

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONE
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

04-817-CD

**THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT
A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU
WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the 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 claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

CLEARFIELD COUNTY LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR CLEARFIELD CO COURTHOUSE, 230 EAST MAIN STREET
CLEARFIELD, PA 16830
814-765-2641 *5982

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

RECUERDE: SI USTED NO REPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA COUTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATEAMENTE.

SI NO CONOCE A UN ABOGADO, LLAME AL "LAWYER REFERENCE SERVICE" (SERVICIO DE REFERENCIA DE ABOGADOS), (215) 238-6300.

CLEARFIELD COUNTY LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR CLEARFIELD CO COURTHOUSE, 230 EAST MAIN STREET
CLEARFIELD, PA 16830
814-765-2641 *5982

FILED

JUN 07 2004

William A. Shaw
Prothonotary/Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONE
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

THE FOLLOWING NOTICE IS BEING PROVIDED PURSUANT TO THE FAIR DEBT
COLLECTION PRACTICES ACT, 15 U.S.C. 1601

The undersigned attorney is attempting to collect a debt owed to the Plaintiff, and any information obtained will be used for that purpose. The amount of the debt is stated in this Complaint. Plaintiff is the creditor to whom the debt is owed. Unless the Debtor, within thirty (30) days after your receipt of this notice disputes the validity of the aforesaid debt or any portion thereof owing to the Plaintiff, the undersigned attorney will assume that said debt is valid. If the Debtor notifies the undersigned attorney in writing with the said thirty (30) day period that the aforesaid debt, or any portion thereof, is disputed, the undersigned attorney shall obtain written verification of the said debt from the Plaintiff and mail same to Debtor. Upon written request by Debtor to the undersigned attorney within said thirty (30) day period, the undersigned attorney will provide debtor with the name and address of the original creditor if different from the current creditor.

PURCELL, KRUG & HALLER
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178
Attorney I.D.# 15700
Attorney for Plaintiff

VANDERBILT MORTGAGE & FINANCE, INC.,
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONES,
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: CIVIL ACTION - LAW
:
: ACTION OF MORTGAGE FORECLOSURE
:
:

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, VANDERBILT MORTGAGE & FINANCE, INC., is a Corporation, with an address of 500 ALCOA TRAIL, MARYVILLE, TENNESSEE 37804.
2. Defendant, PATRICIA B. MAINES A/K/A PATRICIA A. MAINES A/K/A PATRICIA A. BONES, is an adult individual, whose last known address is 2822 MELBOURNE STREET, SALT LAKE CITY, UTAH 84106.
3. On or about, November 09, 1996, the said PATRICIA B. MAINES A/K/A PATRICIA A. MAINES AND ELMER T. MAINES executed and delivered a Mortgage Note in the sum of \$39,209.00 payable to FAMILY MOBILE HOMES, INC. The Said Note is not accessible to Plaintiff and is believed to have been lost. In further answer thereto, a copy is believed to be in the possession of Defendant. Plaintiff also avers that the within Mortgage foreclosure Complaint is based upon the Mortgage and that the attachment of a copy of the Note is unnecessary pursuant to Rules 1019(h) and 1141(a) of the Pennsylvania Rules of Civil Procedure.
4. Contemporaneously with and at the time of the execution of the aforesaid Mortgage Note, in order to secure payment of the same, PATRICIA B. MAINES A/K/A PATRICIA A. MAINES AND ELMER T. MAINES made, executed, and delivered to original Mortgagee, a certain real estate Mortgage which is recorded in the Recorder of Deeds Office of the within County and Commonwealth in Mortgage Book 1806, Page 382 conveying to original Mortgagee the subject premises. The Mortgage was subsequently assigned to VANDERBILT MORTGAGE & FINANCE, INC. and recorded in the aforesaid County in Instrument No. 200402115. The Said Mortgage and Assignment are incorporated herein by reference.

FINANCE, INC. and recorded in the aforesaid County in Instrument No. 200402115. The Said Mortgage and Assignment are incorporated herein by reference.

5. The land subject to the Mortgage is: 1226 TOWN ROAD, MAHAFFEY, PENNSYLVANIA 15757 and is more particularly described in Exhibit "A" attached hereto.
6. On April 24, 2003 Elmer T. Maines died and upon his death title to the subject premises vested in Patricia A. Maines a/k/a Patricia B. Maines a/k/a Patricia A. Bones by operation of Law. The said Defendant is the real owner of the property.
7. The Mortgage is in default due to the fact that Mortgagor has failed to pay the installment due on August 20, 2003 and all subsequent installments thereon, and the following amounts are due on the Mortgage:

UNPAID PRINCIPAL BALANCE	\$33,556.68
Interest at \$9.19 per day From 07/20/03 To 07/20/04 (based on contract rate of 9.990%)	\$3,354.35
Accumulated Late Charges	\$0.00
Late Charges \$18.91 From 08/20/03 to 07/20/04	\$226.92
Escrow Balance	\$0.00
Attorney's Fee at 5% of Principal Balance	\$1,677.84
TOTAL	<hr/> \$38,815.79

**Together with interest at the per diem rate noted above after July 20, 2004 and other charges and costs to date of Sheriff's Sale.

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

8. No judgment has been entered upon said Mortgage in any jurisdiction.

9. Plaintiff has complied with the notice procedures required by Pennsylvania Act 160 of 1998 by sending to each Defendant, by certified and regular mail, a copy of the Combined Act 6/91 Notice.
10. Defendant is not a member of the Armed Forces of the United States of America, nor engaged in any way which would bring her within the Soldiers and Sailors Relief Act of 1940, as amended.
11. The Defendant has either failed to meet the time limitations as set forth under the Combined Act 6/91 Notice or has been determined by the Pennsylvania Housing Finance Agency not to qualify for Mortgage Assistance.

