

VANDEBUILT MORTGAGE & FINANCE, INC VS THE UNKNOWN HEIRS OF
04-1173-CD BRET BAILEY, DECEASED

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

04-1173-CJ

**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

8/15/04
AUG 04 2004

William A. Shaw
Prothonotary/Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.,
Plaintiff

vs.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED

Defendant

: IN THE COURT OF COMMON PLEAS
: CLEAFIELD 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.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED
Defendant

: IN THE COURT OF COMMON PLEAS
: CLEAFIELD COUNTY, PENNSYLVANIA
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: CIVIL ACTION - LAW
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:
:

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, THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED, last known address is 111 WEST LONG AVENUE, DUBOIS, PENNSYLVANIA 15801.
3. On or about, October 15, 1997, the said Bret Bailey, executed and delivered a Mortgage Note in the sum of \$41,753.00 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 Defendants.

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, Bret Bailey, 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 1881, Page 324 conveying to original Mortgagee the subject premises. The Mortgage was subsequently assigned to SIGNAL BANK, NATIONAL ASSOCIATION and recorded in the aforesaid County in Mortgage Book 1888, Page 235. The Mortgage was subsequently assigned to SIGNAL SECURITIZATION CORPORATION and recorded in the aforesaid County in Mortgage Book 1931, Page 110. The Mortgage was subsequently assigned to FIRSTAR TRUST COMPANY, TRUSTEE UNDER THE POOLING & SERVICING AGREEMENT and

recorded in the aforesaid County in Mortgage Book 1931, Page 112. The Mortgage was subsequently assigned to VANDERBILT MORTGAGE AND FINANCE, INC. and recorded in the aforesaid County in Instrument No. 200402124. The Said Mortgage is attached hereto as Exhibit "A".

5. The land subject to the Mortgage is: RD 1, BOX 27, ROCKTON, PENNSYLVANIA 15856 and is more particularly described in Exhibit "B" attached hereto.
6. Bret Bailey died on December 15, 2003, there is no known Estate. The Unknown Heirs of Bret Bailey are the real owners of the property.
7. The Mortgage is in default due to the fact that Defendants have failed to pay the installment due on January 10, 2004 and all subsequent installments thereon, and the following amounts are due on the Mortgage:

UNPAID PRINCIPAL BALANCE	\$36,118.83
Interest at \$9.65 per day From 12/10/2003 To 08/10/2004 (based on contract rate of 9.750%)	\$2,344.95
Accumulated Late Charges	\$0.00
Late Charges at \$19.81 From 01/10/2004 to 08/10/2004	\$178.29
Escrow Balance	\$189.00
Attorney's Fee at 5% of Principal Balance	\$1,805.95
TOTAL	<u>\$40,637.02</u>

**Together with interest at the per diem rate noted above after August 10, 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. A true and correct copy of the Combined Act 6/91 Notice, along with a copy of the Certificate of Mailing, is attached hereto as Exhibit "C".
10. Defendants are not members of the Armed Forces of the United States of America, nor engaged in any way which would bring them within the Soldiers and Sailors Relief Act of 1940, as amended.
11. The Defendants have either failed to meet the time limitations as set forth under the Combined Act 6/91 Notice or have 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 9.7500% (\$9.65 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)

REAL ESTATE MORTGAGE

THIS MORTGAGE, made and entered into this 15th day of October 1997, by and between the undersigned, Bret Bailey, a single individual, herein called "Mortgagor", and FAMILY MOBILE HOMES, INC., a Pennsylvania Association having an office and place of business at 1683 E. Pleasant Valley Blvd., Altoona, Pennsylvania 16602, herein called "Mortgagee".

WITNESSETH, that to secure payment by Mortgagor of a Promissory Note of even date herewith, in the principal sum of Forty-One Thousand Seven Hundred Fifty-Three and 00/100***** Dollars (\$ 41,753.00), (and/or any renewal, refinancing or extension thereof, or other Promissory Note or other agreement to pay which may be substituted therefor, any or all of which are hereinafter referred to as "Promissory Note") and all other obligations of Mortgagor under the terms and provisions of this Mortgage, and obligations which Mortgagor may hereafter, from time to time become obligated to Mortgagee for payment of, or for additional sums of money advanced by Mortgagee, and it is intended that all of said future advances, debts, or obligations, with interest thereon, will be secured hereby in addition to the advances, debts and obligations presently owing by Mortgagor, Mortgagor does by these presents sell, grant and convey to Mortgagee, ALL that real estate situated in the County of Clearfield (City, Borough, Township) of Union Township Ward _____ known and numbered as RD Box 77 Rockton, PA 15856 Street Address _____ City, Town, Post Office _____ Pennsylvania, and described in Deed recorded in the Recorder's Office of said County at Deed Book Volume 1874 Page 422, and more particularly described as:

"See Attached Exhibit A"

TOGETHER with all the buildings and improvements thereon and additions thereto, including all alleys, passageways, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or appurtenant, herein called the Mortgaged Premises.

TO HAVE AND TO HOLD the Mortgaged Premises hereby granted and conveyed unto Mortgagee, to and for the use and behoof of Mortgagee, its successors and assigns, forever.

THIS MORTGAGE IS MADE subject to the following conditions, and Mortgagor agrees:

1. Mortgagor will make all payments on the due date thereof and perform all other obligations as required or provided herein and in said Promissory Note, Mortgagee, at its option, may defer the payment date of all wholly unpaid installments one or more full months and charge a deferment charge therefor which shall be equal to the interest charge applicable to the month or months in which any installment is not required by reason of a deferment.
2. Mortgagor will pay when due all taxes and assessments levied or assessed against said premises or any part thereof, and will deliver receipts therefor to the Mortgagee upon request.
3. Mortgagor will keep the improvements on said property constantly insured against fire and such other hazards, in such amount and with such carriers as Mortgagee shall require, with loss if any payable to Mortgagee as its interest may appear.
4. Mortgagor will neither commit nor suffer any strip, waste, impairment or deterioration of the mortgaged premises, and will maintain the same in good order and repair.
5. In the event that Mortgagor defaults in the making of any payment due and payable under said Combined Promissory Note and Federal Disclosure Statement, or in the keeping and performance by Mortgagor of any of the conditions or covenants of this Mortgage or said Combined Promissory Note and Federal Disclosure Statement, Mortgagee may forthwith bring an Action of Mortgage Foreclosure hereon, or institute other foreclosure proceedings upon this Mortgage, and may proceed to judgement and execution to recover the balance due on said Promissory Note and any other sums that may be due thereunder including reasonable attorney fees, costs of suit, and costs of sale together with interest after judgement at the applicable rate until the full amount due Mortgagee is paid. In the event Mortgagor fails to maintain insurance against fire and such other hazards as Mortgagee requires, Mortgagee authorizes Mortgagee at its option to obtain such insurance and bill Mortgagor for all costs thereof, which such costs Mortgagor agrees to pay, or to add such costs to the then remaining paid principal balance of Mortgagor's Promissory Note and charge interest thereon at the rate of interest contained in such Note.
6. Mortgagor agrees that this mortgage is security for the payment of the aforesaid obligations and all other direct or contingent liabilities of the Mortgagor hereof to the Mortgagee hereof due or to become due whether now existing or hereafter contracted.
7. If all or part of the sums secured by this Mortgage are lent to the Mortgagor to acquire title to the property, this Mortgage is hereby declared to be a Purchase Money Mortgage.
8. Mortgagor hereby waives and releases all benefits and relief from any and all appraisement, stay and exemption laws, now in force or hereafter passed, either for the benefit or relief of Mortgagor, or limiting the balance due under said Promissory Note to a sum not in excess of the amount actually paid by the purchaser of the Mortgaged Premises at a sale thereof in any judicial proceedings upon said Promissory Note or upon this Mortgage, or exempting the Mortgaged Premises or any other premises or property, real or personal, or any part of the proceeds of sale thereof from attachment, levy or sale under execution, or providing for any stay of execution or other process. Mortgagor hereby releases to Mortgagee all rights and expectancy of dower, courtesy, or similar statutory rights.
9. The property, as described herein, has situate thereon a mobile home which the Mortgagor does intend to permanently affix to said property

Exhibit 'A'

Exhibit "A"

