

06-57-CD  
Mort. Elec. Reg. Vs Nancy M.

Netbank vs Nancy Mayhew  
2006-57-CD

PHELAN HALLINAN & SCHMIEG, 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

Plaintiff

v.

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

Defendant

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**NOTICE**

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

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

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

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

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

FILED  
JAN 12 2006  
m/12:45pm  
William A. Shaw  
Prothonotary/Clerk of Courts  
3 c/court to Atty

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

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

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL  
THE END OF THE THIRTY (30) DAY PERIOD  
FOLLOWING FIRST CONTACT WITH YOU BEFORE  
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH  
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COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN  
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AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN  
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REQUIRES US TO CEASE OUR EFFORTS (THROUGH  
LITIGATION OR OTHERWISE) TO COLLECT THE DEBT  
UNTIL WE MAIL THE REQUESTED INFORMATION TO  
YOU. YOU SHOULD CONSULT AN ATTORNEY FOR  
ADVICE CONCERNING YOUR RIGHTS AND  
OBLIGATIONS IN THIS SUIT.**

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

1. Plaintiff is

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

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

PHH MORTGAGE CORPORATION F/K/A CENDANT  
3000 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

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

3. On 02/17/2005 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: 200502430.
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 09/01/2005 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             | \$50,801.05         |
| Interest                      | 2,201.58            |
| 08/01/2005 through 01/09/2006 |                     |
| (Per Diem \$13.59)            |                     |
| Attorney's Fees               | 1,250.00            |
| Cumulative Late Charges       | 64.76               |
| 02/17/2005 to 01/09/2006      |                     |
| Cost of Suit and Title Search | <u>\$ 550.00</u>    |
| Subtotal                      | \$ 54,867.39        |
| Escrow                        |                     |
| Credit                        | 0.00                |
| Deficit                       | 132.72              |
| Subtotal                      | <u>\$ 132.72</u>    |
| <b>TOTAL</b>                  | <b>\$ 55,000.11</b> |

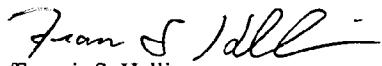
7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 55,000.11, together with interest from 01/09/2006 at the rate of \$13.59 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.

PHELAN HALLINAN & SCHMIEG, LLP

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

## **LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

PROPERTY BEING: 411 KNARR STREET

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

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.

31hll

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1-9-06

FILED  
JAN 12 2006  
William A. Shaw  
Prothonotary/Clark of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101160  
NO: 06-57-CD  
SERVICE # 1 OF 3  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.  
vs.  
DEFENDANT: NANCY M. MAYHEW

**SHERIFF RETURN**

---

NOW, January 27, 2006 AT 12:10 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NANCY M. MAYHEW DEFENDANT AT MEETING PLACE: BI-LO FOODS, SANDY PLAZA, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO NANCY M. MAYHEW, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

01/18/06 (1)  
MAR 20 2006

William A. Shaw  
Prothonotary/Clerk of Court

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

Service # 2 of 3 Services

Sheriff Docket #

**101160**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.

Case # 06-57-CD

vs.

NANCY M. MAYHEW

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW March 17, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO NANCY M. MAYHEW, DEFENDANT. DOESN'T LIVE @ 1037 TREASURE LAKE, DUBOIS, PA..

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101160  
NO: 06-57-CD  
SERVICE # 3 OF 3  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.  
vs.  
DEFENDANT: NANCY M. MAYHEW

**SHERIFF RETURN**

---

NOW, January 23, 2006, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NANCY M. MAYHEW.

NOW, January 30, 2006 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NANCY M. MAYHEW, DEFENDANT. THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

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

DOCKET # 101160  
NO: 06-57-CD  
SERVICES 3  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.  
vs.  
DEFENDANT: NANCY M. MAYHEW

## **SHERIFF RETURN**

## RETURN COSTS

| Description     | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE       | PHELAN  | 474070  | 20.00  |
| SURCHARGE       | PHELAN  | 474127  | 10.00  |
| SHERIFF HAWKINS | PHELAN  | 474127  | 72.82  |
| JEFFERSON CO.   | PHELAN  | 474133  | 36.25  |

Sworn to Before Me This

### So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2006

Chester A. Hawkins  
by Marilyn Hawkins

No. 06-57 C.D.

Now, January 30, 2006, I return the Notice and Complaint in Mortgage Foreclosure for NANCY M. MAYHEW, Defendant, to the Clearfield County Sheriff's Office marked "not found; defendant is currently living at the 411 Knarr Street, DuBois, PA 15801 which is located in Clearfield County".

|                         |            |
|-------------------------|------------|
| Advance Costs Received: | \$125.00   |
| My Costs:               | 34.25 Paid |
| Prothy:                 | 2.00       |
| Total Costs:            | 36.25      |
| REFUNDED:               | \$ 88.75   |

Sworn and subscribed  
to before me this 30<sup>th</sup>  
day of Jan 2006  
By James A. Danner  
My Commission Expirs  
the 1<sup>st</sup> Monday, Jan. 2010

So Answers,

  
James A. Danner  
Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

PHELAN HALLINAN & SCHMIEG, 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

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8201 GREENSBORO DRIVE, SUITE 350  
MCLEAN, VA 22102

Plaintiff

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NANCY M. MAYHEW  
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Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

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

JAN 12 2008

We hereby certify the within  
to be a true and correct copy  
of our invoice

Attest.

*William C. Brown*  
Prothonotary/  
Clerk of Courts

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DEFENDANT(S) WITH WRITTEN VERIFICATION  
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED  
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1. Plaintiff is

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

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

PHH MORTGAGE CORPORATION F/K/A CENDANT  
3000 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

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

3. On 02/17/2005 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: 200502430.
4. The premises subject to said mortgage is described as attached.
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|                               |                     |
|-------------------------------|---------------------|
| Principal Balance             | \$50,801.05         |
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| <b>TOTAL</b>                  | <b>\$ 55,000.11</b> |

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 55,000.11, together with interest from 01/09/2006 at the rate of \$13.59 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.

PHELAN HALLINAN & SCHMIEG, LLP

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

## LEGAL DESCRIPTION

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

PROPERTY BEING: 411 KNARR STREET

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

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31hee

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1-9-06

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
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ONE PENN CENTER PLAZA, SUITE 1400  
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ATTORNEY FOR PLAINTIFF

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Plaintiff

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

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

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

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

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

We hereby certify the within  
to be a true and correct copy  
I hereby certify this to be a ~~copy~~ of our invoice  
and attested copy of the original  
statement filed in this case.

JAN 12 2003

File #: 128761

Attest.

*William L. Brown*  
Prothonotary/  
Clerk of Courts

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

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

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

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

1. Plaintiff is

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

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

PHH MORTGAGE CORPORATION F/K/A CENDANT  
3000 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

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

3. On 02/17/2005 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: 200502430.
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 09/01/2005 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             | \$50,801.05         |
| Interest                      | 2,201.58            |
| 08/01/2005 through 01/09/2006 |                     |
| (Per Diem \$13.59)            |                     |
| Attorney's Fees               | 1,250.00            |
| Cumulative Late Charges       | 64.76               |
| 02/17/2005 to 01/09/2006      |                     |
| Cost of Suit and Title Search | <u>\$ 550.00</u>    |
| Subtotal                      | \$ 54,867.39        |
| Escrow                        |                     |
| Credit                        | 0.00                |
| Deficit                       | 132.72              |
| Subtotal                      | <u>\$ 132.72</u>    |
| <b>TOTAL</b>                  | <b>\$ 55,000.11</b> |

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 55,000.11, together with interest from 01/09/2006 at the rate of \$13.59 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.

PHELAN HALLINAN & SCHMIEG, LLP

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

## LEGAL DESCRIPTION

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

PROPERTY BEING: 411 KNARR STREET

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

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.

31h00

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1-9-06

UNIVERSITY OF TORONTO LIBRARY

MAR 20 1969

1968

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
DKT PG. 101160

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.

NO. 06-57-CD

-VS-

NANCY M. MAYHEW

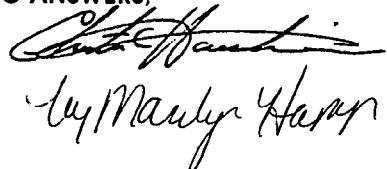
COMPLAINT IN MORTGAGE FORECLOSURE

AMENDED  
SHERIFF'S RETURN

---

NOW APRIL 26, 2006 AMEND RETURN CHANGING SHERIFF COSTS FROM \$72.82 TO \$73.82.

SO ANSWERS,

  
by Marilyn Warren

CHESTER A. HAWKINS  
SHERIFF

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF April 2006

FILED  
013:36 PM  
APR 26 2006  
CLERK

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG  
Identification No. 62205  
One Penn Center at Suburban Station - Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

**FILED** Atty Ad.  
m 111:29 6/1 2006 20.00  
MAY 01 2006 ILCG Notice  
to Def.

William A. Shaw Statement  
Prothonotary/Clerk of Courts to Atty

(GP)

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

:  
: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**

**Plaintiff,**

: **CIVIL DIVISION**

v.

