ESQUIRE  
Address & I.D. # as above

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

NO. 04-288-CD

Defendant(s)

C E R T I F I C A T E

Mark J. Udren, 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 insured mortgage
- ( ) Non-owner occupied
- ( ) Vacant
- ( X ) Act 91 procedures have been fulfilled.
- ( ) Over 24 months delinquent.

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

UDREN LAW OFFICES, P.C.  
Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

**ATTORNEY FOR PLAINTIFF**

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

**Plaintiff**

5

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

NO. 04-288-CD

Defendant (s)

AFFIDAVIT PURSUANT TO RULE 3129.1

Green Tree Consumer Discount Company, f/k/a Conseco Finance Consumer Discount Company, Plaintiff in the above action, by its attorney, Mark J. Udren, ESQ., sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 814 Linden Street, Clearfield, PA 16830

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

Rose Mary Kelly 222 Clinton Avenue  
Renovo, PA 17764

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

SAME AS #1 ABOVE

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

Name \_\_\_\_\_ Address \_\_\_\_\_

None

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

Name \_\_\_\_\_ Address \_\_\_\_\_

Plaintiff herein. See Caption above.

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

Name \_\_\_\_\_ Address \_\_\_\_\_

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 \_\_\_\_\_ Address \_\_\_\_\_

Real Estate Tax Dept. 1 North Second Street, Ste. 116  
Clearfield, PA 16380

Domestic Relations Section 1 North Second Street, Ste. 116  
Clearfield, PA 16380

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

Name \_\_\_\_\_ Address \_\_\_\_\_

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.

UDREN LAW OFFICES, P.C.

DATED: April 16, 2004

Mark J. Udren, ESQ.  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

COPY

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 04-288-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

814 Linden Street  
Clearfield, PA 16830  
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$58,693.21

Interest From 4/17/04  
to Date of Sale \_\_\_\_\_  
Per diem @\$9.67

(Costs to be added) \$ \_\_\_\_\_  
*125.00 Prothonotary cost*  
Prothonotary

By \_\_\_\_\_  
Clerk

Date 4/19/04

COURT OF COMMON PLEAS  
NO. 04-288-CD

=====

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance Consumer  
Discount Company  
vs.  
Rose Mary Kelly

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 58,693.21

INTEREST \$  
from 4/17/04 to  
Date of Sale \_\_\_\_\_  
Per diem @\$9.67

COSTS PAID:

PROTHY \$ 125.00

SHERIFF \$ \_\_\_\_\_

STATUTORY \$ \_\_\_\_\_

COSTS DUE PROTHY. \$ \_\_\_\_\_

PREMISES TO BE SOLD:

814 Linden Street  
Clearfield, PA 16830

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
(856) 482-6900

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE STATE OF PENNSYLVANIA,  
COUNTY OF CLEARFIELD, BOROUGH OF CLEARFIELD, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON THE CORNER OF LOT NO. 7, FORMERLY OF IRA JAY; THENCE ALONG  
THE LINE OF LOT NO. 7 IN AN EASTERLY DIRECTION A DISTANCE OF 170 FEET TO AN ALLEY;  
THENCE ALONG SAID ALLEY IN A NORTHERLY DIRECTION A DISTANCE OF 50 FEET TO THE  
CORNER OF LOT NO. 9, FORMERLY OWNED BY W. G. KELLEY; THENCE IN A WESTERLY DIRECTION  
ALONG THE LINE OF LOT NO. 9, A DISTANCE OF 170 FEET TO LINDEN STREET; THENCE ALONG  
LINDEN STREET IN A SOUTHERLY DIRECTION 50 FEET TO A POINT AND PLACE OF BEGINNING.  
BEING KNOWN AS LOT NO. 8 IN BLOCK B OF THE G. L. REED ADDITION TO THE BOROUGH OF  
CLEARFIELD, A PLOT OF PLAN OF WHICH IS RECORDED IN CLEARFIELD COUNTY IN  
MISCELLANEOUS BOOK "U", PAGE 155.