ALL that certain piece or parcel of land situated in Union Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at an existing $3/4$ " rebar on the western right of way of Township Road T-340, formerly SR-4013, said rebar being the northeast corner of lands of Lyle C. and Opal Bailey as recorded in Deed Book 1663, Page 213, said place of beginning being the southeast corner of the parcel herein conveyed and running:

1. Thence along the northern line of lands of Lyle C. and Opal Bailey as recorded in Deed Book 1663, Page 213, North seventy-five (75) degrees seven (07) minutes twenty-four (24) seconds West, a distance of two hundred twenty-nine and four one-hundredths (229.04) feet to a $3/4$ " rebar (set);

2. Thence through lands of the Grantor for a new subdivision line North eleven (11) degrees eleven (11) minutes twenty-four (24) seconds East, a distance of one hundred eighty-five and sixty-five one-hundredths (185.65) feet to a $3/4$ " pipe (found), said pipe being the southwest corner of other land of the Grantor as recorded in Deed Book 349, Page 483;

3. Thence along the southern line of other lands of the Grantor, South eighty-two (82) degrees fifty-two (52) minutes ten (10) seconds East, a distance of two hundred sixteen and sixty-seven one-hundredths (216.67) feet to a $3/4$ " pipe (found), said pipe being on the western right of way of the aforementioned Township Road T-340;

BUT PROVIDED ALWAYS, that if Mortgagor does pay or cause this Mortgage and the debt or debts hereby secured to be paid in full, then this Mortgage and the estate hereby granted shall cease and determine and become void, anything herein to the contrary notwithstanding.

The covenants herein contained shall bind, and the benefits and advantages shall inure to, the respective heirs, executors, administrators, successors, and assignees of the parties hereto. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Payment of this Mortgage is subject to the terms and conditions of said Promissory Note of even date between Mortgagor and Mortgagee.

IN WITNESS WHEREOF, the said Mortgagor has signed this Mortgage, with seal(s) affixed, on the date first above shown.

Signed, Sealed and Delivered in the Presence of:

Mary Kay Pritchard

Bret Bailey (SEAL)

Bret Bailey

(SEAL)

(SEAL)

(SEAL)

(SEAL)

I certify the precise residence of the Mortgagee to be 1683 E. PLEASANT VALLEY BLVD., ALTOONA, PENNSYLVANIA 16602.

Melody J. Endress

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Blair

SS:

On this 15th day of October, 19 97, before me Melody J. Endress, the undersigned officer, personally appeared Bret Bailey, a single individual known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he as Mortgagor has executed the same for the purposes herein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My commission expires:

Notarial Seal
Melody J. Endress, Notary Public
Logan Twp., Blair County
My Commission Expires April 6, 1998
Member Pennsylvania Association of Notaries

Melody J. Endress
Title of Officer

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

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF

RECORDED on this _____ day _____ of _____ A.D. 19 _____ in _____ the Recorder's Office of said County, in Mortgage Book, Vol. _____ Page _____ Given under my hand and seal of the said office, the day and year aforesaid.

CLEARFIELD COUNTY
ENTERED OF RECORD
TIME 1:40 pm 10-21-97
BY Family Mobile Homes
FEES 13.50
Karen L. Starck, Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MORTGAGE

FROM

TO

FAMILY MOBILE
HOMES, INC.

MAIL TO

FAMILY MOBILE
HOMES, INC.

10-21 1997 1:40pm

Exhibit "A"

ALL that certain piece or parcel of land situated in Union Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at an existing 3/4" rebar on the western right of way of Township Road T-340, formerly SR-4013, said rebar being the northeast corner of lands of Lyle C. and Opal Bailey as recorded in Deed Book 1663, Page 213, said place of beginning being the southeast corner of the parcel herein conveyed and running:

1. Thence along the northern line of lands of Lyle C. and Opal Bailey as recorded in Deed Book 1663, Page 213, North seventy-five (75) degrees seven (07) minutes twenty-four (24) seconds West, a distance of two hundred twenty-nine and four one-hundredths (229.04) feet to a 3/4" rebar (set);
2. Thence through lands of the Grantor for a new subdivision line North eleven (11) degrees eleven (11) minutes twenty-four (24) seconds East, a distance of one hundred eighty-five and sixty-five one-hundredths (185.65) feet to a 3/4" pipe (found), said pipe being the southwest corner of other land of the Grantor as recorded in Deed Book 349, Page 483;
3. Thence along the southern line of other lands of the Grantor, South eighty-two (82) degrees fifty-two (52) minutes ten (10) seconds East, a distance of two hundred sixteen and sixty-seven one-hundredths (216.67) feet to a 3/4" pipe (found), said pipe being on the western right of way of the aforementioned Township Road T-340;

Exhibit "B"

A C T 9 1 N O T I C E

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 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 INMEDITAMENTE 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.

Certified Article Number

7160 3901 9848 3107 2072

SENDERS RECORD

UNKNOWN HEIRS OF
BRET BAILEY(DECEASED)
111 W. LONG AVENUE
DUBOIS, PA 15801

Certified Article Number

7160 3901 9848 3107 2089

SENDERS RECORD

UNKNOWN HEIRS OF
BRET BAILEY(DECEASED)
RD 1, BOX 27
ROCKTON, PA 15856

Date: June 2, 2004

To: UNNKOWN HEIRS OF BRET BAILEY (DECEASED)
RD 1, BOX 27
ROCKTON, PA 15856

UNKNOWN HEIRS OF BRET BAILEY (DECEASED)
111 W. LONG AVENUE
DUBOIS, PA 15801

Re: Loan No. 909818
Property: RD 1, BOX 27 ROCKTON, PENNSYLVANIA 15856

CURRENT LENDER/SERVICER: VANDERBILT MORTGAGE & FINANCE, INC.
500 ALCOA TRAIL
MARYVILLE, TN 37804

HOMEOWNERS 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 RESUMING 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 a representative of the creditor or with a designated consumer credit counseling agency. The purpose of this meeting is to attempt to work out a repayment plan or to otherwise settle your delinquency. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS.**

IF YOU DO NOT APPLY FOR EMERGENCY ASSISTANCE, 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 AGENCY - If you meet with your creditor or with a consumer credit counseling agency identified in this notice, the creditor 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 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 YOUR MORTGAGE IS IN DEFAULT

NATURE OF THE DEFAULT - The MORTGAGE debt held by the above creditor on your property located at: RD 1, BOX 27 ROCKTON, PENNSYLVANIA 15856 IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE THE MONTHLY MORTGAGE PAYMENTS. The following amounts are now past due:

Delinquent payments	5 -@ \$401.03
From 01/10/2004 to 05/10/2004	\$2,005.15
Payments due during cure period	\$401.03
Attorney Fees & Costs	\$425.00
Total amount due	\$2,831.18

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION (EXPLAIN):

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 plus any additional monthly payments and late charges which may fall due after the date of this notice and the date you make your payment. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

VANDERBILT MORTGAGE & FINANCE, INC.
500 ALCOA TRAIL
MARYVILLE, TN 37804

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter:

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 creditor 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 a lawsuit to foreclose upon your mortgaged property.

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 creditor begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were 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 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 and by performing any other requirements under the mortgage.

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 SIX months 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. If money is due, such payment must be in cash, cashier's check, certified check or money order, made payable to the lender at the address set forth above.

HOW TO CONTACT THE LENDER

VANDERBILT MORTGAGE & FINANCE, INC.
500 ALCOA TRAIL
MARYVILLE, TN 37804
865-380-3000

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.

OTHER RIGHTS THAT YOU HAVE - You have additional rights to help protect your interest in the property:

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 PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW

CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY

(SEE ATTACHED)

CLEARFIELD COUNTY

Keystone Economic Development Corporation
1954 Mary Grace Lane
Johnstown, PA 15901
(814) 535-6556
FAX# (814) 539-1688

CCCS of Western Pennsylvania, Inc.
217 East Plank Road
Altoona, PA 16602
(814) 944-8100
FAX# (814) 944-5747

Indiana Co. Community Action Program
827 Water Street, Box 187
Indiana, PA 15701
(724) 465-2657
FAX# (724) 465-5118

CCCS of Northeastern PA
1631 South Atherton Street
Suite 100
State College, PA 16801
(814) 238-3668
FAX# (814) 238-3669

CCCS of Western PA
219-A College Park Plaza
Johnstown, PA 15904
(814) 539-6335

COMPANY NAME: VANDERBILT MORTGAGE & FINANCE, INC.

VERIFICATION

I verify that the statements made in the foregoing Complaint are true and correct.