WHEREFORE, Plaintiff demands judgment in mortgage foreclosure **"IN REM"** for the aforementioned total amount due together with interest at the rate of 9.990% (\$9.19 per diem), together with other charges and costs including escrow advances incidental thereto to the date of Sheriff's Sale and for foreclosure and sale of the property within described.

By: _____


PURCELL, KRUG & HALLER

Leon P. Haller, Esquire
Attorney for Plaintiff
I.D. # 15700
1719 N. Front Street
Harrisburg, PA 17102
(717-234-4178)

Exhibit "A"

unto the said part y of the second part, and to his heirs and assigns forever, all that certain PIECF
of parcel of land situate in the Borough of New Washington, County of Clearfield, and
Commonwealth of Pennsylvania, bearing New Washington Boro Tax Map Index Number D13-320-2
being a house and lot.
Being the same premises as conveyed to grantor herein by deed recorded in Clearfield
County Deed Book 870 at Page 52.
the said Donald G. Claypool died October 22, 1983, leaving Mark G. Claypool as
his only heir.

I hereby CERTIFY that this document
is recorded in the Recorder's Office of
Clearfield County, Pennsylvania.



Karen L. Starck
Karen L. Starck
Recorder of Deeds

CLEARFIELD COUNTY 12/2/96
ENTERED OF RECORD
TIME 10:02 AM
BY *Karen L. Starck*
FEES 13.50
Karen L. Starck, Recorder

Entered of Record 12-2-1996 10:02 AM
Karen L. Starck, Recorder

Exhibit "A"

VERIFICATION

I, Leon P. Haller, Esquire, hereby swear and affirm that the facts contained in the foregoing COMPLAINT for Mortgage Foreclosure are true and correct to the best of my knowledge, information, and belief based upon information provided by Plaintiff VANDERBILT MORTGAGE & FINANCE COMPANY. Said facts contained herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: June 3, 2004



Leon P. Haller, Esquire

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

EGK
FILED *Any pd. 2000*
m) 11:10/30/
AUG 31 2004 *ccy Notice to Def.*
Statement to
William A. Shaw
Prothonotary/Clerk of Courts
Any

P R A E C I P E

TO THE PROTHONOTARY OF THE WITHIN COUNTY:

Please enter **JUDGMENT** in rem in favor of the Plaintiff and against Defendant(s) **PATRICIA**

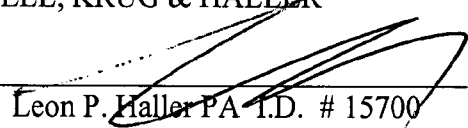
B. MAINES for failure to plead to the above action within twenty (20) days from date of service of the Complaint, and assess Plaintiff's damages as follows:

Unpaid Principal Balance	\$33,556.60
Interest	\$3,354.35
Per diem of \$9.19	
From 07/20/2003	
To 07/20/2004	
Accumulated Late Charges	
Late Charges	\$226.92
(\$18.91 per month to	
07/20/2004)	
5% Attorney's Commission	\$1,677.83
TOTAL	\$38,815.79

****Together with additional interest at the per diem rate indicated above from the date herein, based on the contract rate, and other charges and costs to the date of Sheriff's Sale.**

PURCELL, KRUG & HALLER

By


Leon P. Haller PA T.D. # 15700
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :

SS

COUNTY OF DAUPHIN :

I, **LEON P. HALLER**, Attorney for the Plaintiff in the above matter, being duly sworn according to law, hereby certify that the Plaintiff has complied with the procedures required by Pennsylvania Act 91 of 1983 (Homeowners' Emergency Mortgage Assistance Payments Program) and Defendant(s) have either failed to meet the time limitations as set forth therein or have been determined by the Housing Finance Agency not to qualify for assistance.

Sworn to and subscribed :

before me this 26th day :

of Aug 20 04 :

Traci M Bernstein
Notary Public

LEON P. HALLER, ESQUIRE

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Traci M. Bernstein, Notary Public
City of Harrisburg, Dauphin County
My Commission Expires Aug. 21, 2007
Member, Pennsylvania Association of Notaries

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

NON-MILITARY AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

:

SS

COUNTY OF DAUPHIN

:

Personally appeared before me, a Notary Public in and for said Commonwealth and County,
LEON P. HALLER, ESQUIRE who being duly sworn according to law deposes and states that the
Defendant (s) above named are not in the Military or Naval Service nor are they engaged in any way
which would bring them within the Soldiers and Sailors Relief Act of 1940, as amended.

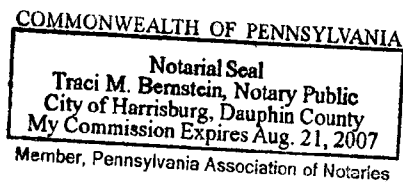
Sworn to and subscribed :

before me this 20th day :

of Aug 2004 :

Traci M. Bernstein
Notary Public

LEON P. HALLER, ESQUIRE



VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

CERTIFICATE OF SERVICE
PURSUANT TO PA. R.C.P. 237.1

I hereby certify that on August 10, 2004 I served the Ten Day Notice required by Pa. R.C.P. on the Defendant(s) in this matter by regular first class mail, postage prepaid, as indicated on the attached Notice.