: **NO. 2006-57-CD**

**NANCY M. MAYHEW**  
**411 KNARR STREET**  
**DU BOIS, PA 15801**

:

**Defendant(s).**

:

:

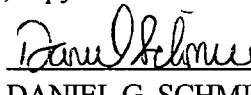
**PRAECLPICE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

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

|                               |                            |
|-------------------------------|----------------------------|
| As set forth in the Complaint | \$ 55,000.11               |
| Interest - 1/10/06 to 4/28/06 | \$1,481.31                 |
| <b>TOTAL</b>                  | <b><u>\$ 56,481.42</u></b> |

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

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

DATE: May 1, 2006

  
\_\_\_\_\_  
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION : COURT OF COMMON PLEAS  
SYSTEMS, INC.

|                 |                     |
|-----------------|---------------------|
| Plaintiff       | : CIVIL DIVISION    |
| Vs.             | : CLEARFIELD COUNTY |
| NANCY M. MAYHEW | : NO. 2006-57 CD    |
| Defendants      |                     |

TO: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

FILE COPY

DATE OF NOTICE: MARCH 23, 2006

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

**IMPORTANT NOTICE**

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

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

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

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

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

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**FILED**

**MAY 01 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

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

:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

Plaintiff,

: CIVIL DIVISION

v.

: NO. 2006-57-CD

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

:

:

Defendant(s).

:

:

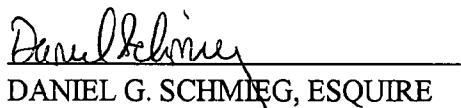
**VERIFICATION OF NON-MILITARY SERVICE**

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

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

(b) that defendant NANCY M. MAYHEW is over 18 years of age and resides at 411 KNARR STREET, DU BOIS, PA 15801.

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

  
DANIEL G. SCHMIEG, ESQUIRE

**(Rule of Civil Procedure No. 236 - Revised**

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

MORTGAGE ELECTRONIC :  
REGISTRATION SYSTEMS, INC. :  
8201 GREENSBORO DRIVE, STE 350 :  
MCLEAN, VA 22102 :  
Plaintiff, :  
v. :  
NANCY M. MAYHEW :  
411 KNARR STREET :  
DU BOIS, PA 15801 :  
Defendant(s). :  
:

Notice is given that a Judgment in the above captioned matter has been entered against you  
on May 1, 2006.

BY L. W. Hays DEPUTY

If you have any questions concerning this matter, please contact:

---

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

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

Mortgage Electronic Registration Systems, Inc.  
Plaintiff(s)

No.: 2006-00057-CD

Real Debt: \$56,481.42

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Nancy M. Mayhew  
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: May 1, 2006

Expires: May 1, 2011

Certified from the record this 1st day of May, 2006.



\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

\_\_\_\_\_  
Plaintiff/Attorney

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

NANCY M. MAYHEW

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2006-57-CD Term 2005.

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due \$56,481.42

Interest from 4/29/06 to Sale \$ \_\_\_\_\_.  
Per diem \$9.28

Add'l Costs \$3,120.00

Prothonotary costs 125.00

*David Johnson*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

**FILED**

MAY 12 2006  
W/12:50 PM  
William A. Shaw  
Prothonotary/Clerk of Courts

1 CENT TO ATT

1 CENT + 6 WHT TO

SHAW

No. 2006-57-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

vs.

NANCY M. MAYHEW

---

PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

*Nancy Mayhew* ..... Attorney for Plaintiff(s)

Address: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3  $\frac{1}{2}$  feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3  $\frac{1}{2}$  feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

**TITLE TO SAID PREMISES IS VESTED IN** Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429

Premises being: 411 KNARR STREET  
DU BOIS, PA 15801

Tax Parcel No. 011-000-03089

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

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

:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

Plaintiff,

: CIVIL DIVISION

v.

: NO. 2006-57-CD

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

:

Defendant(s).

:

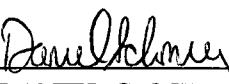
:

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

:  
: **CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

**v.**

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801**

: **CIVIL DIVISION**

: **NO. 2006-57-CD**

**Defendant(s).**

:

:

**AFFIDAVIT PURSUANT TO RULE 3129  
(Affidavit No.1)**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

NAME **LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)**

**NANCY M. MAYHEW** **411 KNARR STREET  
DU BOIS, PA 15801**

2. Name and address of Defendant(s) in the judgment:

NAME **LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)**

**Same as Above**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006

Date

Daniel Schmiege  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

• : **CLEARFIELD COUNTY**  
• : **COURT OF COMMON PLEAS**

**Plaintiff,**

V.

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801**

## CIVIL DIVISION

NO. 2006-57-CD

**Defendant(s).**

**AFFIDAVIT PURSUANT TO RULE 3129**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT** 411 KNARR STREET  
DU BOIS, PA 15801

**DOMESTIC  
RELATIONS  
CLEARFIELD  
COUNTY**      **CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH  
OF PENNSYLVANIA** **DEPARTMENT OF WELFARE**  
**PO BOX 2675**  
**HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006  
Date

Daniel Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas

Plaintiff : Civil Division

vs. : Clearfield County

Nancy M. Mayhew : No. 2006-57-CD  
Defendant

**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on January 12, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on May 1, 2006 in the amount of \$56,481.42. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".
3. The Property is listed for Sheriff's Sale on August 4, 2006. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

FILED  
M 12:47 PM  
JUN 22 2006  
6K

William A. Shaw  
Prothonotary/Clerk of Courts

4. Additional sums have been incurred or expended on Defendant's behalf since the Complaint was filed and Defendant has been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

|                         |                    |
|-------------------------|--------------------|
| Principal Balance       | \$50,801.05        |
| Interest Through 8/4/06 | 4,930.81           |
| Per Diem \$13.39        |                    |
| Late Charges            | 86.56              |
| Legal fees              | 1,675.00           |
| Cost of Suit and Title  | 1,412.50           |
| Sheriff's Sale Costs    | 2,395.07           |
| Property Inspections    | 0.00               |
| Appraisal/BPO           | 105.00             |
| MIP/PMI                 | 0.00               |
| NSF                     | 0.00               |
| Suspense/Misc. Credits  | 0.00               |
| Escrow Deficit          | <u>445.74</u>      |
| <b>TOTAL</b>            | <b>\$61,851.73</b> |

5. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

6. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendant.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 9/21/06

Phelan Hallinan & Schmieg, LLP  
By:   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

---

# **Exhibit “A”**

JAN 12 2006

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, 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

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

Plaintiff

v.

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

Defendant

CIVIL ACTION - LAW  
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY  
PLEASE RETURN

#### NOTICE

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

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

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

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

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

ATTORNEY FILE COPY  
PLEASE RETURN

We hereby certify the within  
to be a true and correct copy  
of our invoice

PHELAN HALLINAN & SCHMIEG, 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

Plaintiff

v.

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

Defendant

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**NOTICE**

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

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

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

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

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

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

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

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

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

1. Plaintiff is

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

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

PHH MORTGAGE CORPORATION F/K/A CENDANT  
3000 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

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

3. On 02/17/2005 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: 200502430.
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 09/01/2005 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.

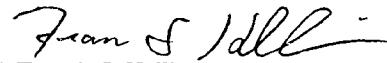
6. The following amounts are due on the mortgage:

|   |                     |
|---|---------------------|
| Principal Balance                                   | \$50,801.05         |
| Interest  | 2,201.58            |
| 08/01/2005 through 01/09/2006<br>(Per Diem \$13.59) |                     |
| Attorney's Fees                                     | 1,250.00            |
| Cumulative Late Charges<br>02/17/2005 to 01/09/2006 | 64.76               |
| Cost of Suit and Title Search                       | <u>\$ 550.00</u>    |
| Subtotal  | \$ 54,867.39        |
| Escrow  |                     |
| Credit  | 0.00                |
| Deficit   | 132.72              |
| Subtotal  | <u>\$ 132.72</u>    |
| <b>TOTAL</b>  | <b>\$ 55,000.11</b> |

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 55,000.11, together with interest from 01/09/2006 at the rate of \$13.59 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.

PHELAN HALLINAN & SCHMIEG, LLP



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

## LEGAL DESCRIPTION

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

PROPERTY BEING: 411 KNARR STREET

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

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.

31/00

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1-9-06

# **Exhibit “B”**

phs#128761

PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG  
Identification No. 62205  
One Penn Center at Suburban Station - Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

FILED  
MAY 01 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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

ATTORNEY FILE COPY  
PLEASE RETURN

Plaintiff,

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.

NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

CIVIL DIVISION

NO. 2006-57-CD

Defendant(s).

ATTORNEY FILE COPY  
PLEASE RETURN

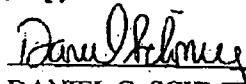
PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

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

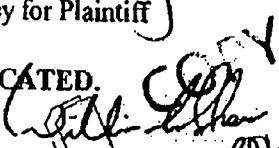
|                               |                            |
|-------------------------------|----------------------------|
| As set forth in the Complaint | \$ 55,000.11               |
| Interest - 1/10/06 to 4/28/06 | \$ 1,481.31                |
| <b>TOTAL</b>                  | <b><u>\$ 56,481.42</u></b> |

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5/1/06

  
PRO PROTHY

**VERIFICATION**

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 10/21/06

By:   
Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc.

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Nancy M. Mayhew

: No. 2006-57-CD

Defendant

**CERTIFICATION OF SERVICE**

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages and Brief in Support thereof were sent to the following individual on the date indicated below.