BEING KNOWN AS: 814 LINDEN STREET, CLEARFIELD, PA

TAX PARCEL NO. 4.2-K08-237-54

BEING KNOWN AS 814 LINDEN STREET, CLEARFIELD, PA 16830

PROPERTY ID NO: 4.2-K08-237-54

TITLE TO SAID PREMISES IS VESTED IN ROSE MARY KELLY BY DEED FROM  
THE UNITED STATES OF AMERICA, ACTING THROUGH THE FARMERS HOME  
ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE, DATED  
5/16/88, RECORDED 5/27/88, IN DEED BOOK 1224, PAGE 331.

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conesco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 04-288-CD

FILED

APR 19 2004

William A. Shaw  
Prothonotary/Clerk of Courts

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against the Defendant(s) **Rose Mary Kelly** 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	\$57,880.45
Interest Per Complaint	638.22
From 2/11/04 to 4/16/04	
Late charges per Complaint	<u>174.54</u>
From 2/11/04 to 4/16/04	
 TOTAL	 <u>\$58,693.21</u>

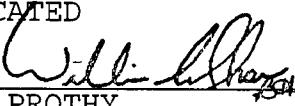
I hereby certify that (1) the addresses of the Plaintiff and Defendant are as shown above, and (2) that notice has been given in accordance with Rule 237.1, a copy of which is attached hereto.

UDREN LAW OFFICES, P.C.

Mark J. Udren, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 4/19/04

  
PRO PROTHY

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount Company,  
f/k/a Conseco Finance Consumer  
Discount Company

Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.

Rose Mary Kelly  
Defendant(s)

NO. 04-288-CD

TO: Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

DATE of Notice: April 5, 2004  
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.

LAWYER REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982  
NOTIFICACION IMPORTANTE

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER TOMADO LA ACCION REQUIRIDA DE SU PARTE EN ESTE CASO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE UN TERMINO DE DIEZ (10) DIAS DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARARECER USTED EN CORTE O ESCUCHAR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA, USTED PUEDE PERDER BIENES Y OTROS DERECHOS, IMPORTANTES. DEBE LLEVAR ESTA NOTIFICACION A UN ABOGADO IMMEDIATAMENTE SI USTED NO TIENE ABOGADO, O SI NO TIENE DINERO SUFFICIENTE PARA TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA, CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASSISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL  
LAWYER REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

NOTICE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

/s/

Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, New Jersey 08003-3620

UDREN LAW OFFICES, P.C.  
BY: MARK J. UDREN, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.  
Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 04-288-CD

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF NEW JERSEY

:

: SS

COUNTY OF CAMDEN

:

THE UNDERSIGNED being duly sworn, deposes and says that the averments herein are based upon investigations made and records maintained by us either as Plaintiff or as servicing agent of the Plaintiff herein and that the above Defendant(s) are not in the Military or Naval Service of the United States of America or its Allies as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, and that the age and last known residence and employment of each Defendant are as follows:

Defendant: Rose Mary Kelly  
Age: Over 18  
Residence: As captioned above  
Employment: Unknown

Defendant: Rose Mary Kelly  
Age: Over 18  
Residence: As captioned above  
Employment: Unknown

Sworn to and subscribed  
before me this 16th day  
of April, 2004.

Teresa M. Kalick  
Notary Public

  
Name: MARK J. UDREN, ESQ.  
Title: ATTORNEY FOR PLAINTIFF  
Company: UDREN LAW OFFICES, P.C.

TERESA M. KALICK  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 4/10/2008

FILED 44g pd.  
MAY 1 2004  
APR 19 2004  
Nbce

William A. Shaw  
Prothonotary/Clerk of Courts  
Notice and copy of  
first pg. of judgment (Procurer)  
to def.

Statement to Atty  
of

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

NO. 04-288-CD

Defendant(s)

TO: Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

Judgment by Default  
 Money Judgment  
 Judgment in Replevin  
 Judgment for Possession  
 Judgment on Award of Arbitration  
 Judgment on Verdict  
 Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-482-6900

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

COPY

Green Tree Consumer Discount Company  
Plaintiff(s)

No.: 2004-00288-CD

Real Debt: \$58,693.21

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Rose Mary Kelly  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 19, 2004

Expires: April 19, 2009

Certified from the record this 19th day of April, 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

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount Company, f/k/a Conseco Finance Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield County

Plaintiff NO. 04-288-CD

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

**PRAECIPE TO FILE PROOF OF SERVICE**

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to  
the captioned matter.