By 

Leon P. Haller PA I.D. # 15700

Attorney for Plaintiff

Purcell, Krug & Haller

1719 North Front Street

Harrisburg, PA 17102

VANDERBILT MORTGAGE & FINANCE,
INC.,

Plaintiff

VS.

PATRICIA B. MAINES

Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 04-817-CD

CIVIL ACTION LAW
IN MORTGAGE FORECLOSURE

DATE OF THIS NOTICE: **August 10, 2004**

TO:

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106


**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO
COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED
FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

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 (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

CLEARFIELD COUNTY LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD CO COURTHOUSE, 230 EAST MAIN STREET
CLEARFIELD, PA 16830
814-765-2641 *5982

PURCELL, KRUG & HALLER

By 
LEON P. HALLER, Attorney for Plaintiff
I.D. # 15700
1719 N. Front St., Harrisburg, PA 17102
(717) 234-4178

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

3032

NOTICE OF ENTRY OF JUDGMENT

TO THE ABOVE-NAMED DEFENDANTS:

You are hereby notified that on August 31, 2004 the following judgment has been entered against you in the above-captioned matter:

\$38,815.79 and for the sale and foreclosure of your property located at: **1226 TOWN ROAD MAHAFFEY, PENNSYLVANIA 15757**

Dated: August 27, 2004

PROTHONOTARY

Attorney for Plaintiff:
Leon P. Haller
1719 North Front Street
Harrisburg, PA 17102
Phone: (717) 234-4178

I hereby certify that the following person(s) and their respective addresses are the proper individuals to receive this Notice pursuant to PA R.C.P. No. 236

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106

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

COPY

Vanderbilt Mortgage & Finance, Inc.
Plaintiff(s)

No.: 2004-00817-CD

Real Debt: \$38,815.79

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Patricia B. Maines
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: August 31, 2004

Expires: August 31, 2009

Certified from the record this 31st day of August, 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

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

PATRICIA B. MAINES
Defendant

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term
No. 04-817-CD

RETURN OF SERVICE

TO THE PROTHONOTARY:

Kindly file the Out of State Service Return on the above captioned matter.

DATE: July 26, 2004

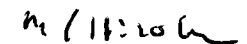
PURCELL, KRUG, & HALLER

BY 

Leon P. Haller
1719 North Front Street
Harrisburg, Pa. 17102
Attorney for Plaintiff
Attorney ID# 15700

FILED 

JUL 27 2004


William A. Shaw
Prothonotary

NO CHARGE

AFFIDAVIT OF SERVICE

Commonwealth of Pennsylvania

County of Clearfield

Common Pleas Court

Case Number: 04-817

Plaintiff:

VANDERBILT MORTGAGE & FINANCE, INC.,

vs.

Defendant:

PATRICIA B. MAINES, A/K/A PATRICIA A. MAINES, A/K/A PATRICIA A. BONE,

For: Leon Haller

PURCELL, KRUG & HALLER

Received by CHOICE PROCESS - ORLANDO on the 21st day of June, 2004 at 10:56 am to be served on **PATRICIA B. MAINES, A/K/A PATRICIA A. MAINES, A/K/A PATRICIA A. BONE, 2822 MELBOURNE STREET, SALT LAKE CITY, UTAH 84106.** I, Benjamin D. McKeeth, being duly sworn, depose and say that on the 13 day of July, 2004 at 8:42 p.m., executed service by delivering a true copy of the ACTION OF MORTGAGE FORECLOSURE AND COMPLAINT IN MORTGAGE FORECLOSURE WITH EXHIBITS in accordance with state statutes in the manner marked below:

☒ INDIVIDUAL SERVICE: Served the within-named person.

☐ SUBSTITUTE SERVICE: By serving _____ as _____.

☐ POSTED SERVICE: After attempting service on ___/___ at _____ and on ___/___ at _____ to a conspicuous place on the property described herein.

☐ OTHER SERVICE: As described in the Comments below by serving _____ as _____.

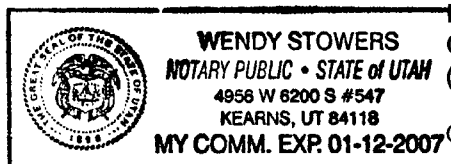
☐ NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: _____

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 15 day of July, 2004 by the affiant who is personally known to me.

NOTARY PUBLIC



Ben Haller
PROCESS SERVER # n/a
Appointed in accordance
with State Statutes

CHOICE PROCESS - ORLANDO

P.O. Box 2466
Orlando, FL 32802
(407) 423-0667

Our Job Serial Number: 2004004987

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

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

TO THE PROTHONOTARY:

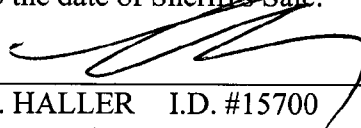
Issue Writ of Execution in the above matter on the real estate located at **1226 TOWN ROAD MAHAFFEY, PENNSYLVANIA 15757** as follows:

Unpaid Principal Balance	\$33,556.60
Interest	\$4,199.83
Per diem of \$9.19 To 10/20/04	
Late Charges (\$18.91 per month to 10/04)	\$283.65
Escrow Deficit	\$1,500.00

5% Attorney's Commission	\$1,677.83
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TOTAL WRIT	\$41,218.00
-------------------	--------------------

**Together with any additional interests, charges and costs to the date of Sheriff's Sale. *125.00 Prothonotary costs*

By 
LEON P. HALLER I.D. #15700
ATTORNEY FOR PLAINTIFF
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

Dated: August 27, 2004

Attached is a description of the real estate.