Nancy M. Mayhew  
411 Knarr Street  
Du Bois, PA 15801

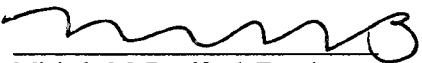
Nancy M. Mayhew  
1037 Treasure Lake  
Du Bois, PA 15801

Nancy M. Mayhew  
1072 Shinebone Road  
Reynoldsville, PA 15851

DATE: 10/21/00

By:

Phelan Hallinan & Schmieg, LLP

  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

**FILED**

**JUN 22 2006**

*William A. Shaw*  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

JA

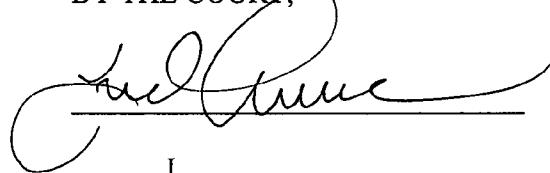
Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas  
Plaintiff : Civil Division  
vs. : Clearfield County  
Nancy M. Mayhew : No. 2006-57-CD  
Defendant

**ORDER**

AND NOW, this 23 day of June 2006, upon consideration of Plaintiff's Motion to Reassess Damages, a Rule is hereby issued upon Defendant to appear and show cause why the motion should not be granted.

Argument is scheduled for the 18th day of July 2006, at 11:30 in Courtroom A.M.  
No. 1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,



J.

FILED <sup>2cc</sup>  
O 3 25 2006 Atty Bradford  
JUN 23 2006 (CR)

William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

**JUN 23 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

**DATE:** 6/23/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:  
\_\_\_\_ Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

PHELAN HALLINAN & SCHMIEG  
by: MICHELE M. BRADFORD, Esquire  
Atty. I.D. No. 69849  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19102-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas  
Plaintiff : Civil Division  
vs. : Clearfield County  
Nancy M. Mayhew : No. 2006-57-CD  
Defendant

**CERTIFICATION OF SERVICE**

I, MICHELE M. BRADFORD, Esquire, hereby certify that a true and correct copy of our Motion to Reassess Damages noting a Rule Return date of five July 18, 2006 has been served upon the following persons:

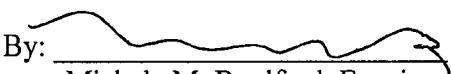
Nancy M. Mayhew  
411 Knarr Street  
Du Bois, PA 15801

Nancy M. Mayhew  
1037 Treasure Lake  
Du Bois, PA 15801

Nancy M. Mayhew  
1072 Shinebone Road  
Reynoldsville, PA 15851

PHELAN HALLINAN & SCHMIEG, LLP

Date: 10/28/06

By:   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

FILED NO  
MIO:SLB/CC  
JUN 29 2006  


William A. Shaw  
Prothonotary/Clerk of Courts

CA

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

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas  
Plaintiff : Civil Division  
vs. : Clearfield County  
Nancy M. Mayhew : No. 2006-57-CD  
Defendant

**ORDER**

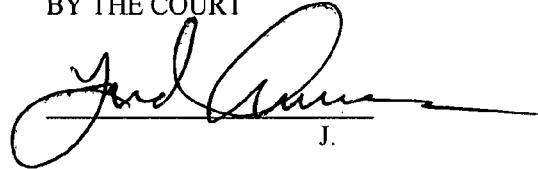
AND NOW, this 18<sup>th</sup> day of July, 2006 the Prothonotary is ORDERED to amend the judgment in this case as follows:

|                         |                        |
|-------------------------|------------------------|
| Principal Balance       | \$50,801.05            |
| Interest Through 8/4/06 | 4,930.81               |
| Per Diem \$13.39        |                        |
| Late Charges            | 86.56                  |
| Legal fees              | 1,675.00               |
| Cost of Suit and Title  | 1,412.50               |
| Sheriff's Sale Costs    | 2,395.07               |
| Property Inspections    | 0.00                   |
| Appraisal/BPO           | 105.00                 |
| MIP/PMI                 | 0.00                   |
| NSF                     | 0.00                   |
| Suspense/Misc. Credits  | 0.00                   |
| Escrow Deficit          | <u>445.74</u>          |
| <br><b>TOTAL</b>        | <br><b>\$61,851.73</b> |

Plus interest from 8/4/06 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT



J. Ford Shaw

**FILED** *acc*  
JUL 18 2006 Atty Chota  
on behalf of  
William A. Shaw  
Prothonotary/Clerk of Courts  
Holloman & Bradford  
©

128761

DATE: 7/18/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Prothonotary/Clerk of Court  
William A. Shaw

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

FILED  
JUL 18 2006

PHELAN HALLINAN & SCHMIEG, LLP  
 by: Michele M. Bradford, Esquire  
 Atty. I.D. No. 69849  
 One Penn Center, Suite 1400  
 1617 John F. Kennedy Boulevard  
 Philadelphia, PA 19103-1814  
 (215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas

Plaintiff : Civil Division

vs. : Clearfield County

Nancy M. Mayhew : No. 2006-57-CD

Defendant

**MEMORANDUM OF LAW IN SUPPORT OF**  
**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

2006

**I. BACKGROUND OF CASE**

Defendant executed a Promissory Note agreeing to pay principal, interest, late charges, real estate taxes, hazard insurance premiums, and mortgage insurance premiums as these sums became due. Plaintiff's Note was secured by a Mortgage on the Property located at 411 Knarr Street, Du Bois, PA 15801. The Mortgage indicates that in the event a default in the mortgage, Plaintiff may advance any necessary sums, including taxes, insurance, and other items, in order to protect the security of the Mortgage.

In the instant case, Defendant defaulted under the Mortgage by failing to tender numerous, promised monthly mortgage payments. Accordingly, after it was clear that the default would not be cured, Plaintiff commenced the instant mortgage foreclosure action. Judgment was subsequently entered by the Court, and the Property is currently scheduled for Sheriff's Sale.

Because of the excessive period of time between the initiation of the mortgage foreclosure action, the entry of judgment and the Sheriff's Sale date, damages as previously assessed are outdated and need to be adjusted to include current interest, real estate taxes, insurance premiums, costs of collection, and other expenses which Plaintiff has been obligated to pay under the Mortgage in order to protect its interests. It is also appropriate to give Defendant credit for monthly payments tendered through bankruptcy, if any.

## **II. INTEREST**

The Mortgage clearly requires that the Defendant shall promptly pay when due the principal and interest due on the outstanding debt. In addition, the Note specifies the rate of interest to be charged until the debt is paid in full or otherwise satisfied. Specifically, interest from 30 days prior to the date of default through the date of the impending Sheriff's sale has been requested.

## **III. TAXES AND INSURANCE**

If Plaintiff had not advanced monies for taxes and insurance throughout the foreclosure proceeding, Plaintiff would have risked loss of its collateral. If the Property were sold at a tax sale, Plaintiff's interest very well may be divested, and Plaintiff would sustain a complete loss on the outstanding balance due on the loan. If the Property were damaged in a fire, Plaintiff would not be able to obtain insurance proceeds to restore the Property if it did not pay the insurance premiums.

Most importantly, the Mortgage specifically provides that the mortgagee may advance the monies for taxes and insurance and charge these payments against the escrow account. Plaintiff is simply seeking to have the Court enforce the terms of the Mortgage.

## **IV. ATTORNEY'S FEES**

The amount of attorney's fees requested in the Motion to Reassess Damages is in accordance with the loan documents and Pennsylvania law. Pennsylvania Courts have long and repeatedly concluded that a request of five percent of the outstanding principal balance is reasonable and enforceable as an attorney's fee. Robinson v. Loomis, 51 Pa. 78 (1865); First Federal Savings and Loan Association v. Street Road Shopping Center, 68 D&C 2d 751, 755 (1974). The provision of the Mortgage which allows the Plaintiff to recover attorney's fees in the instant action is highlighted for the court's reference.

In Federal Land Bank of Baltimore v. Fetner, the Superior Court held that an attorney's fee of ten percent of the original mortgage amount is not unconscionable. 410 A.2d 344 (Pa. Super. 1979). Recently, the Superior Court cited Fetner in confirming that an attorney's fee of ten percent included in the judgment in mortgage foreclosure action was reasonable. Citicorp v. Morrisville Hampton Realty, 662 A.2d 1120 (Pa.

Super. 1995). Importantly, Plaintiff recognizes this Honorable Court's equitable authority to set attorney's fees and costs as it deems reasonable.

#### **V. LEGAL ARGUMENT TO AMEND PLAINTIFF'S IN REM JUDGMENT**

It is settled law in Pennsylvania that the Court may exercise its equitable powers to control the enforcement of a judgment and to grant any relief until that judgment is satisfied. 20 P.L.E., Judgments § 191. Stephenson v. Butts, 187 Pa.Super. 55, 59, 142 A.2d 319, 321 (1958), Chase Home Mortgage Corporation of the Southwest v. Good, 537 A.2d 22, 24 (Pa.Super. 1988).

The Supreme Court of Pennsylvania recognized in Landau v. Western Pa. Nat. Bank, 445 Pa. 117, 282 A.2d 335 (1971), that the debt owed on a Mortgage is subject to change and, in fact, can be expected to change from day to day because the bank must advance sums in order to protect its collateral. Because a Mortgage lien is not extinguished until the debt is paid, Plaintiff must protect its collateral up until the date of sale. Beckman v. Altoona Trust Co., 332 Pa. 545, 2 A.2d 826 (1939). Because a judgment in mortgage foreclosure is strictly in rem, it is critical that the judgment reflect those amounts expended by the Plaintiff in protecting the property. Meco Reality Company v. Burns, 414 Pa. 495, 200 A.2d 335 (1971). Plaintiff submits that if it goes to sale without the requested amended judgment, and if there is competitive bidding for the Property, Plaintiff will suffer a significant loss in that it would not be able to recoup monies it advanced to protect its interests. Conversely, amending the in rem judgment will not be detrimental to Defendant as it imputes no personal liability.