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.

Dated 7-23-04

By Sharon Haggard

Title Legal Affairs Representative

FILED

AUG 04 2004

William A. Shaw
Prothonotary/Clerk of Courts

CA

VANDERBILT MORTGAGE & FINANCE : IN THE COURT OF COMMON PLEAS
INC. : CLEARFIELD COUNTY, PENNSYLVANIA
PLAINTIFF :
VS. :
THE UNKNOWN HEIRS OF BRET : CIVIL ACTION - LAW
BAILEY, DECEASED : NO. 04-1173-CD
DEFENDANTS : IN MORTGAGE FORECLOSURE.

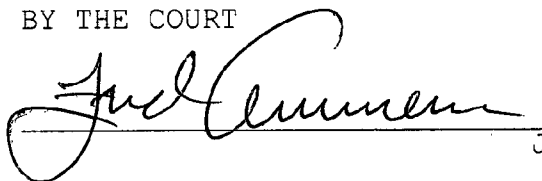
ORDER FOR SERVICE

AND NOW, to wit, this 16th day of September, 2004, upon consideration of the within Affidavit, is appearing that a good faith investigation and effort to locate the Unknown Heirs and Assigns of Bret Bailey has been made by Plaintiff, it is hereby

ORDERED that service of the Complaint be made by posting a copy of the original Complaint on the most public part of the property located at RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy of the Complaint to RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy by certified and first class mail to Sharon Bailey at 25615 South Mandarin Drive, Queen Creek, Arizona 85242 and by publication pursuant to Rule 430(b)(2); AND FURTHER, that in the event this case should be reduced to judgment and execution shall be issued, service upon the Defendant pursuant to Rule 3129.2 (C) shall be effected by posting a copy of the Notice of Sale or Sheriff's handbill on the most public part of the premises and by publication by the Sheriff pursuant to Pennsylvania Rule of Civil Procedure 3129.2 (d).

FILED EOK
012:09 BA 2004
SEP 16 2004

BY THE COURT


J

William A. Shaw
Prothonotary

VANDERBILT MORTGAGE & FINANCE
INC.

PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET
BAILEY, DECEASED

DEFENDANTS

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

FILED

CIVIL ACTION - LAW
NO. 04-1173-CD

0 12:09 PM REC'd Atty

SEP 16 2004

IN MORTGAGE FORECLOSURE

**MOTION FOR SERVICE OF PROCESS
IN REAL PROPERTY ACTION
IN ACCORDANCE WITH RULES 410 & 430
OF PENNSYLVANIA RULES OF CIVIL PROCEDURE**

**William A. Shaw
Prothonotary**

Plaintiff, Vanderbilt Mortgage & Finance, Inc., through its counsel, Leon P. Haller, Esquire, hereby respectfully submits:

1. Plaintiff has brought a mortgage foreclosure action whereupon it seeks to foreclose against certain property owned by the Defendant located at RD 1, Box 27, Rockton, Pennsylvania 15856.

2. Bret Bailey died December 13, 2003. Any Heirs of Bret Bailey are unknown with the exception of Sharon Bailey who is listed on the Death Certificate as informant. A copy of said Death Certificate attached hereto and made a part hereof as Exhibit "A".

3. Plaintiff requests an Order directing service upon the unknown Heirs and Assigns of Defendant, Bret Bailey, by posting a copy of the original Complaint on the most public part of the property and by mailing a copy to RD 1, Box 27, Rockton, Pennsylvania 15856 and by mailing a copy of the Complaint by certified mail to Sharon Bailey at 25615 South Mandarin Drive, Queen Creek, Arizona 85242, and by publication pursuant to Rule 430(b)(2).

4. Plaintiff avers that the method of service sought here is the most likely method to achieve the notice requirements of due process, while at the same time permitting the Plaintiff to proceed with its in rem action.

5. The property is vacant and it is unlikely that any potential heir would have an interest in the property as there is no equity in same.

WHEREFORE, Plaintiff requests that your Honorable Court direct service as above requested.

PURCELL, KRUG & HALLER

BY

Leon P. Haller
PURCELL, KRUG & HALLER
1719 North Front Street
Harrisburg, Pa. 17102
(717) 234-4178
Attorney for Plaintiff

Dated: September 13, 2004

Entered 9-21-04 into Docket per FJA. GK

VANDERBILT MORTGAGE & FINANCE
INC.

PLAINTIFF
VS.

THE UNKNOWN HEIRS OF BRET
BAILEY, DECEASED

DEFENDANTS

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW
NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

AFFIDAVIT OF REASONABLE INVESTIGATION

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF DAUPHIN :

SS:

Leon P. Haller, being duly sworn according to law, deposes and says that he is the attorney for the Plaintiff in the above action in mortgage foreclosure, that he has personal knowledge concerning the facts set forth in the attached Motion for Service of Process Pursuant to Rule 430, that he has authority from the Plaintiff to make this affidavit, and that the facts set forth in the affidavit are true and correct to the best of his knowledge, information, and belief, to wit:

That he has attempted to confirm the whereabouts of the unknown heirs of Bret Bailey in the above case, by conducting a reasonable search, which search included one or more of the following as indicated by a checkmark:

 x That he has contacted the U.S. Postal Service to obtain the last known mailing address or any forwarding address of any other person who would have requested mail sent to the property address.

 x That he contacted ChoicePoint, a national credit service, with respect to the location of any heirs of the Defendant. None were provided.

 x That a search through the Internet has not produced any additional names of heirs or relatives of Defendant.

 x That he has obtained the Death Certificate and Sharon Bailey, a probable heir is listed as informant with an address of 25615 South Mandarin Drive, Queen Creek, AZ 85242.

 x That he has check for obituaries in newspapers in Pennsylvania through the internet and has not located any

Leon P. Haller further deposes and says that after attempting to locate the unknown heirs of Bret Bailey by conducting a reasonable search as indicated above; he has been unable to confirm the Defendant's unknown heirs, if any.

PURCELL, KRUG & HALLER

BY: _____

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

Attorney for Plaintiff
Attorney ID# 15700

Sworn to and subscribed

before me on this ____ day

of _____, 2004.

_____(Notary)

Entered 9-21-04 into Docket, as per FJA. GK

This is to certify that this is a true and accurate copy of the death record on file with the Division of Vital Records, and that I, Charles Hardester, am and was at the time of the issuance of this copy Director, Division of Vital Records of the Department of Health for the Commonwealth of Pennsylvania, duly appointed and commissioned as directed by Act 66 of the General Assembly, approved 29 June 1953, P.L. 304.

AUG 16 2004

Date Issued

Charles Hardester

Director

127433

H105, 144 Rev. 1/91

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH • VITAL RECORDS
CERTIFICATE OF DEATH
(Coroner)