FILED *EGK*
10096 wnts
m/11:17/04 *w/prop descr.*
AUG 31 2004 *to shiff*
William A. Shaw *Aug pd. 20.00*
Prothonotary/Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

AFFIDAVIT PURSUANT TO RULE 3129.1

The Plaintiff in the above action, by its attorneys, Purcell, Krug & Haller, sets forth as of the date the praecipe for the writ of execution was filed, the following information concerning the real property located at **1226 TOWN ROAD MAHAFFEY, PENNSYLVANIA 15757:**

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

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106

2. Name and address of Defendant(s) in the Judgment, if different from that listed. in (1) above: **SAME**

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

Department of Revenue
Inheritance Tax Division
Strawberry Square
Harrisburg, PA 17105

Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program
P.O. box 8486
Willow Oak Building
Harrisburg, PA 17105-8486

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

PLAINTIFF HEREIN (AND ANY OTHERS AS NOTED BELOW):

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

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: **UNKNOWN**

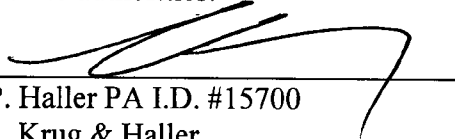
7. Name and address of every other person of whom the Plaintiff has knowledge who has **any interest** in the property which may be affected by the sale:

DOMESTIC RELATIONS
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

TENANT/OCCUPANT
1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

(In the preceding information, where addresses could not be reasonably ascertained, the same is indicated.)

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



Leon P. Haller PA I.D. #15700
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

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

Vanderbilt Mortgage & Finance, Inc.

Vs.

NO.: 2004-00817-CD

Patricia B. Maines

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due VANDERBILT MORTGAGE & FINANCE, INC., Plaintiff(s) from PATRICIA B. MAINES, Defendant(s):

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

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

Garnishee(s) as follows:

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

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

AMOUNT DUE.....: **\$41,218.00**
INTEREST per diem of
\$9.19 to 10/20/04.....: **\$4,199.83**
ESCROW DEFICIT.....: **\$1,500.00**
PROTH. COSTS: \$
5% ATTY'S COMM.....: **\$1,677.83**
DATE: 08/31/2004

PAID.....: **\$125.00**
SHERIFF: \$
LATE CHARGES (\$18.91 per
month to 10/04).....: **\$283.65**
OTHER COSTS: \$

William A. Shaw
Prothonotary/Clerk Civil Division

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

Sheriff

Requesting Party: Leon P. Haller, Esq.
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

ALL THAT CERTAIN piece or parcel of land situate in the Borough of New Washington, County of Clearfield and Commonwealth of Pennsylvania, Bearing New Washington Boro Tax Map Index Number 15-013-320-2, being a house and lot.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: 1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

BEING THE SAME PREMISES WHICH Fred A. Brostmeyer, Barbara Brostmeyer and Mark G. Claypool, by Deed dated 6/8/90 and recorded 6/19/90 in Clearfield County Deed Book 1353, Page 571, granted and conveyed unto Elmer T. Maines and/or Patricia A. Maines. The said Elmer T. Maines departed this life on 4/24/03, thereby vesting sole ownership unto Patricia A. Maines, his wife, by operation of law. The said Patricia A. Maines is also known as Patricia B. Maines.

Assessment #15-013-320-2

In The Court of Common Pleas of Clearfield County, Pennsylvania

VANDERBILT MORTGAGE & FINANCE INC.

Sheriff Docket #

15725

VS.

04-817-CD

MAINES, PATRICIA B. a/k/a PATRICIA A. MAINES a/k/a PATRICIA A. BONE

COMPLAINT IN MORTGAGE FORECLOSURE

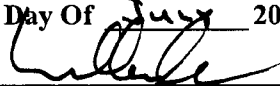
SHERIFF RETURNS

NOW JULY 7, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO TENANT/OCCUPANT AT 1226 TOWN ROAD, MAHAFFEY, PA. HOUSE IS "EMPTY" OCCUPANT MOVED TO UTAH.

Return Costs


Cost	Description
35.50	SHERIFF HAWKINS PAID BY: ATTY CK# 94826
10.00	SURCHARGE PAID BY: ATTY CK# 94919

Sworn to Before Me This

7 Day Of July 2004


WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2005
Clearfield Co. Clearfield

So Answers,


Chester A. Hawkins
Sheriff

FILED 

JUL 07 2004

6/3:00/1000
William A. Shaw
Prothonotary

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONE
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

04-817-CD

**THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT
A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU
WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the 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 claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

CLEARFIELD COUNTY LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR CLEARFIELD CO COURTHOUSE, 230 EAST MAIN STREET
CLEARFIELD, PA 16830
814-765-2641 *5982

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

RECUERDE: SI USTED NO REPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA COUTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATEAMENTE.

SI NO CONOCE A UN ABOGADO, LLAME AL "LAWYER REFERENCE SERVICE" (SERVICIO DE REFERENCIA DE ABOGADOS), (215) 238-6300.

