

04-1161-CD
CENDANT MORTGAGE CORPORATION VS MILLY A. MINEWEASER
a/k/a MILLICENT A. MINEWEASER

Cendant Mortgage vs Milly Mineweaser
2004-1161-CD

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

CENDANT MORTGAGE CORPORATION
4001 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

MILLY A. MINEWEASER
A/K/A MILLICENT A. MINEWEASER
12A WOODWARD ROAD
PENFIELD, PA 15849

Defendant(s)

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 04-1161-C2

CLEARFIELD COUNTY

FILED *acc Sheriff*
11:30 AM
AUG 02 2004 *Att'y pd. 85.00*
William A. Shaw
Prothonotary/Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

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

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

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

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

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

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

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

1. Plaintiff is

CENDANT MORTGAGE CORPORATION
4001 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

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

MILLY A. MINEWEASER
A/K/A MILLICENT A. MINEWEASER
12A WOODWARD ROAD
PENFIELD, PA 15849

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

3. On 09/30/1999 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 199916311. By Assignment of Mortgage recorded 11/21/2001 the mortgage was assigned to MIDFIRST BANK which Assignment is recorded in Assignment of Mortgage Instrument No. 200118759. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 05/01/2003 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$42,178.02
Interest	5,195.34
04/01/2003 through 07/29/2004 (Per Diem \$10.69)	
Attorney's Fees	1,250.00
Cumulative Late Charges	42.27
09/30/1999 to 07/29/2004	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 49,215.63
Escrow	
Credit	0.00
Deficit	971.46
Subtotal	\$ 971.46
TOTAL	\$ 50,187.09

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 50,187.09, together with interest from 07/29/2004 at the rate of \$10.69 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

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

LEGAL DESCRIPTION

ALL those two certain pieces or parcels of land situate, lying and being in Township of Huston, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence North 42 degrees 44 minutes East along said centerline a distance of 100 feet to a pin at the Northwest corner of lands now or formerly of David Crawford; thence South 27 degrees 26 minutes East along lands now or formerly of Crawford a distance of 572.9 feet to an iron pin; thence South 64 degrees 00 minutes West 100 feet to an iron pin on the line of lands now or formerly of Louis A. Provenzano; thence North 26 degrees 48 minutes West along lands now or formerly of Louis A. Provenzano a distance of 536.5 feet to a pin and place of beginning.

THE SECOND THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence along said center line North 42 degrees 44 minutes East a distance of 28.2 feet to a pin at the Northwest corner of lands now or formerly of Clyde Llewellyn; thence South 39 degrees 00 minutes East along said lands a distance of 167 feet to an iron pipe; thence still along said lands by the same course South 39 degrees 00 minutes East 418.8 feet to an iron pipe; thence South 59 degrees 09 minutes West a distance of 144.3 feet to an iron pipe at lands now or formerly of Dorothy and Ralph Weaver; thence North 27 degrees 26 minutes West along said lands a distance of 572.9 feet to an iron pin and place of beginning.

BEING the same premises which were conveyed to Julieanne M. Goetz by deed of Alma Kay Crawford, Executrix of the Estate of Ralph P. Weaver, dated October 15, 1992, and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Book No. 1496, page 53; and by quitclaim deed of Paul F. Goetz, dated June 30, 1995, and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Book No. 1688, page 349.

Grantor herein states that the hereinabove described property is not presently being used for disposal of hazardous waste nor to the best of her knowledge, information and belief has it ever been used for the disposal of hazardous waste. This statement is made in compliance with the Solid Waste Management Act No. 1980-97, Section 405.

AND the said Grantor will specially warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said grantor has hereunto set her hand and seal the day and year first above written.

Being Known As: 12A Woodward Road

VERIFICATION

MARC J. HINKLE hereby states that he is V.P. of CENDANT MORTGAGE CORPORATION mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

_____

DATE: _____

7/27/04

FILED

AUG 02 2004

**William A. Shaw
Prothonotary/Clerk of Courts**

In The Court of Common Pleas of Clearfield County, Pennsylvania

CENDANT MORTGAGE CORPORATION

VS.