TYPE/PRINT
IN
PERMANENT
BLACK INK

1. NAME OF DECEDENT (First, Middle, Last) BRET ALAN BAILEY		2. SEX MALE	3. SOCIAL SECURITY NUMBER 201-50-0959	4. DATE OF DEATH (Month, Day, Year) Dec 13, 2003
5. AGE (Last Birthday) 44 Yrs.	6. DATE OF BIRTH (Month, Day, Year) Dec. 22, 1958	7. BIRTHPLACE (City and State or Foreign Country) CLEARFIELD, PA		
8. COUNTY OF DEATH Clearfield		9. PLACE OF DEATH (Check only one - see instructions on other side) HOSPITAL: <input type="checkbox"/> Inpatient <input type="checkbox"/> ER/Outpatient <input type="checkbox"/> DCA <input type="checkbox"/> OTHER: Nursing Home <input type="checkbox"/> Residence <input checked="" type="checkbox"/> Other (Specify) <input type="checkbox"/>		
10. CITY, BORO, TWP OF DEATH Union		11. FACILITY NAME (If not institution, give street and number) Home camp Rd Rockton		
12. DECEDECENT'S USUAL OCCUPATION (Give kind of work done during most of working life; do not use retired) DISABLED		13. WAS DECEDENT EVER IN U.S. ARMED FORCES? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
14. DECEDECENT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) 1319 HOME CAMP ROAD ROCKTON, PA 15856		15. DECEDECENT'S ACTUAL RESIDENCE (See instructions on other side) PENNSYLVANIA		
16. FATHER'S NAME (First, Middle, Last) JOHN L. BAILEY		17. MOTHER'S NAME (First, Middle, Maiden Surname) JOANNE WORKMAN		
18. INFORMANT'S NAME (Type/Print) SHARON BAILEY		19. INFORMANT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) 25615 S. MANDARIN DRIVE, QUEEN CREEK, AZ 85242		
20. METHOD OF DISPOSITION Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/> 20a. Date of Disposition (Month, Day, Year) DECEMBER 18, 2003		21. PLACE OF DISPOSITION - Name of Cemetery, Crematory or Other Place ROCKTON CEMETERY		
22. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH Doreen Jones Deputy Coroner		23. LICENSE NUMBER FD013054-L		
24. TIME OF DEATH 1:30 P.M.		25. DATE PRONOUNCED DEAD (Month, Day, Year) Dec 15, 2003		
26. PART I: Enter the disease, injuries or complications which caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock or heart failure. List only one cause on each line. Ruptured Dissecting Aneurysm		27. PART II: Other significant conditions contributing to death, but not resulting in the underlying cause given in PART I. mins		
28. IMMEDIATE CAUSE (Final disease or condition resulting in death) Ruptured Dissecting Aneurysm		29. SEQUENTIALLY LIST CONDITIONS If any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST		
30. WAS AN AUTOPSY PERFORMED? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		31. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
32. MANNER OF DEATH Natural <input checked="" type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be determined <input type="checkbox"/>		33. DATE OF INJURY (Month, Day, Year) 30a. None		
34. TIME OF INJURY 30b. None		35. INJURY AT WORK? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
36. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify) 30c. None		37. LOCATION (Street, City/Town, State) 30d. None		
38. CERTIFIER (Check only one) *CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed item 23) To the best of my knowledge, death occurred due to the cause(s) and manner as stated. *PRONOUNCING AND CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying to cause of death) To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. *MEDICAL EXAMINER/CORONER On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.		39. SIGNATURE AND TITLE OF CERTIFIER Doreen Jones Deputy Coroner		
40. REGISTRAR'S SIGNATURE AND NUMBER Cheryl S. Davies		41. DATE FILED (Month, Day, Year) Dec 18, 2003		

NAME OF DECEDENT: Bret Bailey

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

vs.

BRET BAILEY

Defendant(s)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 04-1173-CD

PRAECIPE TO REINSTATE

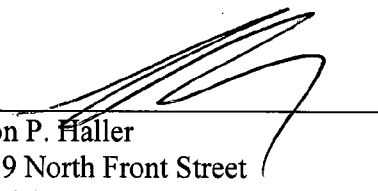
TO THE PROTHONOTARY:

Kindly reinstate the complaint on the above captioned matter.

DATE: September 24, 2004

PURCELL, KRUG, & HALLER

BY


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

FILED *WCC*

m/11:52 AM
SEP 27 2004 *Att pd. 7.00*

William A. Shaw
Prothonotary/Clerk of Courts

*1 Compl. Re-instated
to Shaw*

FILED

SEP 27 2004

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

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

Vs.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED

Defendant(s)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

No. 04-1173-CD


CIVIL ACTION - LAW
IN MORTGAGE FORECLOSURE

AFFIDAVIT OF SERVICE

I, Leon P. Haller, hereby certify that a true and correct copy of the Complaint in the above captioned action was forward to the following individuals by regular U. S. Mail, first class service, postage prepaid, and by certified mail, return receipt requested, postage prepaid, on SEPTEMBER 30, 2004, addressed as follows:

THE UNKNOWN HEIRS OF
BRET BAILEY , DECEASED
RD 1, BOX 27
ROCKTON, PA 15856

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242


Leon P. Haller

SWORN to and subscribed

this 30 day of Sept,

20 04.


Notary Public

My commission expires:

(SEAL) 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

FILED ^{EGK} ^{NO} ^{CC}
m/11:57
OCT 04 2004
William A. Shaw
Prothonotary/Clerk of Courts

FILED

OCT 04 2004

William A. Shaw
Prothonotary, Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

VANDERBILT MORTGAGE & FINANCE INC.

Sheriff Docket # 16333

VS.

04-1173-CD

BAILEY, BRET (DECEASED) THE UNKNOWN HEIRS OF
COMPLAINT IN MORTGAGE FORECLOSURE

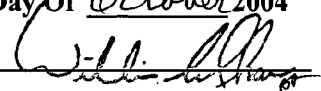
SHERIFF RETURNS

NOW SEPTEMBER 29, 2004 AT 9:50 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE
FORECLOSURE ON THE PROPERTY OF THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED AT RD#1 BOX 27, ROCKTON, CLEARFIELD COUNTY, PENNSYLVANIA.
SERVED BY: COUDRIET


Return Costs

Cost	Description
27.75	SHERIFF HAWKINS PAID BY: ATTY CK# 99520
10.00	SURCHARGE PAID BY: ATTY CK# 99521

Sworn to Before Me This

8 Day Of October 2004


So Answers,


by Marilyn Hamr
Chester A. Hawkins
Sheriff

FILED

O 3:11 PM 10/8/04

OCT 08 2004 *EBK*

William A. Shaw
Prothonotary

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

Vs.

THE UNKNOWN HEIRAS OF BRET BAILEY,
DECEASED

Defendant(s)

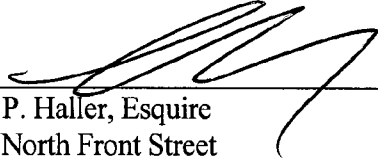
IN THE COURT OF COMMON PLEAS
CLEAFIELD COUNTY, PENNSYLVANIA

No. 04-1173-CD

CIVIL ACTION - LAW
IN MORTGAGE FORECLOSURE

PROOF OF PUBLICATION

PURCELL, KRUG & HALLER



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

FILED

m/11:24/04
OCT 20 2004

William A. Shaw
Prothonotary Clerk of Courts

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

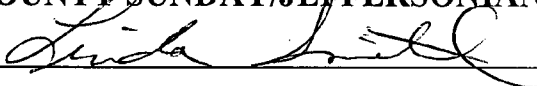
SS:

Linda Smith, Advertising Director or Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

30th day of September A.D., 2004

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

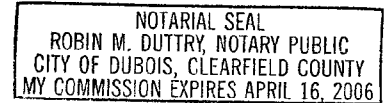
By 

Sworn and subscribed to before me this 4th day of Oct., 2004


NOTARY PUBLIC



Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of
**COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT**
DuBois, PA



TO Purcell, Krug & Haller

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$183.69</u>
Probating same.....	<u>\$4.25</u>
Total.....	<u>\$187.94</u>

Publisher's Receipt for Advertising Costs

The **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801

Established 1879, Phone 814-371-4200

McLEAN PUBLISHING COMPANY

Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By _____

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

Public Notices 001 **Public Notices** 001

NOTICE OF ACTION IN MORTGAGE FORECLOSURE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD
COUNTY, PA CIVIL ACTION - LAW

VANDERBILT MORTGAGE & FINANCE, INC.
PLAINTIFF,

Vs.

THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED
DEFENDANT

MORTGAGE FORECLOSURE
NO. 04-1173-CD

TO: THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED:

You are hereby notified that on April 2, 2004, Plaintiff, VANDERBILT MORTGAGE & FINANCE, INC., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend against the above Defendants, in the Court of Common Pleas of Clearfield County, Pennsylvania, docketed to No. 04-1173 CD wherein Plaintiff seeks to foreclose its mortgage securing the property located at RD 1, BOX 27, ROCKTON, PA 15856 whereupon the property would be sold by the Sheriff of Clearfield County.

You are hereby notified to plead to the above referenced Complaint on or before 20 DAYS from the date of this publication or a Judgment will be entered against you.

NOTICE

You have been sued in Court. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses of objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE 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.

Name: David S. Meholick, Court Administrator

Address: Clearfield County Courthouse 230 East Market Street
Clearfield, PA 16830

Telephone number: 814-765-2641 EXT. 5982

Leon P. Haller, Esquire
1719 North Front Street
Harrisburg, Pa. 17102
717-234-4178

9/30/04

FILED

OCT 20 2004

William A. Shaw
Prothonotary Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.
Plaintiff

Vs.