CLEARFIELD COUNTY LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR CLEARFIELD CO COURTHOUSE, 230 EAST MAIN STREET
CLEARFIELD, PA 16830
814-765-2641 *5982

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

JUN 07 2004

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONE
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

THE FOLLOWING NOTICE IS BEING PROVIDED PURSUANT TO THE FAIR DEBT
COLLECTION PRACTICES ACT, 15 U.S.C. 1601

The undersigned attorney is attempting to collect a debt owed to the Plaintiff, and any information obtained will be used for that purpose. The amount of the debt is stated in this Complaint. Plaintiff is the creditor to whom the debt is owed. Unless the Debtor, within thirty (30) days after your receipt of this notice disputes the validity of the aforesaid debt or any portion thereof owing to the Plaintiff, the undersigned attorney will assume that said debt is valid. If the Debtor notifies the undersigned attorney in writing with the said thirty (30) day period that the aforesaid debt, or any portion thereof, is disputed, the undersigned attorney shall obtain written verification of the said debt from the Plaintiff and mail same to Debtor. Upon written request by Debtor to the undersigned attorney within said thirty (30) day period, the undersigned attorney will provide debtor with the name and address of the original creditor if different from the current creditor.

PURCELL, KRUG & HALLER
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178
Attorney I.D.# 15700
Attorney for Plaintiff

VANDERBILT MORTGAGE & FINANCE, INC.,
Plaintiff

vs.

PATRICIA B. MAINES A/K/A PATRICIA A.
MAINES A/K/A PATRICIA A. BONES,
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: CIVIL ACTION - LAW
:
: ACTION OF MORTGAGE FORECLOSURE
:
:

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, VANDERBILT MORTGAGE & FINANCE, INC., is a Corporation, with an address of 500 ALCOA TRAIL, MARYVILLE, TENNESSEE 37804.
2. Defendant, PATRICIA B. MAINES A/K/A PATRICIA A. MAINES A/K/A PATRICIA A. BONES, is an adult individual, whose last known address is 2822 MELBOURNE STREET, SALT LAKE CITY, UTAH 84106.
3. On or about, November 09, 1996, the said PATRICIA B. MAINES A/K/A PATRICIA A. MAINES AND ELMER T. MAINES executed and delivered a Mortgage Note in the sum of \$39,209.00 payable to FAMILY MOBILE HOMES, INC. The Said Note is not accessible to Plaintiff and is believed to have been lost. In further answer thereto, a copy is believed to be in the possession of Defendant. Plaintiff also avers that the within Mortgage foreclosure Complaint is based upon the Mortgage and that the attachment of a copy of the Note is unnecessary pursuant to Rules 1019(h) and 1141(a) of the Pennsylvania Rules of Civil Procedure.
4. Contemporaneously with and at the time of the execution of the aforesaid Mortgage Note, in order to secure payment of the same, PATRICIA B. MAINES A/K/A PATRICIA A. MAINES AND ELMER T. MAINES made, executed, and delivered to original Mortgagee, a certain real estate Mortgage which is recorded in the Recorder of Deeds Office of the within County and Commonwealth in Mortgage Book 1806, Page 382 conveying to original Mortgagee the subject premises. The Mortgage was subsequently assigned to VANDERBILT MORTGAGE & FINANCE, INC. and recorded in the aforesaid County in Instrument No. 200402115. The Said Mortgage and Assignment are incorporated herein by reference.

FINANCE, INC. and recorded in the aforesaid County in Instrument No. 200402115. The Said Mortgage and Assignment are incorporated herein by reference.

5. The land subject to the Mortgage is: 1226 TOWN ROAD, MAHAFFEY, PENNSYLVANIA 15757 and is more particularly described in Exhibit "A" attached hereto.
6. On April 24, 2003 Elmer T. Maines died and upon his death title to the subject premises vested in Patricia A. Maines a/k/a Patricia B. Maines a/k/a Patricia A. Bones by operation of Law. The said Defendant is the real owner of the property.
7. The Mortgage is in default due to the fact that Mortgagor has failed to pay the installment due on August 20, 2003 and all subsequent installments thereon, and the following amounts are due on the Mortgage:

UNPAID PRINCIPAL BALANCE	\$33,556.68
Interest at \$9.19 per day From 07/20/03 To 07/20/04 (based on contract rate of 9.990%)	\$3,354.35
Accumulated Late Charges	\$0.00
Late Charges \$18.91 From 08/20/03 to 07/20/04	\$226.92
Escrow Balance	\$0.00
Attorney's Fee at 5% of Principal Balance	\$1,677.84
TOTAL	<hr/> \$38,815.79

**Together with interest at the per diem rate noted above after July 20, 2004 and other charges and costs to date of Sheriff's Sale.

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

8. No judgment has been entered upon said Mortgage in any jurisdiction.

9. Plaintiff has complied with the notice procedures required by Pennsylvania Act 160 of 1998 by sending to each Defendant, by certified and regular mail, a copy of the Combined Act 6/91 Notice.
10. Defendant is not a member of the Armed Forces of the United States of America, nor engaged in any way which would bring her within the Soldiers and Sailors Relief Act of 1940, as amended.
11. The Defendant has either failed to meet the time limitations as set forth under the Combined Act 6/91 Notice or has been determined by the Pennsylvania Housing Finance Agency not to qualify for Mortgage Assistance.

WHEREFORE, Plaintiff demands judgment in mortgage foreclosure **"IN REM"** for the aforementioned total amount due together with interest at the rate of 9.990% (\$9.19 per diem), together with other charges and costs including escrow advances incidental thereto to the date of Sheriff's Sale and for foreclosure and sale of the property within described.

