

2004-1755-CD
Netbank vs Virginia Flanagan

04-1755-CD
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. vs. VIRGINIA
FLANAGAN

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

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

Plaintiff
v.

NO. 04-1755-CJ

VIRGINIA A. FLANAGAN
A/K/A VIRNINIA A. DILLON
12068 RIDGE ROAD
MAHAFFEY, PA 15757

CLEARFIELD COUNTY
FILED
10:37

NOV 05 2004

Defendant
CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

William A. Shaw
Prothonotary

NOTICE

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1. Plaintiff is

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

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

3. On 08/20/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200213306.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$31,032.05
Interest	1,357.36
05/01/2004 through 11/04/2004	
(Per Diem \$7.22)	
Attorney's Fees	1,250.00
Cumulative Late Charges	47.80
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Subtotal	\$ 34,237.21
Escrow	
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TOTAL	\$ 34,290.48

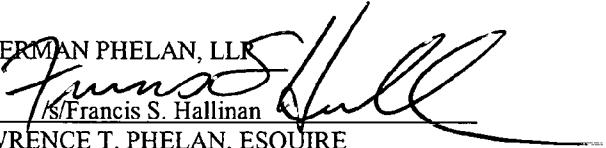
7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 34,290.48, together with interest from 11/04/2004 at the rate of \$7.22 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

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



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THENCE ALONG LAND OF W. A. DILLON, SOUTH FIFTY-TWO (52) DEGREES FIFTY-SIX (56) MINUTES EAST ONE HUNDRED TWENTY-FIVE (125) FEET TO AN IRON PIN;

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Property Address: 1566 Deer Run Road

VERIFICATION

MICHAEL D. VESTAL hereby states that he/she is VICE PRESIDENT of COUNTRYWIDE HOME LOANS, INC. mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Michael D. Vestal

DATE:

11/2/14

In The Court of Common Pleas of Clearfield County, Pennsylvania

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

VS.

FLANAGAN, VIRGINIA A. a/k/a VIRNINIA A. DILLON

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 16574

04-1755-CD

SHERIFF RETURNS

NOW DECEMBER 17, 2004 RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT SERVED, TIME EXPIRED" AS TO VIRGINIA A. FLANAGAN a/k/a VIRNINIA A. DILLON, DEFENDANT. SPELLING OF FIRST NAME IS NOT THE SAME.

Return Costs

Cost	Description
19.37	SHERIFF HAWKINS PAID BY: ATTY CK# 386633
20.00	SURCHARGE PAID BY: ATTY

Sworn to Before Me This

17 Day Of Dec, 2004


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

So Answers,


by 
Chester A. Hawkins
Sheriff

FILED
DEC 17 2004 *GK*

William A. Shaw
Prothonotary/Clerk of Courts

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NO. 04-1755-C

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MAHAFFEY, PA 15757

CLEARFIELD COUNTY

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

NOV 05 2004

Defendant

Attest.

W. L. B.
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
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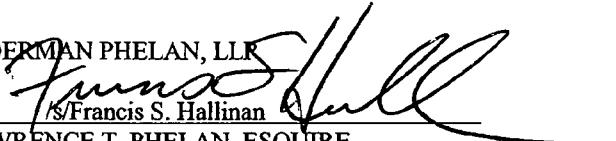
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8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 34,290.48, together with interest from 11/04/2004 at the rate of \$7.22 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

By: Francis S. Hallinan

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

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

BEGINNING AT AN IRON PIN, SAID IRON PIN BEING LOCATED ON THE EASTERN RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. T-322, AND SAID IRON PIN BEING LOCATED THREE HUNDRED NINETY-SIX AND SEVEN HUNDREDTHS (396.07) FEET FROM LINE OF LAND OF WILBUR LEE;

THENCE ALONG LAND OF W. A. DILLON, SOUTH FIFTY-TWO (52) DEGREES FIFTY-SIX (56) MINUTES EAST ONE HUNDRED TWENTY-FIVE (125) FEET TO AN IRON PIN;

THENCE CONTINUING ALONG LAND OF W. A. DILLON, SOUTH THIRTY-SEVEN (37) DEGREES FOUR (4) MINUTES WEST ONE HUNDRED (100) FEET TO AN IRON PIN;

THENCE STILL CONTINUING ALONG LAND OF W. A. DILLON, NORTH FIFTY-TWO (52) DEGREES FIFTY-SIX (56) MINUTES WEST ONE HUNDRED TWENTY-FIVE (125) FEET TO AN IRON PIN, SAID PIN BEING LOCATED ON THE EASTERN RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. T-322;

THENCE ALONG EASTERN RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. T-322 NORTH THIRTY-SEVEN (37) DEGREES FOUR (4) MINUTES EAST ONE HUNDRED (100) FEET TO THE IRON PIN AND PLACE OF BEGINNING.

BEING A LOT FRONTING ONE HUNDRED (100) FEET ON TOWNSHIP ROAD NO. T-322 AND EXTENDING BACK IN PARALLEL LINES ONE HUNDRED TWENTY-FIVE (125) FEET. THE DESCRIPTION FOR SAID LOT WAS MADE FROM A SURVEY BY FREDERIC H. SHUSS, A REGISTERED PROFESSIONAL ENGINEER, DATED OCTOBER 5, 1972.

Property Address: 1566 Deer Run Road

VERIFICATION

MICHAEL D. VESTAL hereby states that he/she is VICE PRESIDENT of COUNTRYWIDE HOME LOANS, INC. mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Michael D. Vestal

DATE: 11/2/14

FEDERMAN PHELAN, LLP

By: Frank Federman, Esquire I.D. No. 12248
Lawrence T. Phelan, Esquire I.D. No. 32227
Francis S. Hallinan, Esquire I.D. No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

Vs.

**VIRGINIA A. FLANAGAN,
A/K/A VIRNINIA A. DILLON**

**Court of Common Pleas
CLEARFIELD County
No. 04-1755-CD**

Defendant(s)

PRAECIPE TO WITHDRAW COMPLAINT, WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, upon payment of your costs only. A Chapter 07 bankruptcy was filed on 09/28/04, which invalidated the complaint.

12/8/04
Date

Frank S. Hallinan

Frank Federman, Esquire
Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Attorneys for Plaintiff

614 **FILED** 18C
M 12/5/04
DEC 28 2004 Copy to CJA
William A. Shaw
Prothonotary/Clerk of Courts

FILED

DEC 28 2004

William A. Shaw
Prothonotary/Clerk of Courts