THE UNKNOWN HEIRAS OF BRET BAILEY,
DECEASED

Defendant(s)

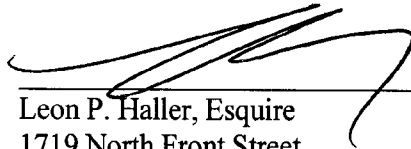
IN THE COURT OF COMMON PLEAS
CLEAFIELD COUNTY, PENNSYLVANIA

No. 04-1173-CD

CIVIL ACTION - LAW
IN MORTGAGE FORECLOSURE

PROOF OF PUBLICATION

PURCELL, KRUG & HALLER



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

862
FILED no cc

m/11-24-04
OCT 20 2004

William A. Shaw
Prothonotary Clerk of Courts

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

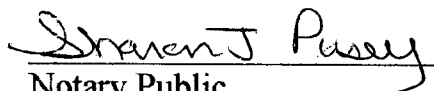
COUNTY OF CLEARFIELD :

On this 1st day of October AD 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of this notice or advertisement published in said publication in the regular issues of Week of October 1, 2004, No. 40. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

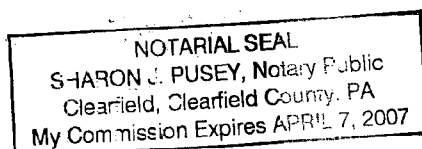


Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.



Notary Public
My Commission Expires



Leona P Haller
1719 North Front Street
Harrisburg PA 17102-2392

of Clearfield County, Pennsylvania, docketed to No. 04-1173-CD wherein Plaintiff seeks to foreclose its mortgage securing the property located at RD 1, Box 27, Rockton PA 15856 whereupon the property would be sold by the Sheriff of Clearfield County.

You are hereby notified to plead to the above referenced Complaint on or before 20 DAYS from the date of this publication or a Judgment will be entered against you.

NOTICE - You have been sued in Court. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses or objections in writing with the Court. 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 OR A COPY OF THIS NOTICE 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.

David S. Meholick, Court Administrator,
Clearfield County Court House, 230 East
Market Street, Clearfield, PA 16830 (814)
765-2641, Ext. 5982

Leon P. Haller, Esquire, 1719 North
Front Street, Harrisburg, PA 17102 717-234-
4178.

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

**NOTICE OF ACTION IN MORTGAGE
FORECLOSURE**

**VANDERBILT MORTGAGE &
FINANCE, INC. PLAINTIFF, VS. THE
UNKNOWN HEIRS OF BRET BAILEY,
DECEASED, DEFENDANT
MORTGAGE FORECLOSURE
NO. 04-1173-CD**

**TO: THE UNKNOWN HEIRS OF BRET
BAILEY, DECEASED:**

You are hereby notified that on April 2, 2004, Plaintiff, VANDERBILT MORTGAGE & FINANCE INC., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend against the above Defendants, in the Court of Common Pleas

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

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)

THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED 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	\$36,118.83
Interest	\$2,344.95
Per diem of \$9.65	
From 12/10/2003	
To 08/10/2004	
Late Charges	\$178.29
(\$19.81 per month to	
08/10/2004)	
Escrow Deficit	\$189.00
5% Attorney's Commission	\$1,805.95
TOTAL	\$40,637.02

**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 I.D. # 15700
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

FILED

NOV 15 2004

W/10:15L
William A. Shaw

Prothonotary/Clerk of Courts

NOTICE TO HEAR &
STATEMENT TO ATT. SHAW DRIVE

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

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

I hereby certify that on October 28, 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.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED

Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 04-1173-CD

CIVIL ACTION LAW
IN MORTGAGE FORECLOSURE

DATE OF THIS NOTICE: **October 28, 2004**

TO:

THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED
RD 1, BOX 27
ROCKTON, PA 15856

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

**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.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :

SS

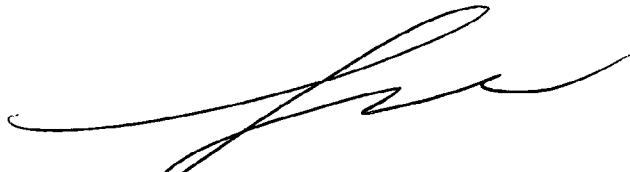
COUNTY OF DAUPHIN :

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.

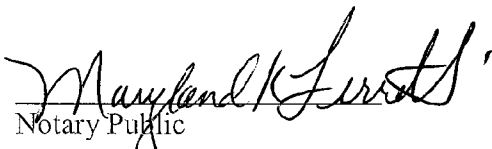
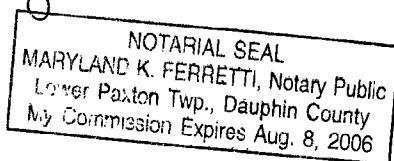
Sworn to and subscribed :

before me this th 10 day :

of Nov. 2004 :



LEON P. HALLER, ESQUIRE


Notary Public

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

COPY

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :

SS

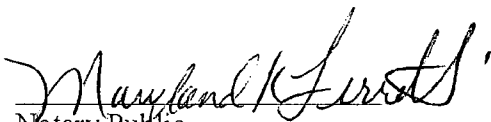
COUNTY OF DAUPHIN :

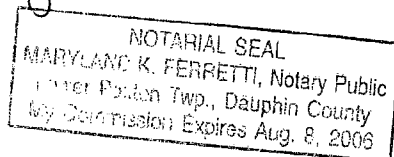
I, **LEON P. HALLER**, Attorney for the Plaintiff in the above matter, being duly sworn according to law, hereby certify that the Plaintiff has complied with the procedures required by Pennsylvania Act 91 of 1983 (Homeowners' Emergency Mortgage Assistance Payments Program) and Defendant(s) have either 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 10th day :

of Nov. 2004 :


Notary Public




LEON P. HALLER, ESQUIRE

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,

DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

NON-MILITARY AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :

SS

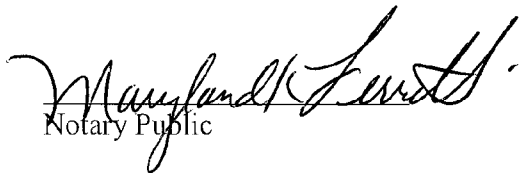
COUNTY OF DAUPHIN :


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.

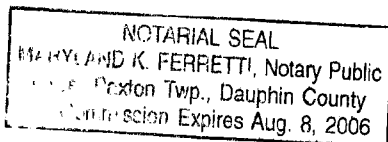
Sworn to and subscribed :

before me this 10th day :

of Nov. 20 04 :


Notary Public


LEON P. HALLER, ESQUIRE



VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

COPY

NON-MILITARY AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :

SS

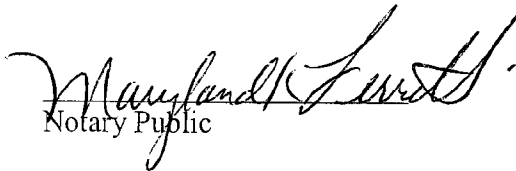
COUNTY OF DAUPHIN :


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.

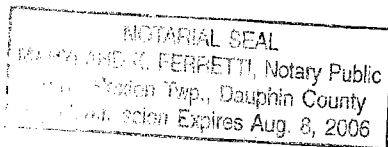
Sworn to and subscribed :

before me this 10th day :

of Nov. 20 04 :


Notary Public


LEON P. HALLER, ESQUIRE



VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

NOTICE OF ENTRY OF JUDGMENT

TO THE ABOVE-NAMED DEFENDANTS:

You are hereby notified that on Nov. 15, 2004 the following judgment has been entered against you in the above-captioned matter:

\$40,637.02 and for the sale and foreclosure of your property located at: **RD 1, BOX 27
ROCKTON, PENNSYLVANIA 15856**

Dated: November 10, 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

THE UNKNOWN HEIRS OF
BRET BAILEY, DECEASED
R. D. #1, BOX 27
ROCKTON, PA 15856

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

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)

THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED 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	\$36,118.83
Interest	\$2,344.95
Per diem of \$9.65	
From 12/10/2003	
To 08/10/2004	
Late Charges	\$178.29
(\$19.81 per month to	
08/10/2004)	
Escrow Deficit	\$189.00
5% Attorney's Commission	\$1,805.95
TOTAL	\$40,637.02

**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 I.D. # 15700
1719 North Front Street
Harrisburg, PA 17102
(717) 234-4178

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

Vanderbilt Mortgage & Finance, Inc.
Plaintiff(s)

No.: 2004-01173-CD

Real Debt: \$40,637.02

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Unknown Heirs of Bret Bailey
Bret Bailey
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 15, 2004

Expires: November 15, 2009

Certified from the record this November 15, 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.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-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 **RD 1, BOX 27
ROCKTON, PENNSYLVANIA 15856** as follows:

Unpaid Principal Balance	\$36,118.83
Interest	\$1,095.47
Per diem of \$9.65	
To approx. sale date of 1/21/05	
Late Charges	\$99.05
(\$19.81 per month to 1/05)	
Escrow Deficit	\$1,500.00
5% Attorney's Commission	\$1,805.95
TOTAL WRIT	\$43,331.54

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

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

Dated: November 10, 2004

Attached is a description of the real estate.