MINEWEASER, MILLY A. a/k/a MILLICENT A.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket #

16052

04-1161-CD

SHERIFF RETURNS

NOW AUGUST 31, 2004 AT 9:30 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE (2 COPIES) ON MILLY A. MINEWEASER a/k/a MILLICENT A. MINEWEASER, DEFENDANT AT 444 WOODWARD ROAD, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MILLY A. MINEWEASER a/k/a MILLICENT A. MINEWEASER AND MADE KNOWN TO HER THE CONTENTS THEREOF. THE ADDRESS 12A WOODWARD ROAD, PENFIELD IS THE SAME PROPERTY ADDRESS.
SERVED BY: NEVLING/DEHAVEN

Return Costs


Cost	Description
41.37	SHERIFF HAWKINS PAID BY: ATTY CK# 368425
20.00	SURCHARGE PAID BY: atty ck# 370236

Sworn to Before Me This

7 Day Of Jan. 2004


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

So Answers,


Chester A. Hawkins
Sheriff

FILED
Eck
SEP 07 2004
3:00
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CENDANT MORTGAGE CORPORATION
4001 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

No.: 04 1161 CD

vs.

MILLY A. MINEWEASER A/K/A
MILLICENT A. MINEWEASER
12A WOODWARD ROAD
PENFIELD, PA 15849

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

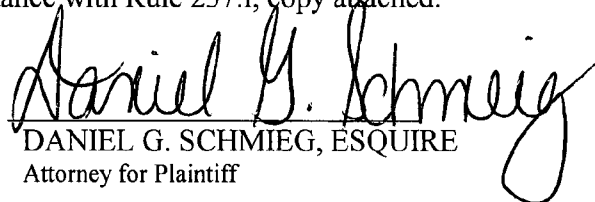
TO THE PROTHONOTARY:

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

As set forth in Complaint	\$50,187.09
Interest (7/30/04 to 10/6/04)	<u>737.61</u>

TOTAL	\$50,924.70
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I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: OCT. 7, 2004


PRO PROTHY

JLP

FILED 

OCT 07 2004
m/12:05/1m
William A. Shaw
Prothonotary/Clerk of Courts
NOTICE TO DEB
STATUTORY TO APP

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

ATTORNEY FOR PLAINTIFF

CENDANT MORTGAGE CORPORATION
Plaintiff

Vs.

MILLY A. MINEWEASER A/K/A MILLICENT A.
MINEWEASER

Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 04-1161-CD

TO: MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER
12A WOODWARD ROAD
PENFIELD, PA 15849

FILE COPY

DATE OF NOTICE: SEPTEMBER 21, 2004

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

IMPORTANT NOTICE

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

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

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

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

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

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

FEDERMAN AND PHELAN, LLP

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CENDANT MORTGAGE CORPORATION

CLEARFIELD COUNTY

vs.

No.: 04 1161 CD

MILLY A. MINEWEASER A/K/A

MILLICENT A. MINEWEASER

VERIFICATION OF NON-MILITARY SERVICE

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

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

(b) that defendant, MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER, is over 18 years of age, and resides at 12A WOODWARD ROAD, PENFIELD, PA 15849 .

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


DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CENDANT MORTGAGE CORPORATION

Plaintiff

vs.

No.: 04 1161 CD

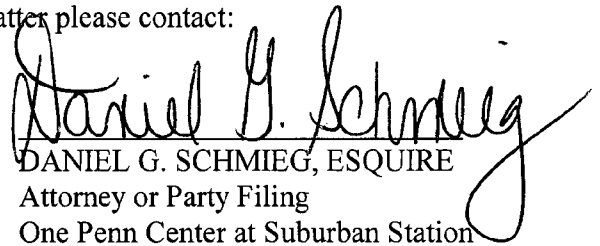
MILLY A. MINEWEASER A/K/A
MILLICENT A. MINEWEASER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on Oct 7, 2004. in the amount of \$50,924.70

By: _____ DEPUTY

If you have any questions concerning this matter please contact:


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

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

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

Cendant Mortgage Corporation
Plaintiff(s)

No.: 2004-01161-CD

Real Debt: \$50,924.70

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Milly A. Mineweaser
Defendant(s)

Entry: \$20.00

Instrument: In Rem Default

Date of Entry: October 7, 2004

Expires: October 7, 2009

Certified from the record this October 7, 2004

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

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

CENDANT MORTGAGE CORPORATION

vs.