In B.C.Y. v. Bukovich, the Pennsylvania Superior Court reiterated its long standing rule that a Court has the inherent power to correct a judgment to conform to the facts of a case. 257 Pa. Super. 157, 390 A.2d 276 (1978). In the within case, the amount of the original judgment does not adequately reflect the additional sums due on the Mortgage due to Defendant's failure to tender payments during the foreclosure proceeding and the advances made by the mortgage company. The Mortgage plainly requires the mortgagors to tender to the mortgagee monthly payments of principal and interest until the Promissory Note accompanying the Mortgage is paid in full. The mortgagor is also required to remit to the mortgagee sufficient sums to pay monthly mortgage insurance premiums, fire insurance premiums, taxes and other assessments relating to the Property.

The mortgagor has breached the terms of the Mortgage, and Plaintiff has been forced to incur significant unjust financial losses on this loan.

**VI. CONCLUSION**

Therefore, Plaintiff respectfully submits that if the enforcement of its rights is delayed by legal proceedings, and such delays require the mortgagee to expend additional sums provided for by the Mortgage, then the expenses necessarily become part of the mortgagee's lien and should be included in the judgment.

Plaintiff respectfully requests that this Honorable Court grant its Motion to Reassess Damages. Plaintiff submits that it has acted in good faith in maintaining the Property in accordance with the Mortgage, and has relied on terms of the Mortgage with the understanding that it would recover the monies it expended to protect its collateral.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

DATE: 6/21/10

By:

Phelan Hallinan & Schmieg, LLP

  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION :  
SYSTEMS, INC. :  
Plaintiff : CIVIL DIVISION  
v. : NO. 2006-57-CD  
NANCY M. MAYHEW :  
Defendant :  
:

## ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2006, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendant, **NANCY M. MAYHEW** , by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 411 KNARR STREET, DU BOIS, PA 15801 and 1037 TREASURE LAKE, DU BOIS, PA 15801.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

**BY THE COURT:**

1

CA

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| MORTGAGE ELECTRONIC REGISTRATION | : |                       |
| SYSTEMS, INC.                    | : | CLEARFIELD COUNTY     |
|                                  | : | COURT OF COMMON PLEAS |
|                                  | : |                       |
| Plaintiff                        | : |                       |
| v.                               | : | CIVIL DIVISION        |
|                                  | : |                       |
| NANCY M. MAYHEW                  | : | NO. 2006-57-CD        |
|                                  | : |                       |
| Defendant                        | : |                       |
|                                  | : |                       |
|                                  | : |                       |
|                                  | : |                       |
|                                  | : |                       |

**FILED**  
M 11/10/06  
AUG 01 2006  
ATTY  
GIO

William A. Shaw  
Prothonotary/Clerk of Courts

**MOTION FOR SERVICE OF NOTICE OF SALE  
PURSUANT TO SPECIAL ORDER OF COURT**

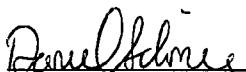
Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendant, **NANCY M. MAYHEW**, by certified mail and regular mail to 411 KNARR STREET, DU BOIS, PA 15801 and 1037 TREASURE LAKE, DU BOIS, PA 15801, and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for **NOVEMBER 3, 2006**.
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendant be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.

3. Attempts to serve Defendant with the Notice of Sale have been unsuccessful, as indicated by the Return of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 411 KNARR STREET, DU BOIS, PA 15801 and 1037 TREASURE LAKE, DU BOIS, PA 15801.

PHELAN HALLINAN & SCHMIEG, LLP

By:   
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**FULL SPECTRUM LEGAL SERVICES, INC.  
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 128761  
Attorney Firm: **Phelan, Hallinan & Schmieg, LLP**  
Subject: Nancy M. Mayhew

Property Address: 411 Knarr Street, Du Bois, PA 15801

**I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:**

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

Our search verified the following information to be true and correct  
Nancy M. Mayhew - 201-60-8689

**B. EMPLOYMENT SEARCH**

Nancy M. Mayhew - A review of the credit reporting agencies provided no employment information.

**C. INQUIRY OF CREDITORS**

Our inquiry of creditors indicated that Nancy M. Mayhew reside(s) at: 411 Knarr Street, Du Bois, PA 15801.

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

Our office contacted directory assistance, which indicated that Nancy M. Mayhew reside(s) at: 411 Knarr Street, Dubois, PA 15801. On 07-08-06 our office made a telephone call to the subject's phone number (814) 371-1797 and received the following information: disconnected.

**B. On 07-08-06 our office made several telephone calls to the phone number (814) 375-2765 and received the following information: answering machine.**

**III. INQUIRY OF NEIGHBORS**

On 07-08-06 our office made several phone calls in an attempt to contact Nelson Dennis R CPA Res (814) 371-8659, 410 Knarr Street, Du Bois, PA 15801: answering machine.

On 07-08-06 our office made a phone call in an attempt to contact James Gilbert (814) 371-2446, 412 Knarr Street, Du Bois, PA 15801: spoke with an unidentified male who could not confirm that the subject reside(s) at 411 Knarr Street, Du Bois, PA 15801.

On 07-08-06 our office made a phone call in an attempt to contact Ed Mohney (814) 372-4916, 413 Knarr Street, Du Bois, PA 15801: spoke with an unidentified male who could not confirm that the subject reside(s) at 411 Knarr Street, Du Bois, PA 15801.

**IV. ADDRESS INQUIRY**

**A. NATIONAL ADDRESS UPDATE**

On 07-08-06 we reviewed the National Address database and found the following information: Nancy M. Mayhew - 411 Knarr Street, Du Bois, PA 15801.

**B. ADDITIONAL ACTIVE MAILING ADDRESSES**

Per our inquiry of creditors, the following is a possible mailing address: no addresses on file.

**V. DRIVERS LICENSE INFORMATION**

**A. MOTOR VEHICLE & DMV OFFICE**

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Nancy M. Mayhew.

**VI. OTHER INQUIRIES**

**A. DEATH RECORDS**

As of 07-08-06 Vital Records and all public databases have no death record on file for Nancy M. Mayhew.

**B. COUNTY VOTER REGISTRATION**

The county voter registration was unable to confirm a registration for Nancy M. Mayhew residing at: last registered address.

**VII. ADDITIONAL INFORMATION OF SUBJECT**

**A. DATE OF BIRTH**

Nancy M. Mayhew - 12-16-1966

**B. A.K.A.**

Nancy M. Nrlc; Nancy M. Tibbens

**\* Our accessible databases have been checked and cross-referenced for the above named individual(s).**

**\* Please be advised our database information indicates the subject resides at the current address.**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.

Brendan Booth

AFFIANT - Brendan Booth  
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 8<sup>th</sup> day of July, 2006.

The above information is obtained from available public records  
and we are only liable for the cost of the affidavit.

IND

## AFFIDAVIT OF SERVICE

|                    |  |   |
|--------------------|--|---|
| PLAINTIFF          | MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. | CLEARFIELD County<br>No. 2006-57-CD<br>Our File #: 128761 |
| DEFENDANT(S)       | NANCY M. MAYHEW                                | Type of Action<br>- Notice of Sheriff's Sale              |
| Please serve upon: | NANCY M. MAYHEW                                |   |
| SERVE AT:          | 411 KNARR STREET<br>DU BOIS, PA 15801          | Sale Date: 8-4-06   |

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 an officer of said Defendant(s)'s company.  
 Other: \_\_\_\_\_

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_.

Notary: By: \_\_\_\_\_

### NOT SERVED

### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 8<sup>th</sup> day of June, 2006, at 6:55 o'clock P.m., Defendant NOT FOUND because:

Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_  
1st attempt Date: 6/8/06 Time: 6:55 PM, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Other: neighbors claim she moved out 7-8 weeks ago

Sworn to and subscribed  
before me this 9<sup>th</sup> day  
of June, 2006

Notary:  
Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

By: Thomas Holmley

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Marilyn A. Campbell, Notary Public  
City of Altoona, Blair County  
My Commission Expires Oct. 28, 2007  
Member, Pennsylvania Association of Notaries

## AFFIDAVIT OF SERVICE

PLAINTIFF                    MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.                    CLEARFIELD County  
DEFENDANT(S)                NANCY M. MAYHEW                    No. 2006-57-CD  
Please serve upon:            NANCY M. MAYHEW                    Our File #: 128761  
Type of Action  
- Notice of Sheriff's Sale  
SERVE AT:                    1037 TREASURE LAKE DU BOIS, PA 15801                    Sale Date: AUGUST 4, 2006

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 \_\_\_\_\_ an officer of said Defendant(s)'s company.  
 Other: \_\_\_\_\_.

Description:    Age \_\_\_\_\_    Height \_\_\_\_\_    Weight \_\_\_\_\_    Race \_\_\_\_\_    Sex \_\_\_\_\_    Other \_\_\_\_\_

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_.