FILED

NOV 15 2004

W/10:40 AM
William A. Shaw

Prothonotary/Clerk of Courts

6 units to
SHAW

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN UNION TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 3/4" REBAR ON THE WESTERN RIGHT OF WAY OF TOWNSHIP ROAD T-340, FORMERLY SR-4013, SAID REBAR BEING THE NORTHEAST CORNER OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, SAID PLACE OF BEGINNING BEING THE SOUTHEAST CORNER OF THE PARCEL HEREIN CONVEYED AND RUNNING;

1. THENCE ALONG THE NORTHERN LINE OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, NORTH SEVENTY-FIVE (75) DEGREES SEVEN (07) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED TWENTY-NINE AND FOUR ONE-HUNDREDTHS (229.04) FEET TO A 3/4" REBAR (SET);

2. THENCE THROUGH LANDS OF THE GRANTOR FOR A NEW SUBDIVISION LINE NORTH ELEVEN (11) DEGREES ELEVEN (11) MINUTES TWENTY-FOUR (24) SECONDS EAST, A DISTANCE OF ONE HUNDRED EIGHTY-FIVE AND SIXTY-FIVE ONE HUNDREDTHS (185.65) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING THE SOUTHWEST CORNER OF OTHER LAND OF THE GRANTOR AS RECORDED IN DEED BOOK 549, PAGE 483;

3. THENCE ALONG THE SOUTHERN LINE OF OTHER LANDS OF THE GRANTOR, SOUTH EIGHTY-TWO (82) DEGREES FIFTY-TWO (52) MINUTES TEN (10) SECONDS EAST, A DISTANCE OF TWO HUNDRED SIXTEEN AND SIXTY-SEVEN ONE-HUNDREDTHS (216.67) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING ON THE WESTERN RIGHT OF WAY OF THE AFOREMENTIONED TOWNSHIP ROAD T-340;

4. THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF TOWNSHIP ROAD T-340 SOUTH SEVEN (07) DEGREES FIFTY-THREE (53) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED SIXTEEN AND NO HUNDREDTHS (216.00) FEET TO AN EXISTING 3/4" REBAR AND PLACE OF BEGINNING.

CONTAINING 1.024 ACRES AS SHOWN ON MAP PREPARED BY CURRY AND ASSOCIATES DATED SEPTEMBER 5, 1997.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: RD 1, BOX 27, ROCKTON, PENNSYLVANIA 15856

BEING THE SAME PREMISES WHICH John L. Bailey and Joanne W. Bailey, his wife, by deed dated and recorded 9/24/97 in Deed Book 1874, Page 422, granted and conveyed unto Bret Bailey. The said Bret Bailey is deceased and title vests in the Unknown Heirs of Bret Bailey, Deceased.

Tax Map # E06-000-00282

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

Vanderbilt Mortgage & Finance, Inc.,

Vs.

NO.: 2004-01173-CD

Unknown Heirs of Bret Bailey,
Bret Bailey,

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due VANDERBILT MORTGAGE & FINANCE, INC., , Plaintiff(s) from UNKNOWN HEIRS OF BRET BAILEY, BRET BAILEY, , Defendant(s):

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

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

Garnishee(s) as follows:

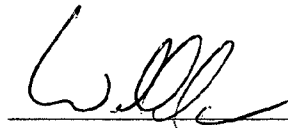
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(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: \$43,331.54
INTEREST: \$
PROTH. COSTS: \$
ATTY'S COMM: \$
DATE: 11/15/2004

PAID: \$112.00
SHERIFF: \$
OTHER COSTS: \$

Prothonotary costs



William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Leon P. Haller
1719 N. Front Street
Harrisburg, PA 17101
717-234-4178

Sheriff

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATED IN UNION TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 3/4" REBAR ON THE WESTERN RIGHT OF WAY OF TOWNSHIP ROAD T-340, FORMERLY SR-4013, SAID REBAR BEING THE NORTHEAST CORNER OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, SAID PLACE OF BEGINNING BEING THE SOUTHEAST CORNER OF THE PARCEL HEREIN CONVEYED AND RUNNING;

1. THENCE ALONG THE NORTHERN LINE OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, NORTH SEVENTY-FIVE (75) DEGREES SEVEN (07) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED TWENTY-NINE AND FOUR ONE-HUNDREDTHS (229.04) FEET TO A 3/4" REBAR (SET);

2. THENCE THROUGH LANDS OF THE GRANTOR FOR A NEW SUBDIVISION LINE NORTH ELEVEN (11) DEGREES ELEVEN (11) MINUTES TWENTY-FOUR (24) SECONDS EAST, A DISTANCE OF ONE HUNDRED EIGHTY-FIVE AND SIXTY-FIVE ONE HUNDREDTHS (185.65) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING THE SOUTHWEST CORNER OF OTHER LAND OF THE GRANTOR AS RECORDED IN DEED BOOK 549, PAGE 483;

3. THENCE ALONG THE SOUTHERN LINE OF OTHER LANDS OF THE GRANTOR, SOUTH EIGHTY-TWO (82) DEGREES FIFTY-TWO (52) MINUTES TEN (10) SECONDS EAST, A DISTANCE OF TWO HUNDRED SIXTEEN AND SIXTY-SEVEN ONE-HUNDREDTHS (216.67) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING ON THE WESTERN RIGHT OF WAY OF THE AFOREMENTIONED TOWNSHIP ROAD T-340;

4. THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF TOWNSHIP ROAD T-340 SOUTH SEVEN (07) DEGREES FIFTY-THREE (53) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED SIXTEEN AND NO HUNDREDTHS (216.00) FEET TO AN EXISTING 3/4" REBAR AND PLACE OF BEGINNING.

CONTAINING 1.024 ACRES AS SHOWN ON MAP PREPARED BY CURRY AND ASSOCIATES DATED SEPTEMBER 5, 1997.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: RD 1, BOX 27, ROCKTON, PENNSYLVANIA 15856

BEING THE SAME PREMISES WHICH John L. Bailey and Joanne W. Bailey, his wife, by deed dated and recorded 9/24/97 in Deed Book 1874, Page 422, granted and conveyed unto Bret Bailey. The said Bret Bailey is deceased and title vests in the Unknown Heirs of Bret Bailey, Deceased.

Tax Map # E06-000-00282

JAN 31 2005

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

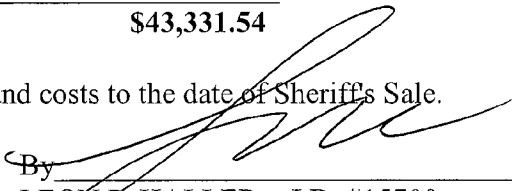
"AMENDED"
PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

TO THE PROTHONOTARY:

Kindly amend the Writ of Execution to correctly reflect the accumulated charges in the above matter on the real estate located at **RD 1, BOX 27 ROCKTON, PENNSYLVANIA 15856** as follows:

Unpaid Principal Balance	\$36,118.83
Interest	\$3,440.42
Per diem of \$9.65	
To approx. sale date of 1/21/05	
Late Charges	\$277.34
(\$19.81 per month to 1/05)	
Escrow Deficit	\$1,689.00
5% Attorney's Commission	\$1,805.95
TOTAL WRIT	\$43,331.54

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

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

Dated: January 31, 2005

Attached is a description of the real estate.