**MILLY A. MINEWEASER A/K/A MILLICENT
A. MINEWEASER**

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

No. 04 1161 CD

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

To the Director of the Office of the Prothonotary:

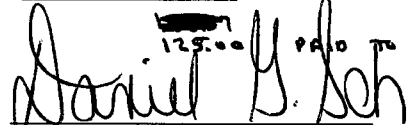
Issue writ of execution in the above matter:

Amount Due

\$50,924.70

Interest from 10/6/04 to
Date of Sale (\$8.37 per diem)

and Costs.

125.00 PAID TO PROTHONOTARY


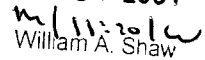
Daniel G. Schmieg, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

JLP

FILED 

OCT 07 2004


William A. Shaw
Prothonotary/Clerk of Courts

SENT TO AM

6 units to SHF

No. 04 1161 CD

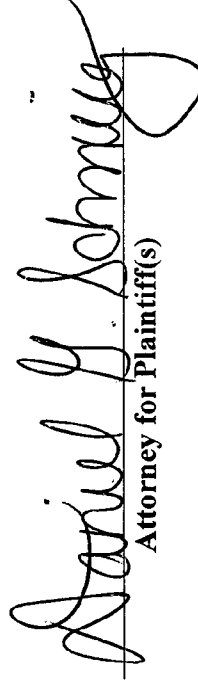
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CENDANT MORTGAGE CORPORATION

vs.

MILLY A. MINEWEASER A/K/A MILLICENT
A. MINEWEASER

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)


Attorney for Plaintiff(s)

Address: 12A WOODWARD ROAD, PENFIELD, PA 15849
Where papers may be served.

ALL those two certain pieces of parcels of land situate, lying and being in Township of Huston, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence North 42° 44' East along said centerline a distance of 100 feet to a pin at the Northwest corner of lands now or formerly of David Crawford; thence South 27° 26' East along lands now or formerly of Crawford a distance of 572.9 feet to an iron pin; thence South 64° 00' West 100 feet to an iron pin on the line of lands now or formerly of Louis A. Provenzano; thence North 26° 48' West along lands now or formerly of Louis A. Provenzano a distance of 536.5 feet to a pin and place of beginning.

THE SECOND THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence along said center line North 42° 44' East a distance of 28.2 feet to a pin at the Northwest corner of lands now or formerly of Clyde Llewellyn; thence South 39° 00' East along said lands a distance of 167 feet to an iron pipe; thence still along said lands by the same course South 39° 00' East 418.8 feet to an iron pipe; thence South 59° 09' West a distance of 144.3 feet to an iron pipe at lands now or formerly of Dorothy and Ralph Weaver; thence North 27° 26' West along said lands a distance of 572.9 feet to an iron pin and place of beginning.

Tax Parcel #119-G2-24.5.

Tax Parcel #119-G2-24.7.

12A WOODWARD ROAD, PENFIELD, PA 15849

TITLE TO SAID PREMISES IS VESTED IN Milly A. Mineweaser by Deed from Julieanne M. Goetz, single dated 9/28/1999 and recorded 9/30/1999, in Instrument #199916310.

FILED
OCT 07 2004
William A. Shaw
Prothonotary/Clerk of Courts

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

CENDANT MORTGAGE CORPORATION

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

vs.

NO.: 04 1161 CD

**MILLY A. MINEWEASER A/K/A MILLICENT
A. MINEWEASER**

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: 12A WOODWARD ROAD, PENFIELD, PA 15849

(See legal description attached.)

Amount Due	\$ <u>50,924.70</u>
Interest from 10/6/04 to	\$ _____
Date of Sale (\$8.37 per diem)	
Total	\$ _____ Plus costs as endorsed.
	125.00 Paid to Prothonotary

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated Oct. 7, 2004
(SEAL)

By:  Deputy

JLP

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 04 1161 CD

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

CENDANT MORTGAGE CORPORATION

VS.

MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

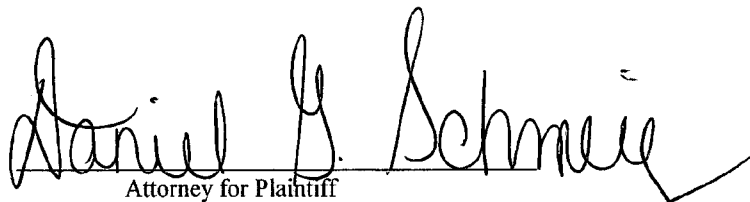
Real Debt \$50,924.70

Int. from 10/6/04 _____
to Date of Sale (\$8.37 per diem)

Costs _____

Prothy. Pd. _____

Sheriff _____



Attorney for Plaintiff

Address: 12A WOODWARD ROAD, PENFIELD, PA 15849
Where papers may be served.

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

ALL those two certain pieces of parcels of land situate, lying and being in Township of Huston, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence North $42^{\circ} 44'$ East along said centerline a distance of 100 feet to a pin at the Northwest corner of lands now or formerly of David Crawford; thence South $27^{\circ} 26'$ East along lands now or formerly of Crawford a distance of 572.9 feet to an iron pin; thence South $64^{\circ} 00'$ West 100 feet to an iron pin on the line of lands now or formerly of Louis A. Provenzano; thence North $26^{\circ} 48'$ West along lands now or formerly of Louis A. Provenzano a distance of 536.5 feet to a pin and place of beginning.

THE SECOND THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence along said center line North $42^{\circ} 44'$ East a distance of 28.2 feet to a pin at the Northwest corner of lands now or formerly of Clyde Llewellyn; thence South $39^{\circ} 00'$ East along said lands a distance of 167 feet to an iron pipe; thence still along said lands by the same course South $39^{\circ} 00'$ East 418.8 feet to an iron pipe; thence South $59^{\circ} 09'$ West a distance of 144.3 feet to an iron pipe at lands now or formerly of Dorothy and Ralph Weaver; thence North $27^{\circ} 26'$ West along said lands a distance of 572.9 feet to an iron pin and place of beginning.

Tax Parcel #119-G2-24.5.

Tax Parcel #119-G2-24.7.

12A WOODWARD ROAD, PENFIELD, PA 15849

TITLE TO SAID PREMISES IS VESTED IN Milly A. Mineweaser by Deed from Julieanne M. Goetz, single dated 9/28/1999 and recorded 9/30/1999, in Instrument #199916310.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20024
NO: 04-1161-CD

PLAINTIFF: CENDANT MORTGAGE CORPORATION

vs.

DEFENDANT: MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 10/07/2004

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 06/15/2005

DATE DEED FILED **NOT SOLD**

FILED
02:1330
JUN 15 2005 @

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER

@ SERVED

NOW, JANUARY 13, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE AND RETURN THE WRIT TO THE PROTHONOTARY'S OFFICE. THE DEFENDANTS FILED

@ SERVED

NOW, JUNE 15, 2005 RETURN WRIT AS NO SALE HELD PLAINTIFF'S ATTORNEY STAYED THE SALE DUE TO BANKRUPTCY FILING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20024
NO: 04-1161-CD

PLAINTIFF: CENDANT MORTGAGE CORPORATION

vs.

DEFENDANT: MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER


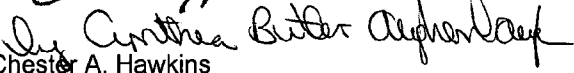
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$104.44

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

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

CENDANT MORTGAGE CORPORATION

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 04 1161 CD

MILLY A. MINEWEASER A/K/A MILLICENT
A. MINEWEASER

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: 12A WOODWARD ROAD, PENFIELD, PA 15849

(See legal description attached.)

Amount Due

\$50,924.70

Interest from 10/6/04 to
Date of Sale (\$8.37 per diem)

\$ _____

Total

\$ _____ Plus costs as endorsed.