Notary:                    By: \_\_\_\_\_

### NOT SERVED \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 29<sup>th</sup> day of June, 2006, at 5:13 o'clock P.m., Defendant NOT FOUND because:

Moved     Unknown     No Answer     Vacant  
1st attempt Date: 6/29 Time: 5:13 pm, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Other: \_\_\_\_\_

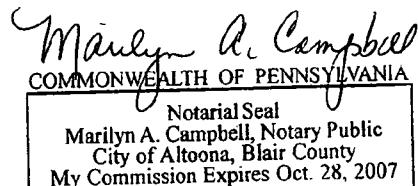
Sworn to and subscribed  
before me this 30<sup>th</sup> day  
of June, 2006

Notary:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

By: Thomas Holmberg



Member, Pennsylvania Association of Notaries

## VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: July 31, 2006

*Daniel Schmiege*  
DANIEL G. SCHMIEG, ESQUIRE

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

**MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.**

Plaintiff : **CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**v.**

: **CIVIL DIVISION**

**NANCY M. MAYHEW**

: **NO. 2006-57-CD**

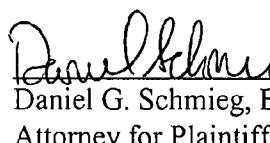
Defendant :

:  
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:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801  
and  
1037 TREASURE LAKE  
DU BOIS, PA 15801**

  
\_\_\_\_\_  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

Date: July 31, 2006

**FILED**

**AUG 01 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

\*

vs.

NANCY M. MAYHEW,

\*NO. 06-57-CD

Defendant

\*

\*

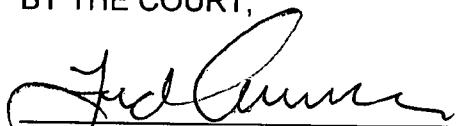
\*

O R D E R

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

FILED  
013:48/61  
AUG 14 2006

William A. Shaw  
Prothonotary/Clerk of Courts

3CC Atty Schmieg

FILED  
AUG 14 2006

William A. Shaw  
Prothonotary/Clerk of Courts

**Phelan Hallinan & Schmieg, LLP**  
By: **Daniel G. Schmieg, Esquire**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19102**  
**(215) 563-7000**

**Attorney for Plaintiff**

**MORTGAGE ELECTRONIC** : **CLEARFIELD COUNTY**  
**REGISTRATION SYSTEMS, INC.** : **COURT OF COMMON PLEAS**  
  
**Plaintiff,** :  
v. : **CIVIL DIVISION**  
  
**NANCY M. MAYHEW** : :  
  
**Defendant(s).** : :  
:

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE**  
**PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **NANCY M. MAYHEW** on **AUGUST 25, 2006** at **1037 TREASURE LAKE, DU BOIS, PA 15801 & 411 KNARR STREET, DU BOIS, PA 15801** in accordance with the Order of Court dated **AUGUST 11, 2006**. The property was posted on **AUGUST 30, 2006**. Publication was advertised in **COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT** on **AUGUST 29, 2006** & in **CLEARFIELD COUNTY LEGAL JOURNAL** on **SEPTEMBER 1, 2006**.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. 4904 relating to the unsworn falsification to authorities.

PHELAN HALLINAN & SCHMIEG, LLP

By:

DANIEL G. SCHMIEG, ESQUIRE

Dated: September 18, 2006

FILED NO CC  
M 10:38 AM  
SEP 19 2006  
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William A. Shaw  
Prothonotary/Clerk of Courts

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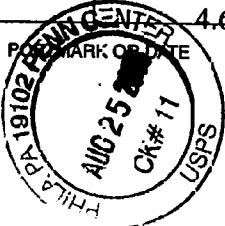
**TO:** NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

**SENDER:** PAW TEAM 4

**REFERENCE:** MAYHEW, NANCY phs#128761

PS Form 3800, January 2005

| RETURN<br>RECEIPT<br>SERVICE | Postage | .39  |
|------------------------------|---------|------|
| Certified Fee                |         | 2.40 |
| Return Receipt Fee           |         | 1.85 |
| Restricted Delivery          |         | 0.00 |
| Total Postage & Fees         |         | 4.64 |



US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

7160 3901 9849 6781 9500

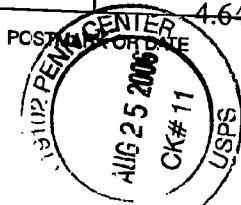
**TO:** NANCY M. MAYHEW  
1037 TREASURE LAKE  
DU BOIS, PA 15801

**SENDER:** PAW TEAM 4

**REFERENCE:** MAYHEW, NANCY phs#128761

PS Form 3800, January 2005

| RETURN<br>RECEIPT<br>SERVICE | Postage | .39  |
|------------------------------|---------|------|
| Certified Fee                |         | 2.40 |
| Return Receipt Fee           |         | 1.85 |
| Restricted Delivery          |         | 0.00 |
| Total Postage & Fees         |         | 4.64 |



US Postal Service  
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

vs.

NANCY M. MAYHEW,

Defendant

\*

\*

\*NO. 06-57-CD

\*

\*

ORDER

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge, I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

AUG 14 2006

Attest.

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts

## AFFIDAVIT OF SERVICE

|  |  |   |
|--|--|---|
| PLAINTIFF  | MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. | CLEARFIELD County<br>No. 2006-57-CD<br>Our File #: 128761 |
| DEFENDANT(S)   | NANCY M. MAYHEW                                | Type of Action<br>- Notice of Sheriff's Sale              |
| **Please post premises with Notice of Sheriff's Sale per court order** |  |   |
| SERVE AT:  | 1037 TREASURE LAKE<br>DU BOIS, PA 15801        | Sale Date: NOVEMBER 3, 2006                               |

### SERVED

Served and made known to Nancy M. Mayhew, Defendant, on the 30<sup>th</sup> day of August, 2006 at 5:42, o'clock P.m., at 1037 Treasure Lake, Dubois, Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 \_\_\_\_\_ an officer of said Defendant(s)'s company.  
 Other: POSTED

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 31<sup>st</sup> day  
of AUGUST, 2006

Notary:

By: Thomas Holmberg

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Marilyn A. Campbell, Notary Public  
City of Altoona, Blair County  
My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

### NOT SERVED

### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.m., Defendant **NOT FOUND** because:

Moved  Unknown  No Answer  Vacant  
1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt  
Date: \_\_\_\_\_ Time: \_\_\_\_\_.  
Other:

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_\_.  
Notary:

By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE  
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT  
PUBLISHED BY McLEAN PUBLISHING COMPANY,**

**NOTICE OF ACTION IN MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2006-57-CD**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
vs.  
NANCY M. MAYHEW

**NOTICE**

TO: NANCY M. MAYHEW

**"NOTICE OF SHERIFF'S SALE OF REAL PROPERTY"**

TAKE NOTICE that the real estate located at 411 KNARR STREET, DUBOIS, PA 15801 is scheduled to be sold at Sheriff's Sale on Friday, NOVEMBER 3, 2006 at 10:00 A.M., CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield, PA 16830, to enforce the court judgment of \$56,481.42, obtained by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (the mortgagor).

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction, by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated

BLE FOR SAME. If above conditions are not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on DECEMBER 4, 2006, distribution will be made in accordance with the schedule unless exceptions are filed, within ten days thereof.

Daniel G. Schmieg, Esquire  
Suite 1400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
Attorney for Plaintiff

**PENNSYLVANIA  
PROVED May 16, 1929, P.L. 1784**

SS:

ssified Advertising Supervisor of the Courier-Express/Tri-  
ity and State aforesaid, being duly sworn, deposes and says that the  
Sunday, a weekly newspaper and Jeffersonian Democrat, a  
Company at 500 Jeffers Street, City of DuBois, County and State  
ice which date said, the daily publication and the weekly  
, and that a copy of the printed notice of publication is attached  
in the regular editions of the paper on the following dates, viz: the

August A.D., 2006

thorized by the Courier-Express, a daily newspaper, Tri-County  
Democrat, a weekly newspaper to verify the foregoing statement  
ated in the subject matter of the aforesaid notice of publication, and  
ne, place and character of publication are true.

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

*[Signature]*

7th day of Sept., 2006

*m. x Duttry*  
NOTARY PUBLIC

of Advertising Cost

**PUBLISHING COMPANY**

ublisher of

**TRI-COUNTY SUNDAY/  
AN DEMOCRAT**

Bois, PA

**electrum Legal Services**

advertisement

|                    |                 |
|--------------------|-----------------|
| stated dates ..... | <b>\$396.90</b> |
| .....              | <b>\$7.50</b>   |
| .....              | <b>\$404.40</b> |

ceipt for Advertising Costs

ity Sunday, a weekly newspaper, and/or Jeffersonian Democrat, a  
he aforesaid advertising and publication costs, and certifies that the

part of the Purchaser, the property will again be offered for sale by  
the Sheriff at THREE O'CLOCK p.m. on the same day. The said

879, Phone 814-371-4200

**PUBLISHING COMPANY**

ublisher of

**TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

of Publication and receipt for the Advertising costs in the subject

**NOTARIAL SEAL**  
ROBIN M. DUTTRY, NOTARY PUBLIC  
CITY OF DUBOIS, CLEARFIELD COUNTY  
MY COMMISSION EXPIRES APRIL 16, 2010

NOTICE - ACTION IN MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2006-57-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
vs.  
NANCY M. MAYHEW

NOTICE

TO: NANCY M. MAYHEW

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ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

**TITLE TO SAID PREMISES IS VESTED IN Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429**

Being Premises 411 KNARR STREET, DUBOIS, PA 15801

Improvements consist of residential property.