UDREN LAW OFFICES, P.C.

Date: June 30, 2004

BY:

Mark J. Udren, ESQUIRE  
Attorney for Plaintiff

FILED

JUL 09 2004

11:10 AM

William A. Shaw

Prothonotary/Clerk of Courts

I CAME TO HONOR

Green Tree Consumer Discount Company, et.al., Plaintiff(s)  
vs.  
Rose Mary Kelly, et.al., Defendant(s)



Service of Process by  
**APS International, Ltd.**  
**1-800-328-7171**

APS International Plaza  
7800 Glenroy Rd.  
Minneapolis, MN 55439-3122

## AFFIDAVIT OF SERVICE -- Individual

UDREN LAW OFFICES, P.C. Ms. Jodie L. Boos 111 Woodcrest Road Suite 200 Cherry Hill, NJ 08003-3620
---

Service of Process on:

Rose Mary Kelly  
Court Case No. 04-288-CD

State of: Pennsylvania ss.

County of: Clinton

Name of Server: Robert E Barnes, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action:

Date/Time of Service: that on the 21<sup>st</sup> day of June, 20 04, at 9:15 o'clock A.M.

Place of Service: at 222 Clinton Avenue, in Renovo, PA 17764

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Rose Mary Kelly

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of Robert Kelly, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is Son

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex m; Skin Color white; Hair Color red; Facial Hair Yes-Red

Approx. Age 35; Approx. Height 6'6"; Approx. Weight 285

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

Robert E Barnes 6/23/04  
Signature of Server

(Date)

Subscribed and sworn to before me this

23 day of June, 20 04

Pamela E. Shultz  
Notary Public (Commission Expires)

APS International, Ltd.

APS File #: 066569-0001

Notarial Seal  
Pamela E. Shultz, Notary Public  
Loyalsock Twp., Lycoming County  
My Commission Expires Apr. 9, 2006  
Member, Pennsylvania Association Of Notaries

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount Company, f/k/a Conseco Finance Consumer Discount Company 7360 South Kyrene Road Tempe, AZ 85283	COURT OF COMMON PLEAS CIVIL DIVISION Clearfield County
Plaintiff	.....
.....	.....
Rose Mary Kelly 222 Clinton Avenue Renovo, PA 17764	NO. 04-288-CD
Defendant(s)	.....

FILED NO CC  
JUL 23 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P.RULE 3129.1**

Plaintiff, by its/his/her Attorney, Mark J. Udren, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praecept for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

Dated: July 7, 2004

UDREN LAW OFFICES, P.C.

BY:

Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

NO. 04-288-CD

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

DATE: June 3, 2004

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

OWNER(S): Rose Mary Kelly

PROPERTY: 814 Linden Street  
Clearfield, PA 16830

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on August 6, 2004, at 10:00 am, in the Clearfield County Courthouse, 1 North Second Street, Suite 116, Clearfield, PA 16380. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

EXHIBIT A

Name and  
Address  
Of Sender

Udren Law Offices PC  
Woodcrest Corporate Center  
111 Woodcrest Road  
Cherry Hill, NJ 08003

Name and Address Of Sender		Udren Law Offices PC Woodcrest Corporate Center 111 Woodcrest Road Cherry Hill, NJ 08003													
Line	Article Number	Name of Addressee, Street, and Post Office Address		Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Rst. Del. Fee		
1	Kelly	Real Estate Tax Dept., 1 N. Second St., Ste 116 Clearfield, PA 16380													
2	04020270	Domestic Relations Section, 1 N. Second St., Ste 116 Clearfield, PA 16380													
3	Clearfield	Commonwealth of PA, Dept. of Revenue, Bureau of Compliance, Dept. 280946, Harrisburg, PA 17128-0946													
4	Jodie	Tenants/Occupants, 814 Linden St., Clearfield, PA 16380													
5															
6															
7															
8															
9															
10															
11															
12															
13															
14															
15															
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-negotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and forth class parcels.									