125.00 PAID TO PROTHONOTARY

Dated OCT. 7, 2004

(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By: 

Deputy

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

JLP

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Received October 7, 2004 @ 2:30 P.M.
Chester A. Hershman
By Cynthia Butler-Ayherley

No. 04 1161 CD

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

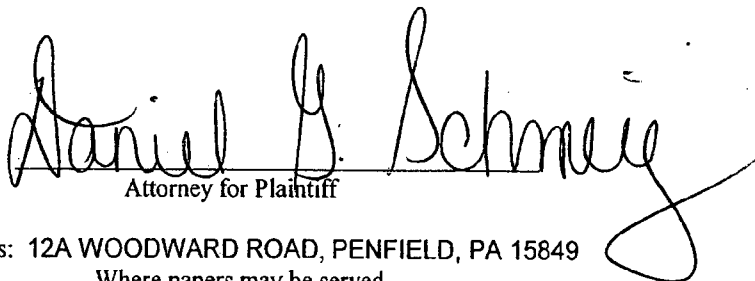
CENDANT MORTGAGE CORPORATION

vs.

MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$50,924.70</u>
Int. from 10/6/04 to Date of Sale (\$8.37 per diem)	<u> </u>
Costs	<u> </u>
Prothy. Pd.	<u>125.-</u>
Sheriff	<u> </u>


Attorney for Plaintiff

Address: 12A WOODWARD ROAD, PENFIELD, PA 15849
Where papers may be served.

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

ALL those two certain pieces of parcels of land situate, lying and being in Township of Huston, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence North 42° 44' East along said centerline a distance of 100 feet to a pin at the Northwest corner of lands now or formerly of David Crawford; thence South 27° 26' East along lands now or formerly of Crawford a distance of 572.9 feet to an iron pin; thence South 64° 00' West 100 feet to an iron pin on the line of lands now or formerly of Louis A. Provenzano; thence North 26° 48' West along lands now or formerly of Louis A. Provenzano a distance of 536.5 feet to a pin and place of beginning.

THE SECOND THEREOF: BEGINNING at a pin in the center of Township Road T-407 leading to Penfield; thence along said center line North 42° 44' East a distance of 28.2 feet to a pin at the Northwest corner of lands now or formerly of Clyde Llewellyn; thence South 39° 00' East along said lands a distance of 167 feet to an iron pipe; thence still along said lands by the same course South 39° 00' East 418.8 feet to an iron pipe; thence South 59° 09' West a distance of 144.3 feet to an iron pipe at lands now or formerly of Dorothy and Ralph Weaver; thence North 27° 26' West along said lands a distance of 572.9 feet to an iron pin and place of beginning.

Tax Parcel #119-G2-24.5.

Tax Parcel #119-G2-24.7.

12A WOODWARD ROAD, PENFIELD, PA 15849

TITLE TO SAID PREMISES IS VESTED IN Milly A. Mineweaser by Deed from Julieanne M. Goetz, single dated 9/28/1999 and recorded 9/30/1999, in Instrument #199916310.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME MILLY A. MINEWEASER A/K/A MILLICENT A. MINEWEASER

NO. 04-1161-CD

NOW, June 15, 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 March 04, 2005, I exposed the within described real estate of Milly A. Mineweaser A/K/A Millicent A. Mineweaser to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	15.00
MILEAGE LEVY	
MILEAGE POSTING	
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE COPIES	15.00 5.00
BILLING/PHONE/FAX	
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$104.44

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	50,924.70
INTEREST @ 8.3700 FROM 10/06/2004 TO 03/04/2005	1,247.13
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$52,191.83
COSTS:	
ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	104.44
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$229.44

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

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

January 13, 2005

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: CENDANT MORTGAGE CORPORATION v. MILLY A. MINEWEASER A/K/A
MILLICENT A. MINEWEASER
No. 04 1161 CD
12A WOODWARD ROAD, PENFIELD, PA 15849

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for MARCH 4, 2005, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

The Defendant (s) filed a Chapter 7 Bankruptcy (No. 04-36473) on 12/10/04

Very truly yours,


Sandra Cooper

VIA TELECOPY (814) 765-5915

CC: MILLY A. MINEWEASER
A/K/A MILLICENT A.
MINEWEASER
12A WOODWARD ROAD
PENFIELD, PA 15849

CENDANT MORTGAGE
CORPORATION
Attn:
Loan No: 0004386298

FILED

JUN 15 2005

William A. Shaw
Prothonotary/Clerk of Courts