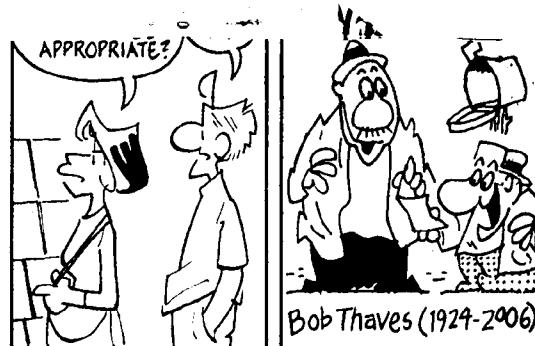
Sold as the property of NANCY M. MAYHEW

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

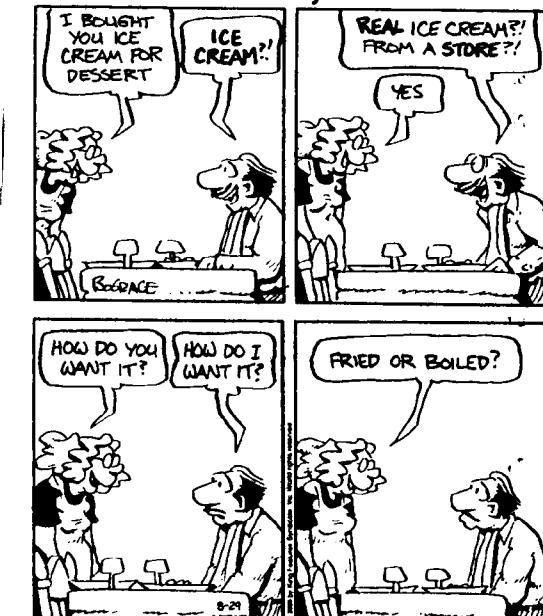
Terms: The purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with, a deed will be tendered by the Sheriff at the next Court of Common Pleas for Clearfield County, conveying to the purchaser all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINIMUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions be not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

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Daniel G. Schmieg, Esquire  
Suite 1400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
Attorney for Plaintiff



THE PIRANHA CLUB by Bud Grace



come in all ages by Phillip Alder

the board's queen. could have discarded remaining diamond tricks, but she ran on to West's king, to the diamond ace, and won the next spade play with her king. South drew trumps and led a club to dummy's queen. That lost to the king, but declarer had her nine tricks. Plus 140 was worth 44 match points out of 66.

sified ads, 371-4200 or 849-6737

## A Crossword Puzzle

38 Ave. crossers  
39 Nerve network  
40 Como — usted?  
41 Bummed out  
42 Narrow inlet  
44 Swab brand  
47 Mason's PI  
51 Gymnastics  
coach —  
Karolyi  
52 Long for  
55 "2001"  
computer  
56 Rice wine  
57 Some parents  
58 Fla. neighbor  
59 W-2 info  
60 Story line  
61 Big clock in  
London

### Answer to Previous Puzzle

|   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|
| L | O | T | D | I | G | P | U | T |
| E | R | R | O | I | L | E | O | P |
| O | B | I | S | T | E | E | R | A |
| S | M | A | C | K | S | E | X | T |
| B | A | A |   |   | F | A | X |   |
| L | O | N | E | R | M | I | N | E |
| I | N | I | T |   | P | E | E | R |
| S | U | B |   | A | L | T | S | A |
| A | S | S | A | I | L | S | A | O |
| K | L | M |   |   | G | N | P |   |
| D | A | L | A | I | T | H | I | T |
| I | C | Y |   |   | A | G | A | V |
| A | R | N |   |   | D | E | T | F |
|   |   |   |   |   |   | R | H | O |

PROOF OF PUBLICATION OF NOTICE APPEARING IN THE  
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT  
PUBLISHED BY McLEAN PUBLISHING COMPANY,  
DUBOIS PENNSYLVANIA

Under act 587, Approved May 16, 1929, P.L. 1784

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

29th day of August A.D., 2006

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 Linda Smith

Sworn and subscribed to before me this 8th day of Sept., 2006

Robin M. Duttry  
NOTARY PUBLIC



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

NOTARIAL SEAL  
ROBIN M. DUTTRY, NOTARY PUBLIC  
CITY OF DUBOIS, CLEARFIELD COUNTY  
MY COMMISSION EXPIRES APRIL 16, 2010

TO Full Spectrum Legal Services

|  |                 |
|--|-----------------|
| For publishing the notice or advertisement<br>attached hereto on the above stated dates..... | <u>\$396.90</u> |
| Probating same.....  | <u>\$7.50</u>   |
| Total.....   | <u>\$404.40</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

NOTICE OF  
ACTION IN MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2006-57-CD

MORTGAGE ELECTRONIC REGIS-  
TRATION SYSTEMS, INC. vs. NANCY M.  
MAYHEW

NOTICE  
TO: NANCY M. MAYHEW  
"NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY"

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Brenda J. Dilts, husband and wife, dated  
2-9-05, recorded 2-18-05 as Instrument #:  
200502429

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DUBOIS, PA 15801

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property.

Sold as the property of NANCY M.  
MAYHEW

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THE BUYER.

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Daniel G. Schmieg, Esquire  
Suite 1400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
Attorney for Plaintiff

ADV: September 1, 2006 & September 15, 2006.

#### TAX SALE

Notice is hereby given of the proposed private sale by the Clearfield County Tax Claim Bureau on a parcel of land in GULICH TOWNSHIP known as Map # 118-L15-617-00004 and described as: "LOT" and assessed to: RAYMOND A. & CATHERINE KOZAK.

Sale will be held on OCTOBER 18, 2006 at 9:00 AM in the Tax Claim Bureau, 230 E. Market Street, Clearfield. The property will be sold free and clear of all tax claims and tax judgments. A bid of \$300.00 has been received and accepted by the Bureau. Any party not satisfied with the accepted sale price must, within forty-five days of this notice, petition the Court of Common Pleas to disapprove the sale.

Clearfield County Tax Claim Bureau,  
230 E. Market Street, Suite 121, Clearfield,  
PA 16830.

ADV: August 18, 2006 & September 1, 2006.

#### TAX SALE

Notice is hereby given of the proposed private sale by the Clearfield County Tax Claim Bureau on a parcel of land in DUBOIS CITY 4TH WARD known as Map # 7.4-011-000-03128-A and described as " H & PART

## PROOF OF PUBLICATION

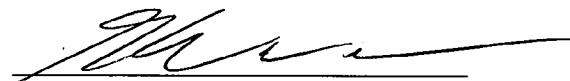
STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

On this 1st day of September AD 2006, 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 the notice or advertisement published in said publication in the regular issues of Week of September 1, 2006, Vol. 18 No. 35. 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

|                                     |
|-------------------------------------|
| NOTARIAL SEAL                       |
| SHARON J. PUSEY, Notary Public      |
| Clearfield, Clearfield County, PA   |
| My Commission Expires APRIL 7, 2007 |

Full Spectrum Legal Services  
400 Fellowship Rd Suite 220  
Mr. Laurel NJ 080854

SALE DATE: NOVEMBER 3, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

## CIVIL ACTION – LAW

**MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. No.: 2006-57-CD**

vs.

NANCY M. MAYHEW

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

**411 KNARR STREET, DU BOIS, PA 15801.**

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

Daniel L Schmieg  
DANIEL SCHMIEG, ESQUIRE  
Attorney for Plaintiff

October 2, 2006

FILED  
OCT 11 2006  
NO CC

William A. Shaw  
Prothonotary/Clerk of Courts

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

:  
: **CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

**v.**

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801**

: **CIVIL DIVISION**

: **NO. 2006-57-CD**

**Defendant(s).**

**AFFIDAVIT PURSUANT TO RULE 3129  
(Affidavit No.1)**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

**NAME** **LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)**

**NANCY M. MAYHEW** **411 KNARR STREET  
DU BOIS, PA 15801**

2. Name and address of Defendant(s) in the judgment:

**NAME** **LAST KNOWN ADDRESS (If address cannot be  
reasonably ascertained, please so indicate.)**

**Same as Above**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006

Date

Daniel Schmiege  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

|                                       |                              |
|---------------------------------------|------------------------------|
| <b>MORTGAGE ELECTRONIC</b>            | :                            |
| <b>REGISTRATION SYSTEMS, INC.</b>     | :                            |
| <b>8201 GREENSBORO DRIVE, STE 350</b> | :                            |
| <b>MCLEAN, VA 22102</b>               | :                            |
| <b>Plaintiff,</b>                     | <b>CLEARFIELD COUNTY</b>     |
| <b>v.</b>                             | <b>COURT OF COMMON PLEAS</b> |
|                                       | <b>CIVIL DIVISION</b>        |
|                                       | <b>NO. 2006-57-CD</b>        |
| <b>NANCY M. MAYHEW</b>                | :                            |
| <b>411 KNARR STREET</b>               | :                            |
| <b>DU BOIS, PA 15801</b>              | :                            |
| <b>Defendant(s).</b>                  | :                            |
|                                       | :                            |

#### **AFFIDAVIT PURSUANT TO RULE 3129**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

|   |   |
|---|---|
| NAME  | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)   |
| TENANT/OCCUPANT                               | <b>411 KNARR STREET<br/>DU BOIS, PA 15801</b>   |
| DOMESTIC<br>RELATIONS<br>CLEARFIELD<br>COUNTY | <b>CLEARFIELD COUNTY COURTHOUSE<br/>230 EAST MARKET STREET<br/>CLEARFIELD, PA 16830</b> |
| COMMONWEALTH<br>OF PENNSYLVANIA               | <b>DEPARTMENT OF WELFARE<br/>PO BOX 2675<br/>HARRISBURG, PA 17105</b>                   |

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006  
Date

Daniel Schmiege  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DATE: 5-31-06

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**

v.