All X stamp here is issued as  
certificate of mailing or for  
additional copies of this bill.

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece, subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25.00 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, §913 and §9221 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.

PS Form 3877, February 1994

Form Must be Completed by Typewriter, Ink or Ball Point Pen

**EXHIBIT A**

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
NO. 04-288-CD

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant(s)

PRAECIPE TO FILE PROOF OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to  
the captioned matter.

UDREN LAW OFFICES, P.C.

Date: June 30, 2004

BY:

Mark J. Udren, ESQUIRE  
Attorney for Plaintiff

EXHIBIT B

Green Tree Consumer Discount Company, et al., Plaintiff(s)  
vs.  
Rose Mary Kelly, et. al., Defendant(s)

Service of Process by  
**APS International, Ltd.**  
**1-800-328-7171**



APS International Plaza  
7800 Glenroy Rd.  
Minneapolis, MN 55439-3122

## AFFIDAVIT OF SERVICE -- Individual

### Service of Process on:

**UDREN LAW OFFICES, P.C.**  
Ms. Jodie L. Boos  
111 Woodcrest Road  
Suite 200  
Cherry Hill, NJ 08003-3620

—Rose Mary Kelly  
Court Case No. 04-288-CD

State of: Pennsylvania ss.

County of: Clinton

Name of Server: Robert E Barnes, undersigned, being duly sworn, deposes and says that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 21<sup>st</sup> day of June, 20 04, at 4:45 o'clock P M

Place of Service: at 222 Clinton Avenue, in Renovo, PA 17764

Documents Served: the undersigned served the documents described as:

Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:

Person Served, and Method of Service:

By personally delivering them into the hands of the person to be served.

By delivering them into the hands of Rosemary Kelly, a person of suitable age and discretion residing at the Place of Service, whose relationship to the person to be served is Son

Description of Person Receiving Documents: The person receiving documents is described as follows:

Sex m; Skin Color Light; Hair Color Red; Facial Hair Yes - Red  
Approx. Age 35; Approx. Height 6'6"; Approx. Weight 285

To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

Robert E Barnes 6/23/04

Signature of Server

Subscribed and sworn to before me this

23 day of June, 20 04

Pamela E. Shultz  
(Commission Expires)

**APS International, Ltd.**

APS File #: 066569-0001

Notarial Seal  
Pamela E. Shultz, Notary Public  
Loyatock Twp., Lycoming County  
My Commission Expires Apr. 9, 2006  
Member, Pennsylvania Association Of Notaries

**EXHIBIT B**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15609

GREEN TREE CONSUMER DISCOUNT COMPANY F/K/A CONSECO FINANC 04-288-CD

VS.  
KELLY, ROSE MARY

WRIT OF EXECUTION      REAL ESTATE

FILED <sup>EGK</sup>  
*d 11/23/04*  
NO CC  
SEP 02 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF RETURNS**

**NOW, MAY 27, 2004 @ 8:25 A.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY  
OF THE DEFENDANT. THE PROPERTY WAS ALSO POSTED THIS DATE @ 8:26 A.M.  
O'CLOCK.**

**A SALE DATE OF AUGUST 6, 2004 WAS SET.**

**NOW, JUNE 21, 2004 @ 4:15 P.M. THE ATTORNEY HAD A PROCESS SERVER  
PERSONALLY SERVE ROSE MARY KELLY AT 222 CLINTON AVENUE, RENOVO,  
PENNSYLVANIA.**

**NOW, JUNE 10, 2004 ROSE MARY KELLY WAS SERVED BY REGULAR AND CERTIFIED  
MAIL AT 222 CLINTON AVENUE, RENOVO, PENNSYLVANIA SIGNED FOR BY ROSE  
MARY KELLY, DEFENDANT, WITH NOTICE OF SALE, WRIT OF EXECUTION, AND  
COPY OF THE LEVY. CERTIFIED #70033110000193809865**