FILED 100
m 19:27 2005
FEB 02 2005
William A. Shaw
Prothonotary/Clerk of Courts

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,
DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

RETURN OF SERVICE

I hereby certify that I have deposited in the U.S. Mails at Harrisburg, Pennsylvania on 2/14/2005, 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:

THE UNKNOWN HEIRS OF
BRET BAILEY, DECEASED
R. D. #1, BOX 27
ROCKTON, PA 15856

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

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

TENANT/OCCUPANT
RD 1, BOX 27
ROCKTON, PENNSYLVANIA 15856

JOHN BAILEY
R. D. #1, BOX 27
ROCKTON, PA 15856

JOHN BAILEY
P. O. BOX 84
ROCKTON, PA 15856

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

FILED *no cc*
m/12:47/BL
MAR 30 2005 *@*

William A. Shaw
Prothonotary/Clerk of Courts

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

THE UNKNOWN HEIRS OF
BRET BAILEY, DECEASED
R. D. #1, BOX 27
ROCKTON, PA 15856

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

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

TENANT/OCCUPANT
RD 1, BOX 27
ROCKTON, PENNSYLVANIA 15856

JOHN BAILEY
R. D. #1, BOX 27
ROCKTON, PA 15856

JOHN BAILEY
P. O. BOX 84
ROCKTON, PA 15856

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

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.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,

DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-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, APRIL 1, 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:

RD 1, BOX 27
ROCKTON, PENNSYLVANIA 15856

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

No. 04-1173-CD

JUDGMENT AMOUNT \$40,637.02

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

THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED

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 SITUATED IN UNION TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 3/4" REBAR ON THE WESTERN RIGHT OF WAY OF TOWNSHIP ROAD T-340, FORMERLY SR-4013, SAID REBAR BEING THE NORTHEAST CORNER OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, SAID PLACE OF BEGINNING BEING THE SOUTHEAST CORNER OF THE PARCEL HEREIN CONVEYED AND RUNNING;

1. THENCE ALONG THE NORTHERN LINE OF LANDS OF LYLE G. AND OPAL BAILEY AS RECORDED IN DEED BOOK 1663, PAGE 213, NORTH SEVENTY-FIVE (75) DEGREES SEVEN (07) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED TWENTY-NINE AND FOUR ONE-HUNDREDTHS (229.04) FEET TO A 3/4" REBAR (SET);

2. THENCE THROUGH LANDS OF THE GRANTOR FOR A NEW SUBDIVISION LINE NORTH ELEVEN (11) DEGREES ELEVEN (11) MINUTES TWENTY-FOUR (24) SECONDS EAST, A DISTANCE OF ONE HUNDRED EIGHTY-FIVE AND SIXTY-FIVE ONE HUNDREDTHS (185.65) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING THE SOUTHWEST CORNER OF OTHER LAND OF THE GRANTOR AS RECORDED IN DEED BOOK 549, PAGE 483;

3. THENCE ALONG THE SOUTHERN LINE OF OTHER LANDS OF THE GRANTOR, SOUTH EIGHTY-TWO (82) DEGREES FIFTY-TWO (52) MINUTES TEN (10) SECONDS EAST, A DISTANCE OF TWO HUNDRED SIXTEEN AND SIXTY-SEVEN ONE-HUNDREDTHS (216.67) FEET TO A 3/4" PIPE (FOUND), SAID PIPE BEING ON THE WESTERN RIGHT OF WAY OF THE AFOREMENTIONED TOWNSHIP ROAD T-340;

4. THENCE ALONG THE WESTERN RIGHT OF WAY LINE OF TOWNSHIP ROAD T-340 SOUTH SEVEN (07) DEGREES FIFTY-THREE (53) MINUTES TWENTY-FOUR (24) SECONDS WEST, A DISTANCE OF TWO HUNDRED SIXTEEN AND NO HUNDREDTHS (216.00) FEET TO AN EXISTING 3/4" REBAR AND PLACE OF BEGINNING.

CONTAINING 1.024 ACRES AS SHOWN ON MAP PREPARED BY CURRY AND ASSOCIATES DATED SEPTEMBER 5, 1997.

HAVING THEREON ERECTED A DWELLING HOUSE KNOWN AS: RD 1, BOX 27, ROCKTON, PENNSYLVANIA 15856

BEING THE SAME PREMISES WHICH John L. Bailey and Joanne W. Bailey, his wife, by deed dated and recorded 9/24/97 in Deed Book 1874, Page 422, granted and conveyed unto Bret Bailey. The said Bret Bailey is deceased and title vests in the Unknown Heirs of Bret Bailey, Deceased.

Tax Map # E06-000-00282

VANDERBILT MORTGAGE & FINANCE INC.	:	IN THE COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY, PENNSYLVANIA
PLAINTIFF	:	
VS.	:	
	:	CIVIL ACTION - LAW
THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED	:	NO. 04-1173-CD
	:	
	:	IN MORTGAGE FORECLOSURE
DEFENDANTS	:	

ORDER FOR SERVICE

AND NOW, to wit, this 16 day of September, 2004, upon consideration of the within Affidavit, is appearing that a good faith investigation and effort to locate the Unknown Heirs and Assigns of Bret Bailey has been made by Plaintiff, it is hereby

ORDERED that service of the Complaint be made by posting a copy of the original Complaint on the most public part of the property located at RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy of the Complaint to RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy by certified and first class mail to Sharon Bailey at 25615 South Mandarin Drive, Queen Creek, Arizona 85242 and by publication pursuant to Rule 430(b)(2); AND FURTHER, that in the event this case should be reduced to judgment and execution shall be issued, service upon the Defendant pursuant to Rule 3129.2 (C) shall be effected by posting a copy of the Notice of Sale or Sheriff's handbill on the most public part of the premises and by publication by the Sheriff pursuant to Pennsylvania Rule of Civil Procedure 3129.2 (d).

BY THE COURT

/s/ Fredric J. Ammerman

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

_____ J

SEP 16 2004

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

7160 3901 9848 6925 0923

TO: SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

SENDER:

REFERENCE:

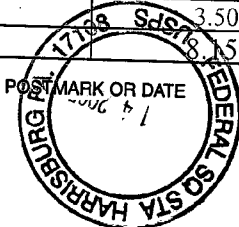
PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.6
	Certified Fee	2.30
	Return Receipt Fee	1.75
	Restricted Delivery	3.50
	Total Postage & Fees	8.15

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POST MARK OR DATE
JUN 1 1998



7160 3901 9848 6925 0930

TO: THE UNKNOWN HEIRS OF
BRET BAILEY, DECEASED
R. D. #1, BOX 27
ROCKTON, PA 15856

SENDER:

REFERENCE:

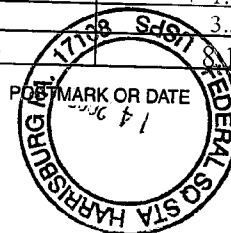
PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	.6
	Certified Fee	2.30
	Return Receipt Fee	1.75
	Restricted Delivery	3.50
	Total Postage & Fees	8.15

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POST MARK OR DATE
JUN 1 1998



VANDERBILT MORTGAGE & FINANCE, INC. v. THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED
Clearfield County Sale 4-1-05

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:

THE UNKNOWN HEIRS OF
BRET BAILEY, DECEASED
R. D. #1, BOX 27
ROCKTON, PA 15856

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:

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

Postmark:

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

Received from:

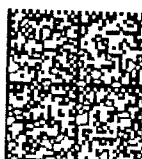
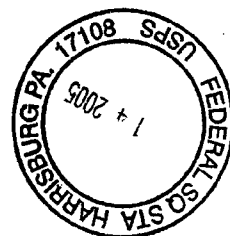
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102

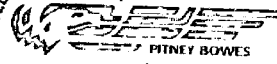
Postage:

One piece of ordinary mail addressed to:

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

Postmark:



UNITED STATES POSTAGE

02 1A \$ 00.90⁰
0004353871 FEB 14 2005
MAILED FROM ZIP CODE 17102

VANDERBILT MORTGAGE & FINANCE, INC. v. THE UNKNOWN HEIRS OF BRET BAILEY, DECEASED
Clearfield County Sale 4-1-05

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

RD 1, BOX 27

ROCKTON, PENNSYLVANIA 15856

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:

JOHN BAILEY

P. O. BOX 84

ROCKTON, PA 15856

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:

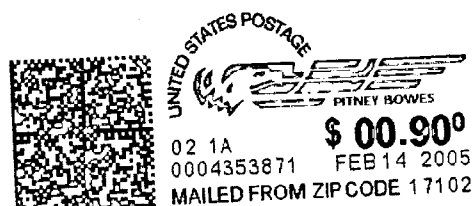
One piece of ordinary mail addressed to:

JOHN BAILEY

R. D. #1, BOX 27

ROCKTON, PA 15856

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 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:

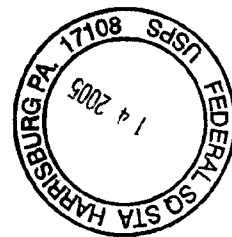
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17102


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:



UNITED STATES POSTAGE

MITNEY BOWES
02 1A \$ 00.90⁰
0004353871 FEB 14 2005
MAILED FROM ZIPCODE 17102

FILED

MAR 30 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20057
NO: 04-1173-CD

PLAINTIFF: VANDERBILT MORTGAGE & FINANCE, INC.
vs.
DEFENDANT: BRET BAILEY, UNKNOWN HEIRS OF BRET BAILEY

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/15/2004

LEVY TAKEN 02/03/2005 @ 10:50 AM

POSTED 02/03/2005 @ 10:50 AM

SALE HELD 04/01/2005

SOLD TO VANDERBILT MORTGAGE & FINANCE, INC.