**NANCY M. MAYHEW**

**TO: ALL PARTIES IN INTEREST AND CLAIMANTS**

**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

**OWNER(S): NANCY M. MAYHEW**

**PROPERTY: 411 KNARR STREET  
DU BOIS, PA 15801**

**Improvements: Residential Property**

**CLEARFIELD COUNTY**

**NO.: 2006-57-CD**

**Judgment Amount: \$56,481.42**

The above-captioned property is scheduled to be sold at the **CLEARFIELD** Sheriff's Sale on August 4, 2006 at 10:00 AM in CLEARFIELD County Courthouse, 1 North 2<sup>nd</sup> Street, Ste. 116, Clearfield, PA 16830.

Our records indicate that you may hold a mortgage, judgment, or other interest on the property, which may be extinguished by the sale. You may wish to attend the sale to protect your interests. If you have any questions regarding the type of lien or the effect of the Sheriff's Sale upon your lien, we urge you to **CONTACT YOUR OWN ATTORNEY**, as we are not permitted to give you legal advice.

The Sheriff will file a schedule of Distribution on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

CQS

CQS

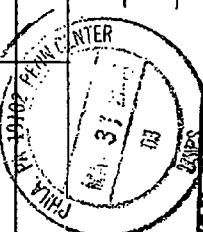
PHELAN HALLINAN & SCHMIEG

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

| Line                                       | Article Number                                    | Name of Addressee, Street, and Post Office Address   | Postage  | Fee |
|--|---|--|--|-----|
| 1  |   | TENANT/OCCUPANT<br>411 KNARR STREET<br>DUBOIS, PA 15801  |  |     |
| 2  |   | DOMESTIC RELATIONS CLEARFIELD COUNTY<br>CLEARFIELD COUNTY COURTHOUSE<br>230 EAST MARKET STREET<br>CLEARFIELD, PA 16830 |  |     |
| 3  |   | COMMONWEALTH OF PENNSYLVANIA<br>DEPARTMENT OF WELFARE<br>PO BOX 2675<br>HARRISBURG, PA 17105                           |  |     |
| 4  |   |  |  |     |
| 5  |   |  |  |     |
| 6  |   |  |  |     |
| 7  |   |  |  |     |
| 8  |   |  |  |     |
| 9  |   |  |  |     |
| 10   |   |  |  |     |
| 11   |   |  |  |     |
| 12   |   | <b>Re: NANCY M. MAYHEW(PHS#128761) PAW TEAM 4</b>  |  |     |
| Total Number of<br>Pieces Listed by Sender | Total Number of Pieces<br>Received at Post Office | Postmaster, Per (Name of Receiving<br>Employee)  | <p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.</p> |     |



UNITED STATES POSTAGE  
PA 19103-1814  
02 1A  
0004309825  
\$ 00.95<sup>0</sup>  
MAY 31 2006  
MAILED FROM ZIP CODE 19103

**PRAEICE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183**

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

NANCY M. MAYHEW.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2006-57-CD Term 2005

**PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)**

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due **\$61,851.73**

Interest from 4/29/06 to Sale  
Per diem \$9.28

145.00 Prothonotary costs

### Add'l Costs

\$8,460.90

Note: Please attach description of Property.

Attorney for the Plaintiff(s)

William A. Shaw  
Notary/Clerk of Courts

**FILED** AAtypd.20.00  
M 30/30/2006 1CC&Levants  
DEC 21 2006 to Sheriff

No. 2006-57-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

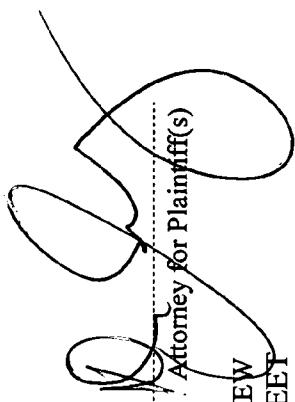
vs.

NANCY M. MAYHEW

---

PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

PROBATE AND  
WILL AND  
STATE OF CLEARFIELD  
COUNTY  
DECEMBER 2006  
FILED

**LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3  $\frac{1}{2}$  feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3  $\frac{1}{2}$  feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

**TITLE TO SAID PREMISES IS VESTED IN** Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429

Premises being: 411 KNARR STREET  
DU BOIS, PA 15801

Tax Parcel No. 011-000-03089

**PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG  
Identification No. 62205  
Suite 1400  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000**

**ATTORNEY FOR PLAINTIFF**

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

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

## CIVIL DIVISION

Y

NO. 2006-57-CD

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801**

• • • • •

**Defendant(s).**

## CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- ( ) an FHA Mortgage
- ( ) non-owner occupied
- ( ) vacant
- (X) Act 91 procedures have been fulfilled

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

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

**Plaintiff,**

**v.**

**NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801**

**Defendant(s).**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 2006-57-CD**

**AFFIDAVIT PURSUANT TO RULE 3129  
(Affidavit No.1)**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

**NAME** LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**NANCY M. MAYHEW** **411 KNARR STREET**  
**DU BOIS, PA 15801**

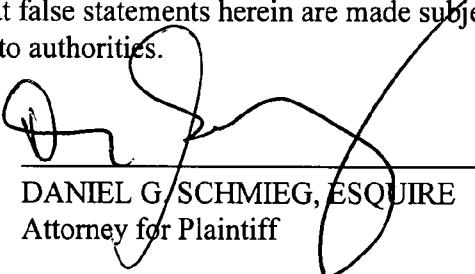
2. Name and address of Defendant(s) in the judgment:

**NAME** LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**Same as Above**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006  
Date

  
**DANIEL G. SCHMIEG, ESQUIRE**  
Attorney for Plaintiff

|   |   |                              |
|---|---|------------------------------|
| <b>MORTGAGE ELECTRONIC<br/>REGISTRATION SYSTEMS, INC.</b> | : |                              |
| <b>8201 GREENSBORO DRIVE, STE 350</b>                     | : | <b>CLEARFIELD COUNTY</b>     |
| <b>MCLEAN, VA 22102</b>                                   | : | <b>COURT OF COMMON PLEAS</b> |
| <b>Plaintiff,</b>   | : | <b>CIVIL DIVISION</b>        |
| <b>v.</b>   | : |                              |
| <b>NANCY M. MAYHEW</b>                                    | : | <b>NO. 2006-57-CD</b>        |
| <b>411 KNARR STREET</b>                                   | : |                              |
| <b>DU BOIS, PA 15801</b>                                  | : |                              |
| <b>Defendant(s).</b>                                      | : |                              |
|   | : |                              |

**AFFIDAVIT PURSUANT TO RULE 3129**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **411 KNARR STREET, DU BOIS, PA 15801**.

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

|             |   |
|-------------|---|
| NAME        | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
| <b>None</b> |   |

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT** **411 KNARR STREET**  
**DU BOIS, PA 15801**

**DOMESTIC  
RELATIONS  
CLEARFIELD**      **CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH  
OF PENNSYLVANIA** **DEPARTMENT OF WELFARE**  
**PO BOX 2675**  
**HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or 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.

May 12, 2006  
Date

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

NANCY M. MAYHEW

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20

No. 2006-57-CD Term 20 05

No. ..... Term 20

**WRIT OF EXECUTION  
(Mortgage Foreclosure)**

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 411 KNARR STREET, DU BOIS, PA 15801  
(See Legal Description attached)

|  |                   |
|--|-------------------|
| Amount Due                                       | \$61,851.73       |
| Interest from 4/29/06 to Sale<br>per diem \$9.28 | \$-----           |
| Total  | \$-----<br>145.00 |
| Add'l Costs                                      | \$8,460.90        |

*Walt M. Harlan*  
.....  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated ..... 12/11/06  
(SEAL)

No. 2006-57-CD..... Term 20 05.A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

vs.

NANCY M. MAYHEW

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

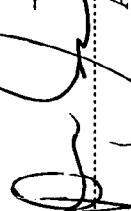
Costs

Real Debt \$61,851.73

Int. from 4/29/06  
To Date of Sale (\$9.28 per diem)

Costs

Prothy Pd. 145.00

Sheriff 

Attorney for Plaintiff(s)

Address: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3  $\frac{1}{2}$  feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3  $\frac{1}{2}$  feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

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**TITLE TO SAID PREMISES IS VESTED IN** Nancy M. Mayhew, an adult individual, **by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429**

Premises being: 411 KNARR STREET  
DU BOIS, PA 15801

Tax Parcel No. 011-000-03089

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20348  
NO: 06-57-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
vs.  
DEFENDANT: NANCY M. MAYHEW

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/12/2006

LEVY TAKEN 05/30/2006 @ 10:38 AM

POSTED 05/30/2006 @ 10:38 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 01/22/2007

DATE DEED FILED NOT SOLD

FILED  
08/556N  
JAN 22 2007  
W

William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

@ SERVED NANCY M. MAYHEW

MOVED TO SYKESVILLE UNABLE TO SERVE.