**NOW, AUGUST 6, 2004 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT.  
THE PROPERTY WAS PURCHASED BY WILLIAM M. HAND AND VIRGINIA GAIL HAND  
OF 802 DOREY STREET, CLEARFIELD, PENNSYLVANIA 16830 FOR \$27,500.00 +  
COSTS**

**NOW, AUGUST 6, 2004 RECEIVED A CHECK FOR 10% OF THE BID FROM WILLIAM  
M. HAND AND VIRGINIA GAIL HAND 2,750.00. CHECK #8367 CNB.**

**NOW, AUGUST 16, 2004 BILLED WILLIAM M. HAND AND VIRGINIA GAIL HAND,  
802 DOREY STREET, CLEARFIELD, PENNSYLVANIA FOR \$31,224.70 AMOUNT DUE  
ON SALE.**

**NOW, AUGUST 18, 2004 RECEIVED A CHECK #101 FROM WILLIAM M. HAND AND  
VIRGINIA GAIL HAND FOR BALANCE OF SALE \$31,224.70 CHECK #101 CNB**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 15609

GREEN TREE CONSUMER DISCOUNT COMPANY F/K/A CONSECO FINANC 04-288-CD

VS.  
KELLY, ROSE MARY

WRIT OF EXECUTION      REAL ESTATE

**SHERIFF RETURNS**

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NOW, AUGUST 31, 2004 PAID BILLS FROM THE 10% DEPOSIT AND CHECK FOR  
BALANCE DUE FROM WILLIAM M. HAND AND VIRGINIA GAIL HAND.

NOW, SEPTEMBER 2, 2004 RETURN WRIT AS A SALE BEING HELD ON THE  
PROPERTY OF THE DEFENDANT. THE PROPERTY WAS PURCHASED BY WILLIAM M.  
HAND AND VIRGINIA GAIL HAND FOR \$27,500.00 + COSTS.

NOW, SEPTEMBER 2, 2004 A DEED WAS FILED.

SHERIFF HAWKINS      \$741.69  
SURCHARGE      \$20.00  
PAID BY ATTORNEY

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Sworn to Before Me This

27 Day Of September 2004  
William A. Shaw

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

So Answers,

Chester Hawkins  
By: Jennifer Butler Augenbaugh  
Chester A. Hawkins  
Sheriff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance  
Consumer Discount Company  
7360 South Kyrene Road  
Tempe, AZ 85283

Plaintiff

v.

Rose Mary Kelly  
222 Clinton Avenue  
Renovo, PA 17764

Defendant (s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE

NO. 04-288-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

814 Linden Street  
Clearfield, PA 16830  
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$58,693.21

Interest From 4/17/04  
to Date of Sale \_\_\_\_\_  
Per diem @ \$9.67

(Costs to be added) \$ \_\_\_\_\_

*125.00 Prothonotary costs*

Received April 19, 2004 @ 3:15 p.m.

Chesna C. Hawkins

*By Cynthia Blitter-Aughenbaugh*

By *Willie L. Hause*  
Clerk

Date 4/19/04

COURT OF COMMON PLEAS

NO. 04-288-CD

=====

Green Tree Consumer Discount  
Company, f/k/a Conseco Finance Consumer  
Discount Company  
vs.  
Rose Mary Kelly

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 58,693.21

INTEREST \$ \_\_\_\_\_  
from 4/17/04 to \_\_\_\_\_  
Date of Sale \_\_\_\_\_  
Per diem @\$9.67

COSTS PAID:

PROTHY \$ 125.00

SHERIFF \$ \_\_\_\_\_

STATUTORY \$ \_\_\_\_\_

COSTS DUE PROTHY. \$ \_\_\_\_\_

PREMISES TO BE SOLD:

814 Linden Street  
Clearfield, PA 16830

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
(856) 482-6900

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE STATE OF PENNSYLVANIA,  
COUNTY OF CLEARFIELD, BOROUGH OF CLEARFIELD, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON THE CORNER OF LOT NO. 7, FORMERLY OF IRA JAY; THENCE ALONG  
THE LINE OF LOT NO. 7 IN AN EASTERLY DIRECTION A DISTANCE OF 170 FEET TO AN ALLEY;  
THENCE ALONG SAID ALLEY IN A NORTHERLY DIRECTION A DISTANCE OF 50 FEET TO THE  
CORNER OF LOT NO. 9, FORMERLY OWNED BY W. G. KELLEY; THENCE IN A WESTERLY DIRECTION  
ALONG THE LINE OF LOT NO. 9, A DISTANCE OF 170 FEET TO LINDEN STREET; THENCE ALONG  
LINDEN STREET IN A SOUTHERLY DIRECTION 50 FEET TO A POINT AND PLACE OF BEGINNING.  
BEING KNOWN AS LOT NO. 8 IN BLOCK B OF THE G. L. REED ADDITION TO THE BOROUGH OF  
CLEARFIELD, A PLOT OF PLAN OF WHICH IS RECORDED IN CLEARFIELD COUNTY IN  
MISCELLANEOUS BOOK "U", PAGE 155.

BEING KNOWN AS: 814 LINDEN STREET, CLEARFIELD, PA

TAX PARCEL NO. 4.2-K08-237-54

BEING KNOWN AS 814 LINDEN STREET, CLEARFIELD, PA 16830

PROPERTY ID NO: 4.2-K08-237-54

TITLE TO SAID PREMISES IS VESTED IN ROSE MARY KELLY BY DEED FROM  
THE UNITED STATES OF AMERICA, ACTING THROUGH THE FARMERS HOME  
ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE, DATED  
5/16/88, RECORDED 5/27/88, IN DEED BOOK 1224, PAGE 331.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME      KELLY      NO.      04-288-CD

NOW,      August 6, 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      6TH      day of      AUGUST      2004, I exposed the within described real estate of      ROSE MARY KELLY      to public venue or outcry at which time and place I sold the same to      GREEN TREE CONSUMER DISCOUNT COMPANY, F/K/A CONSECO FINANCE CONSUMER DISCOUNT COMPANY      he/she being the highest bidder, for the sum of      \$27,500.00 + COSTS      and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION 2%	550.00
POSTAGE	9.69
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	27,500.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00
<b>TOTAL SHERIFF COSTS</b>	<b>741.69</b>
<b>DEED COSTS:</b>	
ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	1,063.72
<b>TOTAL DEED COSTS</b>	<b>1,093.22</b>

**PLAINTIFF COSTS, DEBT & INTEREST:**

DEBT-AMOUNT DUE	58,693.21
INTEREST FROM 4/17/04 @9.67	
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	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
<b>TOTAL DEBT &amp; INTEREST</b>	<b>58,713.21</b>
<b>COSTS:</b>	
ADVERTISING	369.60
TAXES - collector	1,123.00
TAXES - tax claim      TO SEP	2,674.39
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	1,093.22
SHERIFF COSTS	741.69
LEGAL JOURNAL AD	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>6,415.90</b>

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

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee  <i>Rose M. Kelly</i></p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> C. Date of Delivery  <i>Rose M. Kelly</i> <i>6-10-04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes    If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Rose Mary Kelly    222 Clinton Avenue    Renovo, PA 17764</p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number    (Transfer from service label)</p>		<p>7003 3110 0001 9300 9865</p>	
PS Form 3811, August 2001		102595-02-M-1540	

<p><b>U.S. Postal Service™</b>  <b>CERTIFIED MAIL™ RECEIPT</b>  <i>(Domestic Mail Only; No Insurance Coverage Provided)</i></p>		
<p>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a></p>		
<p><b>OFFICIAL USE</b></p>		
<i>9865 9300 1000 3110 7003</i>	Postage	\$ <i>60</i>
	Certified Fee	
	Return Receipt Fee (Endorsement Required)	
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	
	\$ <i>465</i>	
<p>Sent To <b>Rose Mary Kelly</b>    Street, Apt. No. <i>222 Clinton Avenue</i>    or PO Box No. <i></i>    City, State, Zip <i>PA 17764</i></p>		
<p>PS Form 3800, June 2002 <span style="float: right;">See Reverse for Instructions</span></p>		