SOLD FOR AMOUNT \$22,000.00 PLUS COSTS

WRIT RETURNED 05/11/2005

DATE DEED FILED 05/11/2005

PROPERTY ADDRESS RD #1, BOX 27, A/K/A 1319 HOME CAMP ROAD ROCKTON , PA 15856

cf **FILED**
01:09:01
MAY 11 2005

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

02/03/2005 @ 10:50 AM SERVED BRET BAILEY, UNKNOWN HEIRS OF BRET BAILEY
SERVICE PER COURT ORDER BY POSTING PROPERTY AND ADVERTISING MARCH 10, 17 & 24, 2005.

02/04/2005 @ SERVED SHARON BAILEY

MAILED REG & CERT MAIL 2/3/05 TO SHARON BAILEY 25615 SOUTH MANDARIN DRIVE, QUEEN CREEK, ARIZONA. CERT. MAIL
RETURNED 3/4/05 UNCALIMED.CERT #70033110000193800459.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20057
NO: 04-1173-CD

PLAINTIFF: VANDERBILT MORTGAGE & FINANCE, INC.

vs.

DEFENDANT: BRET BAILEY, UNKNOWN HEIRS OF BRET BAILEY

Execution REAL ESTATE

SHERIFF RETURN

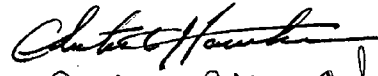
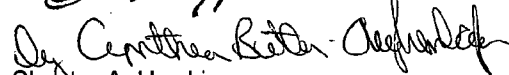
SHERIFF HAWKINS \$640.22

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff

JAN 31 2005

VANDERBILT MORTGAGE & FINANCE, INC.,
PLAINTIFF

VS.

THE UNKNOWN HEIRS OF BRET BAILEY,
DECEASED,

DEFENDANT(S)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION LAW

NO. 04-1173-CD

IN MORTGAGE FORECLOSURE

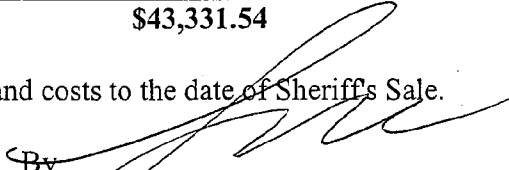
"AMENDED"
PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

TO THE PROTHONOTARY:

Kindly amend the Writ of Execution to correctly reflect the accumulated charges in the above matter on the real estate located at **RD 1, BOX 27 ROCKTON, PENNSYLVANIA 15856** as follows:

Unpaid Principal Balance	\$36,118.83
Interest	\$3,440.42
Per diem of \$9.65	
To approx. sale date of 1/21/05	
Late Charges	\$277.34
(\$19.81 per month to 1/05)	
Escrow Deficit	\$1,689.00
5% Attorney's Commission	\$1,805.95
TOTAL WRIT	\$43,331.54

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

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

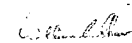
Dated: January 31, 2005

Attached is a description of the real estate.

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

FEB 02 2005

Attest


Prothonotary/
Clerk of Courts

Received February 2, 2005 @ 11:00 a.m.
Christa A. Housh
By Cynthia Butler-Cargenlough

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME BRET BAILEY, UNKNOWN HEIRS OF BRET BAILEY

NO. 04-1173-CD

NOW, May 10, 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 April 01, 2005, I exposed the within described real estate of Bret Bailey, Unknown Heirs Of Bret Bailey to public venue or outcry at which time and place I sold the same to VANDERBILT MORTGAGE & FINANCE, NC. he/she being the highest bidder, for the sum of \$22,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	
LEVY	15.00
MILEAGE	10.53
POSTING	15.00
CSDS	10.00
COMMISSION	440.00
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	22,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$640.22

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	36,118.83
INTEREST @ 9.6500 %	675.50
FROM 01/21/2005 TO 04/01/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	99.05
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	1,805.95
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	1,500.00
PROPERTY INSPECTIONS	
INTEREST	1,095.47
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$41,314.80

COSTS:

ADVERTISING	428.68
TAXES - COLLECTOR	162.32
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	640.22
LEGAL JOURNAL COSTS	277.00
PROTHONOTARY	112.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,793.72

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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> SHARON BAILEY 25615 SOUTH MANDARIN DRIVE QUEEN CREEK, AZ 85242 </div>		B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004		Domestic Return Receipt	
7003 3110 0001 9380 0459		102595-02-M-1540	

7003 3110 0001 9380 0459

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	\$ 40.60
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.65

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

0830
07 Postmark
Here

02/04/2005

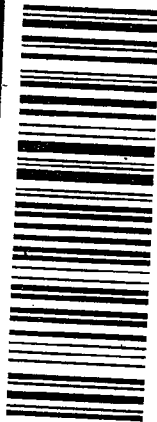
PS Form 3800, June 2002

See Reverse for Instructions

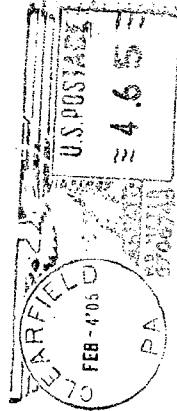


CHESTER A. HAWKINS
SHERIFF

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

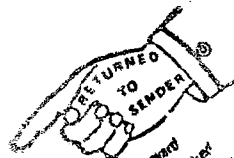


7003 3110 0001 9380 0459



2/4/05

- ☐ Moved but no forward
☐ Moved forwarding address
☐ No such number
☐ Incomplete address
☐ No mail message
☐ No such street
☐ Undelivered as addressed
☐ Box closed no order
☐ Not in queue direct delivery stop



SHARON BAILEY
25615 SOUTH MANDARIN DRIVE
QUEEN CREEK, AZ 85242

2-26 NL

FIRST NOTICE	2-26
SECOND NOTICE	2-26
RETURNED	2-30



COPY

VANDERBILT MORTGAGE & FINANCE : IN THE COURT OF COMMON PLEAS
INC. : CLEARFIELD COUNTY, PENNSYLVANIA
PLAINTIFF :
VS. :
THE UNKNOWN HEIRS OF BRET : CIVIL ACTION - LAW
BAILEY, DECEASED : NO. 04-1173-CD
DEFENDANTS : IN MORTGAGE FORECLOSURE

ORDER FOR SERVICE

AND NOW, to wit, this 16 day of September, 2004, upon consideration of the within Affidavit, is appearing that a good faith investigation and effort to locate the Unknown Heirs and Assigns of Bret Bailey has been made by Plaintiff, it is hereby

ORDERED that service of the Complaint be made by posting a copy of the original Complaint on the most public part of the property located at RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy of the Complaint to RD 1, Box 27, Rockton, Pennsylvania 15856, and by mailing a copy by certified and first class mail to Sharon Bailey at 25615 South Mandarin Drive, Queen Creek, Arizona 85242 and by publication pursuant to Rule 430(b)(2); AND FURTHER, that in the event this case should be reduced to judgment and execution shall be issued, service upon the Defendant pursuant to Rule 3129.2 (C) shall be effected by posting a copy of the Notice of Sale or Sheriff's handbill on the most public part of the premises and by publication by the Sheriff pursuant to Pennsylvania Rule of Civil Procedure 3129.2 (d).

BY THE COURT

/s/ Fredric J. Ammerman

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

J

SEP 16 2004

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

FILED

MAY 11 2005

William A. Shaw
Prothonotary/Clerk of Courts