

05-1567-CD

Beneficial Con vs Scott L. Grove

Beneficial Consumer Dis. vs Scott Grove et al
2005-1567-CD

McCABE, WEISBERG AND CONWAY, P.C.
BY: TERRENCE J. McCABE, ESQUIRE
Identification Number 16496
123 South Broad Street, Suite 2080
Philadelphia, Pennsylvania 19109
(215) 790-1010

Attorney for Plaintiff

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania vs. Scott L. Grove and Mary L. Grove	Clearfield County Court of Common Pleas Number: 05-1567-CD
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COMPLAINT IN EJECTMENT

NOTICE

AVISO

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Raymond L. Billotte, Court Administrator
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Clearfield, PA 16830
(814) 765-2641, Ext. 51

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FILED 2CCShff
M 1:55 PM Oct 10 2005 Atty pd 85.00
OCT 10 2005
William A. Shaw
Prothonotary/Clerk of Courts

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BY: TERENCE J. McCABE, ESQUIRE
Identification Number 16496
123 South Broad Street, Suite 2080
Philadelphia, Pennsylvania 19109
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Attorney for Plaintiff

Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania 961 Weigel Drive, P.O. Box 8621 Elmhurst, IL 60126 vs. Scott L. Grove and Mary L. Grove 4648 McCartney Road, Irvona, PA 16656	Clearfield County Court of Common Pleas Number
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COMPLAINT IN EJECTMENT

1. Plaintiff is the owner of the premises known as 4648 McCartney Road, Irvona, PA 16656, the full legal description of which is attached hereto, made a part hereof, and marked as Exhibit "A."

2. Plaintiff acquired title by reason of a Sheriff's Sale conducted by the Sheriff of Clearfield County on September 2, 2005, by reason of Writ of Execution issued out of the Clearfield County Court of Common Pleas, Number 04-1652-CD at the suit of Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania vs. Scott L. Grove and Mary L. Grove.

3. Defendants are in possession of the foregoing described premises without title, color of title, or benefit of a lease from Plaintiff.

4. Defendants are wrongfully and unlawfully in possession of the premises.

5. Defendants have no rights of possession to said premises.

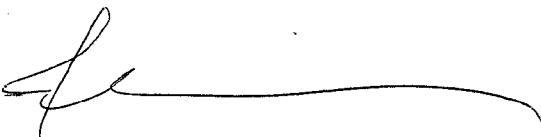
6. By reason of the aforesaid Sheriff's sale, Plaintiff holds paramount title to the premises but Defendants continue to unlawfully and willfully retain possession and keep Plaintiff out of

possession thereof and refuse to vacate and deliver up the said premises to Plaintiff.

7. As no landlord tenant relationship exists between Plaintiff and Defendants, Defendants are not entitled to any specific notice to vacate. The commencement of an action in foreclosure culminating in a sheriff's sale should have put the Defendants on notice that Plaintiff intends to recover full interest, title, and possession of the premises.

8. Additionally, as no landlord tenant relationship exists between Plaintiff and Defendant, either written or oral, express or implied, nor was any such relationship created as a result of the foreclosure by Plaintiff, Defendant is not entitled to any notice to quit or vacate the property.

9. Notwithstanding the aforesaid, Defendants have willfully remained in possession of Plaintiff's property and refuse, and still refuse to vacate the premises and continue to occupy the same. WHEREFORE, Plaintiff demands a judgment be entered in its favor for possession of the property.



TERRENCE J. McCABE, ESQUIRE
Attorney for Plaintiff

VERIFICATION

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



TERRENCE J. MCCABE, ESQUIRE
Attorney for Plaintiff

Premises: 4648 McCartney Road, Irvona, PA 16656
Irvona, Clearfield County, Pennsylvania

DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in Jordan Township, Clearfield County, Pennsylvania, bound and described as follows:

BEGINNING at an iron pin, said iron pin being located in the Northern right-of-way line of Pennsylvania Legislative Route No. 17024 and said iron pin being located in the Eastern property line of land formerly owned by John. Johnston; thence along the Northern right-of-way line of Route No. 17024 North seventy-nine (79) degrees thirty (30) minutes East one Hundred fifty (150) feet to an iron pin; thence along remaining lands formerly of Cameron R. Johnston and Grace M. Johnston North forty (40) degrees forty-two (42) minutes West One Hundred eighty-two (182) feet to an iron pin; thence continuing along formerly Cameron R. Johnston and Grace M. Johnston land South seventy-nine (79) degrees thirty (30) minutes West One Hundred fifty (150) feet to an iron pin, said iron pin being located in the Eastern property line of land formerly owned by John Johnston thence along line of land formerly owned by John Johnston South forty (40) degrees forty-two (42) minutes East One Hundred eighty-two (182) feet to the iron pin and place of beginning.

CONTAINING 0.5417 Acres. Said Lot fronting One Hundred fifty (150) feet on Route No. 17024 and extending in depth in parallel lines One Hundred eighty-two (182) feet.

Tax Parcel No. 120-H14-40.

Being Parcel No. 120-H14-40

EXHIBIT "A"

FILED

OCT 10 2005

William A. Shaw
Prothonotary/Clerk of Courts

EX-2005

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **100891**

BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL
MORTGAGE

Case # **05-1567-CD**

VS.

SCOTT L. GROVE and MARY L. GROVE

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW December 12, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN
EJECTMENT "NOT FOUND" AS TO SCOTT L. GROVE, DEFENDANT. 4648 MCCARTNEY ROAD, IRVONA, PA.
"EMPTY".

SERVED BY: /

FILED
0/230 cm
DEC 12 2005 

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket #

100891

BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL
MORTGAGE

Case # 05-1567-CD

vs.

SCOTT L. GROVE and MARY L. GROVE

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW December 12, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO MARY L. GROVE, DEFENDANT. 4648 MCCARTNEY ROAD, IRVONA, PA. "EMPTY".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100891
NO: 05-1567-CD
SERVICES 2
COMPLAINT IN EJECTMENT

PLAINTIFF: BENEFICIAL CONSUMER DISCOUNT COMPANY d/b/a BENEFICIAL MORTGAGE
vs.
DEFENDANT: SCOTT L. GROVE and MARY L. GROVE

SHERIFF RETURN

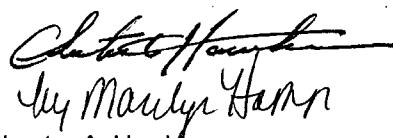
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MCCABE	68088	20.00
SHERIFF HAWKINS	MCCABE	68088	45.19

Sworn to Before Me This

____ Day of _____ 2005

So Answers,


Chester A. Hawkins
Sheriff

McCABE, WEISBERG AND CONWAY, P.C.
BY: TERENCE J. McCABE, ESQUIRE
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123 South Broad Street, Suite 2080
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(215) 790-1010

Attorney for Plaintiff

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

OCT 10 2005

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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2. Plaintiff acquired title by reason of a Sheriff's Sale conducted by the Sheriff of Clearfield County on September 2, 2005, by reason of Writ of Execution issued out of the Clearfield County Court of Common Pleas, Number 04-1652-CD at the suit of Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania vs. Scott L. Grove and Mary L. Grove.

3. Defendants are in possession of the foregoing described premises without title, color of title, or benefit of a lease from Plaintiff.

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Attorney for Plaintiff

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