By: _____

PURCELL, KRUG & HALLER

Leon P. Haller, Esquire

Attorney for Plaintiff

I.D. # 15700

1719 N. Front Street

Harrisburg, PA 17102

(717-234-4178)

Exhibit "A"

into the said part y of the second part, and in his heirs and assigns forever, all that certain PIECE of parcel of land situate in the Borough of New Washington, County of Clearfield, and Commonwealth of Pennsylvania, bearing New Washington Boro Tax Map Index Number 013-320-2 being a house and lot.

being the same premises as conveyed to grantor herein by deed recorded in Clearfield County Deed Book 870 at Page 52.

the said Donald C. Claypool died October 22, 1983, leaving Mark G. Claypool as his only heir.

I hereby CERTIFY that this document is recorded in the Recorder's Office of Clearfield County, Pennsylvania.



Karen L. Starck

Karen L. Starck
Recorder of Deeds

CLEARFIELD COUNTY
ENTERED OF RECORD
TIME 10:02 AM
BY *James M. Hulse*
FEE \$ 13.50
Karen L. Starck, Recorder

Entered of Record 12-2 1996 10:02 AM Karen L. Starck, Recorder

Exhibit "A"

VERIFICATION

I, Leon P. Haller, Esquire, hereby swear and affirm that the facts contained in the foregoing COMPLAINT for Mortgage Foreclosure are true and correct to the best of my knowledge, information, and belief based upon information provided by Plaintiff VANDERBILT MORTGAGE & FINANCE COMPANY. Said facts contained herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: June 3, 2004



Leon P. Haller, Esquire

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

RETURN OF SERVICE

I hereby certify that I have deposited in the U.S. Mails at Harrisburg, Pennsylvania on 11-22-04, a true and correct copy of the Notice of Sale of Real Estate pursuant to PA R.C.P. 3129.1 to the Defendants herein and all lienholders of record by regular first class mail (Certificate of Mailing form in compliance with U.S. Postal Form 3817 is attached hereto as evidence), and also to the Defendants by Certified Mail, which mailing receipts are attached. Service addresses are as follows:

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106

DOMESTIC RELATIONS
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Department of Revenue
Inheritance Tax Division
Strawberry Square
Harrisburg, PA 17105

Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program
P.O. box 8486
Willow Oak Building
Harrisburg, PA 17105-8486

TENANT/OCCUPANT
1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

FILED *no cc*
6K m 11:07 AM
JAN 06 2005
William A Shaw
Prothonotary/Clerk of Courts

By 
PURCELL, KRUG & HALLER
Attorneys for Plaintiff
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

LAW OFFICES

Purcell, Krug & Haller

1719 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17102-2392
TELEPHONE (717) 234-4178
FAX (717) 234-1206

HOWARD B. KRUG
LEON P. HALLER
JOHN W. PURCELL JR.
JILL M. WINKA
BRIAN J. TYLER
NICHOLE M. STALEY O'GORMAN

HERSHEY
(717)533-3836
JOSEPH NISSLEY (1910-1982)
JOHN W. PURCELL
VALERIE A. GUNNOF
COUNSEL

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106

DOMESTIC RELATIONS
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Department of Revenue
Inheritance Tax Division
Strawberry Square
Harrisburg, PA 17105

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TPL Casualty Unit
Estate Recovery Program
P.O. box 8486
Willow Oak Building
Harrisburg, PA 17105-8486

TENANT/OCCUPANT
1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

NOTICE IS HEREBY GIVEN to the Defendants in the within action and those parties who hold one or more mortgages, judgments or tax liens against the real estate which is the subject of the Notice of Sale pursuant to Pennsylvania Rule of Civil Procedure 3129.1 attached hereto.

YOU ARE HEREBY NOTIFIED that by virtue of a Writ of Execution issued out of the Court of Common Pleas of the within county on the judgment of the Plaintiff named herein the said real estate will be exposed to public sale as set forth on the attached Notice of Sale.

YOU ARE FURTHER NOTIFIED that the lien you hold against the said real estate will be divested by the sale and that you have an opportunity to protect your interest, if any, by being notified of said Sheriff's Sale.

By: _____


Leon P. Haller PA I.D.15700
Attorney for Plaintiff

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

PATRICIA B. MAINES,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-817-CD

IN MORTGAGE FORECLOSURE

NOTICE OF SHERIFF'S SALE OF REAL ESTATE
PURSUANT TO
PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129.1

TAKE NOTICE:

That the Sheriff's Sale of Real Property (real estate) will be held:

DATE: **FRIDAY, JANUARY 7, 2005**

TIME: **10:00.O'Clock A.M. prevailing local time**

LOCATION: Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830

THE PROPERTY TO BE SOLD is delineated in detail in a legal description mainly consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land. (SEE DESCRIPTION ATTACHED)

THE LOCATION of your property to be sold is:

**1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757**

THE JUDGMENT under or pursuant to which your property is being sold is docketed in the within Commonwealth and County to:

No. 04-817-CD

JUDGMENT AMOUNT \$38,815.79

THE NAMES OF THE OWNERS OR REPUTED OWNERS of this property is:

PATRICIA B. MAINES

A **SCHEDULE OF DISTRIBUTION**, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (**for example, to banks that hold mortgages and municipalities that are owed taxes**) will be filed by the Sheriff of this County thirty (30) days after the sale and distribution of the proceeds of sale in accordance with this schedule will, in fact, be made unless someone objects by filing exceptions to it within ten (10) days of the date it is filed.

Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of the within County at the Courthouse address specified herein.

THIS PAPER IS A NOTICE OF THE TIME AND PLACE OF THE SALE OF YOUR PROPERTY.

IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU.

IT MAY CAUSE YOUR PROPERTY TO BE HELD, TO BE SOLD OR TAKEN TO PAY THE JUDGMENT

You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, **YOU MUST ACT PROMPTLY.**

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE:

**Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 (Ext. 5982)**

THE LEGAL RIGHTS YOU MAY HAVE ARE:

1. You may file a petition with the Court of Common Pleas of the within County to open the judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file an petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.

2. After the Sheriff's Sale you may file a petition with the Court of Common Pleas of the within County to set aside the sale for a grossly inadequate price or for other proper cause. This petition **MUST BE FILED BEFORE THE SHERIFF'S DEED IS DELIVERED.**

3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of the within County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the court and a proposed order or rule must be attached to the petition.

If a specific return date is desired, such date must be obtained from the Court Administrator's Office - Civil Division, of the within County Courthouse, before a presentation of the petition to the Court.

PURCELL, KRUG & HALLER
Attorneys for Plaintiff
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

ALL THAT CERTAIN piece or parcel of land situate in the Borough of New Washington, County of Clearfield and Commonwealth of Pennsylvania, Bearing New Washington Boro Tax Map Index Number 15-013-320-2, being a house and lot.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: 1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

BEING THE SAME PREMISES WHICH Fred A. Brostmeyer, Barbara Brostmeyer and Mark G. Claypool, by Deed dated 6/8/90 and recorded 6/19/90 in Clearfield County Deed Book 1353, Page 571, granted and conveyed unto Elmer T. Maines and/or Patricia A. Maines. The said Elmer T. Maines departed this life on 4/24/03, thereby vesting sole ownership unto Patricia A. Maines, his wife, by operation of law. The said Patricia A. Maines is also known as Patricia B. Maines.

Assessment #15-013-320-2

AFFIDAVIT OF SERVICE

Commonwealth of Pennsylvania

County of Clearfield

Common Pleas Court

Case Number: 04-817 Court Date: 1/7/2005

Plaintiff:

VANDERBILT MORTGAGE & FINANCE, INC.,

vs.

Defendant:

PATRICIA B. MAINES, A/K/A PATRICIA A. MAINES, A/K/A PATRICIA A. BONE,

For: Leon Haller

PURCELL, KRUG & HALLER

Received by CHOICE PROCESS - ORLANDO on the 29th day of November, 2004 at 12:28 pm to be served on **PATRICIA B. MAINES, 2822 MELBOURNE STREET, SALT LAKE CITY, UTAH 84106**. I, Todd Brimhall, being duly sworn, depose and say that on the 30 day of November, 2004 at 9 25 p.m., executed service by delivering a true copy of the NOTICE OF SHERIFF'S SALE OF REAL ESTATE PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129 IN MORTGAGE FORECLOSURE in accordance with state statutes in the manner marked below:

☒ INDIVIDUAL SERVICE: Served the within-named person.

☐ SUBSTITUTE SERVICE: By serving _____ as _____.

☐ POSTED SERVICE: After attempting service on ___/___ at ___ and on ___/___ at ___ to a conspicuous place on the property described herein.

☐ OTHER SERVICE: As described in the Comments below by serving _____ as _____.

☐ NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: _____

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 1 day of December, 2004 by the affiant who is personally known to me.

NOTARY PUBLIC



WENDY STOWERS
NOTARY PUBLIC • STATE of UTAH
4956 W 6200 S #547
KEARNS, UT 84118
MY COMM. EXP. 01-12-2007

Todd Brimhall
PROCESS SERVER # n/a
Appointed in accordance
with State Statutes

CHOICE PROCESS - ORLANDO

P.O. Box 2466
Orlando, FL 32802
(407) 423-0667

Our Job Serial Number: 2004008890

VANDERBILT MORTGAGE & FINANCE, INC. v. PATRICIA B. MAINES
Clearfield County Sale 1-7-05 @ 10:00

U. S. POSTAL SERVICE
CERTIFICATE OF MAILING
(In compliance with Postal Service Form 3877)

Received from:

Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

Postage:

One piece of ordinary mail addressed to:

PATRICIA B. MAINES
2822 MELBOURNE STREET
SALT LAKE CITY, UT 84106

Postmark:

U. S. POSTAL SERVICE
CERTIFICATE OF MAILING
(In compliance with Postal Service Form 3877)

Received from:

Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

Postage:

One piece of ordinary mail addressed to:

TENANT/OCCUPANT
1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

Postmark:

U. S. POSTAL SERVICE
CERTIFICATE OF MAILING
(In compliance with Postal Service Form 3877)

Received from:

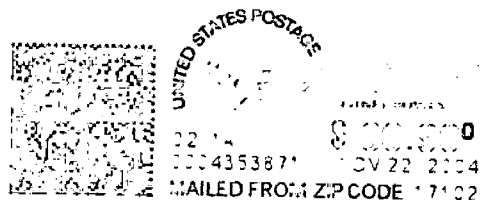
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

Postage:

One piece of ordinary mail addressed to:

DOMESTIC RELATIONS
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Postmark:



VANDERBILT MORTGAGE & FINANCE, INC. v. PATRICIA B. MAINES
Clearfield County Sale

U. S. POSTAL SERVICE
CERTIFICATE OF MAILING
(In compliance with Postal Service Form 3877)

Received from:

Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

Postage:

One piece of ordinary mail addressed to:

Department of Revenue
Inheritance Tax Division
Strawberry Square
Harrisburg, PA 17105

Postmark:

U. S. POSTAL SERVICE
CERTIFICATE OF MAILING
(In compliance with Postal Service Form 3877)

Received from:

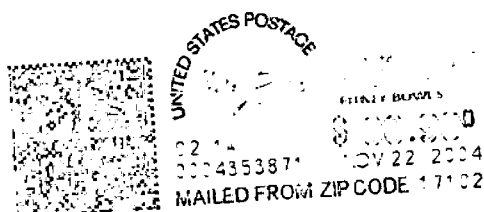
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

Postage:

One piece of ordinary mail addressed to:

Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program
P.O. box 8486
Willow Oak Building
Harrisburg, PA 17105-8486

Postmark:



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20002
NO: 04-817-CD

PLAINTIFF: VANDERBILT MORTGAGE & FINANCE, INC.
vs.
DEFENDANT: PATRICIA B. MAINES

WRIT OF EXECUTION Execution

SHERIFF RETURN

DATE RECEIVED WRIT: 08/31/2004

LEVY TAKEN 11/19/2004 @ 11:20 AM

POSTED 11/19/2004 @ 11:20 AM

SALE HELD 01/07/2005

SOLD TO VANDERBILT MORTGAGE & FINANCE, INC.

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 04/08/2005

DATE DEED FILED 04/08/2005

PROPERTY ADDRESS 1226 TOWN ROAD MAHAFFEY , PA 15757

SERVICES

12/04/2004 @ SERVED PATRICIA B. MAINES

SERVED PATRICIA B. MAINES, DEFENDANT, BY CERTERFIED AND REGULAR MAIL TO 2822 MELBOURNE STREET, SALT LAKE CITY, UT 84106, CERT #70023150000078546396 SIGNED FOR BY PATRICIA B.MAINES WITH

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY.

FILED
01/10:15/04
APR 08 2005 @

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20002
NO: 04-817-CD

PLAINTIFF: VANDERBILT MORTGAGE & FINANCE, INC.
vs.
DEFENDANT: PATRICIA B. MAINES

WRIT OF EXECUTION Execution

SHERIFF RETURN



SHERIFF HAWKINS \$207.19

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,

Chester A. Hawkins
Sheriff

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

Vanderbilt Mortgage & Finance, Inc.

Vs.

NO.: 2004-00817-CD

Patricia B. Maines

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due VANDERBILT MORTGAGE & FINANCE, INC., Plaintiff(s) from PATRICIA B. MAINES, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached Description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

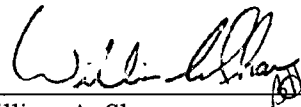
Garnishee(s) as follows:

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

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

AMOUNT DUE.....: **\$41,218.00**
INTEREST per diem of
\$9.19 to 10/20/04.....: **\$4,199.83**
ESCROW DEFICIT.....: **\$1,500.00**
PROTH. COSTS: \$
5% ATTY'S COMM.....: **\$1,677.83**
DATE: 08/31/2004

PAID.....: **\$125.00**
SHERIFF: \$
LATE CHARGES (\$18.91 per
month to 10/04).....: **\$283.65**
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 31st day
of August A.D. 2004
At 3:00 A.M./P.M.

Charles A. Hanft
Sheriff by Emilia Butler-Aufhaug

Requesting Party: Leon P. Haller, Esq.
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

ALL THAT CERTAIN piece or parcel of land situate in the Borough of New Washington, County of Clearfield and Commonwealth of Pennsylvania, Bearing New Washington Boro Tax Map Index Number 15-013-320-2, being a house and lot.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: 1226 TOWN ROAD
MAHAFFEY, PENNSYLVANIA 15757

BEING THE SAME PREMISES WHICH Fred A. Brostmeyer, Barbara Brostmeyer and Mark G. Claypool, by Deed dated 6/8/90 and recorded 6/19/90 in Clearfield County Deed Book 1353, Page 571, granted and conveyed unto Elmer T. Maines and/or Patricia A. Maines. The said Elmer T. Maines departed this life on 4/24/03, thereby vesting sole ownership unto Patricia A. Maines, his wife, by operation of law. The said Patricia A. Maines is also known as Patricia B. Maines.

Assessment #15-013-320-2

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME PATRICIA B. MAINES

NO. 04-817-CD

NOW, March 21, 2005, 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 January 07, 2005, I exposed the within described real estate of Patricia B Maines to public venue or outcry at which time and place I sold the same to VANDERBILT MORTGAGE & FINANCE, INC. he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	
LEVY	15.00
MILEAGE	16.50
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
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	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$207.19

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$28.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	33,556.60
INTEREST @ 9.1900 %	726.01
FROM 10/20/2004 TO 01/07/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	283.65
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	1,677.83
PROPERTY INSPECTIONS	
INTEREST	4,199.83
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$40,443.92

COSTS:

ADVERTISING	270.60
TAXES - COLLECTOR	
TAXES - TAX CLAIM	768.32
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	207.19
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,688.61

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

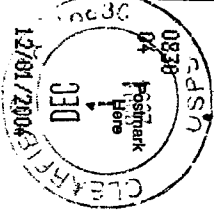
7002 3150 0000 7854 6396

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

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

OFFICIAL USE

Postage	\$ 10.40
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 14.45



Sent To: Patricia B. Maines
Street, Apt. No.: 2822 Melbourne Street
or PO Box No.:
City, State, ZIP+4: Salt Lake City, UT 84106

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Patricia B. Maines
2822 Melbourne Street
Salt Lake City, UT 84106

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *Patricia B. Maines*
B. Received by (Printed Name): Patricia B. Maines
C. Date of Delivery: 12/01/2004

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Mail
☐ Insured Mail ☐ COD

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number: 7002 3150 0000 7854 6396
(Transfer from service label)

PS Form 3811, August 2001
102595-02-N 540