@ SERVED NANCY MAYHEW

SERVED NANCY MAYHEW, DEFENDANT, BY REG. & CERT. MAIL PER COURT ORDER TO 1037 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA CERT #70050390000372351681. CERT. RETURNED UNCALIMED TO SHERIFF'S OFFICE ON 10/11/06.

@ SERVED

NOW, JULY 28, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR AUGUST 4, 2006 TO NOVEMBER 3, 2006.

@ SERVED

NOW, AUGUST 14, 2006 RECEIVED A COURT ORDER WITH DIRECTIONS FOR SERVICE ON DEFENDANT.

@ SERVED

NOW, NOVEMBER 2, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR NOVEMBER 3, 2006 AND RETURN THE WRIT TO THE PROTHONOTARY'S OFFICE DUE TO BANKRUPTCY FILING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20348  
NO: 06-57-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
vs.  
DEFENDANT: NANCY M. MAYHEW

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$224.52

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
In   
Chester A. Hawkins  
Sheriff

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

NANCY M. MAYHEW

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 2006-57-CD Term 20 Q5  
No. ..... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 411 KNARR STREET, DU BOIS, PA 15801  
(See Legal Description attached)

|  |             |
|--|-------------|
| Amount Due                                       | \$56,481.42 |
| Interest from 4/29/06 to Sale<br>per diem \$9.28 | \$-----     |
| Total  | \$-----     |
| Add'l Costs                                      | \$3,120.00  |

**Prothonotary costs 125. -**

*Call*  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 5-12-06  
(SEAL)

Received May 12, 2006 @ 3:15 P.M.  
Chester A. Hawkins  
by Cynthia Butler Aughenbaugh

No. 2006-57-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

vs.

NANCY M. MAYHEW

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt \$56,481.42

Int. from 4/29/06  
To Date of Sale (\$9.28 per diem)

Costs \_\_\_\_\_

Prothy Rd. \_\_\_\_\_

Sheriff \_\_\_\_\_

*Nancy M. Mayhew* ..... Attorney for Plaintiff(s)

Address: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3  $\frac{1}{2}$  feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3  $\frac{1}{2}$  feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

**TITLE TO SAID PREMISES IS VESTED IN** Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429

Premises being: 411 KNARR STREET  
DU BOIS, PA 15801

Tax Parcel No. 011-000-03089

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME NANCY M. MAYHEW NO. 06-57-CD

NOW, January 20, 2007, 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 , I exposed the within described real estate of Nancy M. Mayhew to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

|                            |                 |
|----------------------------|-----------------|
| RDR                        | 15.00           |
| SERVICE                    | 15.00           |
| MILEAGE                    | 16.91           |
| LEVY                       | 15.00           |
| MILEAGE                    | 16.91           |
| POSTING                    | 15.00           |
| CSDS                       | 10.00           |
| COMMISSION                 | 0.00            |
| POSTAGE                    | 15.70           |
| HANDBILLS                  | 15.00           |
| DISTRIBUTION               | 25.00           |
| ADVERTISING                | 15.00           |
| ADD'L SERVICE              |                 |
| DEED                       |                 |
| ADD'L POSTING              |                 |
| ADD'L MILEAGE              |                 |
| ADD'L LEVY                 |                 |
| BID/SETTLEMENT AMOUNT      |                 |
| RETURNS/DEPUTIZE           |                 |
| COPIES                     | 15.00           |
|                            | 5.00            |
| BILLING/PHONE/FAX          | 10.00           |
| CONTINUED SALES            | 20.00           |
| MISCELLANEOUS              |                 |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$224.52</b> |

**DEED COSTS:**

|                         |               |
|-------------------------|---------------|
| ACKNOWLEDGEMENT         |               |
| REGISTER & RECORDER     |               |
| TRANSFER TAX 2%         | 0.00          |
| <b>TOTAL DEED COSTS</b> | <b>\$0.00</b> |

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                                |                         |
|--------------------------------|-------------------------|
| DEBT-AMOUNT DUE                | 56,481.42               |
| INTEREST @ 9.2800              | (6,796,950.4            |
| FROM 04/29/2006 TO             |                         |
| PROTH SATISFACTION             |                         |
| LATE CHARGES AND FEES          |                         |
| COST OF SUIT-TO BE ADDED       |                         |
| FORECLOSURE FEES               |                         |
| ATTORNEY COMMISSION            |                         |
| REFUND OF ADVANCE              |                         |
| REFUND OF SURCHARGE            | 20.00                   |
| SATISFACTION FEE               |                         |
| ESCROW DEFICIENCY              |                         |
| PROPERTY INSPECTIONS           |                         |
| INTEREST                       |                         |
| MISCELLANEOUS                  |                         |
| <b>TOTAL DEBT AND INTEREST</b> | <b>(\$6,740,448.98)</b> |
| <b>COSTS:</b>                  |                         |
| ADVERTISING                    | 1,392.60                |
| TAXES - COLLECTOR              |                         |
| TAXES - TAX CLAIM              |                         |
| DUE                            |                         |
| LIEN SEARCH                    | 100.00                  |
| ACKNOWLEDGEMENT                |                         |
| DEED COSTS                     | 0.00                    |
| SHERIFF COSTS                  | 224.52                  |
| LEGAL JOURNAL COSTS            | 216.00                  |
| PROTHONOTARY                   | 125.00                  |
| MORTGAGE SEARCH                | 40.00                   |
| MUNICIPAL LIEN                 |                         |
| <b>TOTAL COSTS</b>             | <b>\$2,098.12</b>       |

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

vs.

NANCY M. MAYHEW,

Defendant

\*

\*

\*NO. 06-57-CD

\*

\*

ORDER

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge  
I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

AUG 14 2006

Attest.

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Christine.Schoffler@fedphe.com](mailto:Christine.Schoffler@fedphe.com)

Christine Schoffler  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

July 23, 2006

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

ATTENTION: CINDY (814) 765-5915

Re: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**  
**v. NANCY M. MAYHEW**  
**No. 2006-57-CD**  
**411 KNARR STREET, DU BOIS, PA 15801**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for AUGUST 4, 2006.

The property is to be relisted for the NOVEMBER 3, 2006 Sheriff's Sale.

Very truly yours,

CQS

Christine Schoffler

VIA TELECOPY (814) 765-5915

CC: **NANCY M. MAYHEW**  
**411 KNARR STREET**  
**DU BOIS, PA 15801**

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Paul.Boccuti@fedphe.com

Paul M. Boccuti  
Judgment Department, Ext. 1359

Representing Lenders in  
Pennsylvania and New Jersey

November 2, 2006

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

ATTENTION: CINDY (814) 765-5915

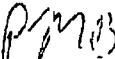
Re: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
v. NANCY M. MAYHEW  
No. 2006-57-CD  
441 KNARR STREET, DU BOIS, PA 15801

Dear Cindy:

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

The Defendant filed a Chapter 13 Bankruptcy (No. 06-11267) on 10/6/06.

Very truly yours,

  
Paul M. Boccuti

VIA E-MAIL/COPY (814) 765-5915



**SENDER: COMPLETE THIS SECTION**

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

**1. Article Addressed to:**

NANCY M. MAYHEW  
411 KNARR STREET  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

|   |   |
|---|---|
| <b>A. Signature</b>   | <input checked="" type="checkbox"/> Agent |
| <b>X</b>  | <input type="checkbox"/> Addressee        |
| <b>B. Received by (Printed Name)</b>  | <b>C. Date of Delivery</b>                |
| <b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No |   |

If YES, enter delivery address below:

**3. Service Type**

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

**4. Restricted Delivery? (Extra Fee)**

Yes

**2. Article Number  
(Transfer from service label)**

7005 0390 0003 7235 1926

PS Form 3811, February 2004

Domestic Return Receipt

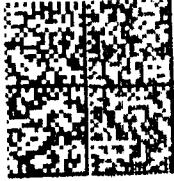
102505-02-M-1540

CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830  
Address Service Requested

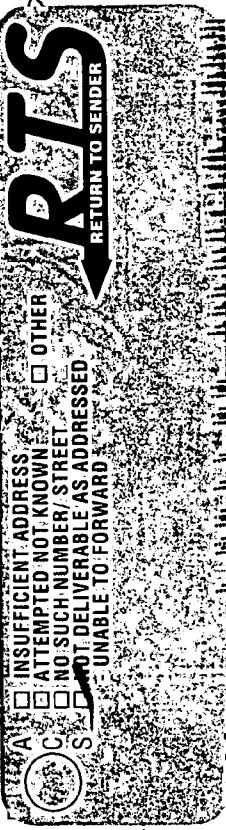


016H16505405  
**\$ 00.630**  
10/02/2006  
Mailed From 16830  
US POSTAGE

Hassler



NANCY MAYHEW  
1037 TREASURE LAKE



6503

PLACE STAMPS AT TOP OF ENVELOPE. PRINT OR DO IT WITH INK.  
DO THE REVERSE SIDE OF THE ENVELOPE.

**SENDER: COMPLETE THIS SECTION**

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

**1. Article Addressed to:**

NANCY MAYHEW  
1037 TREASURE LAKE  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

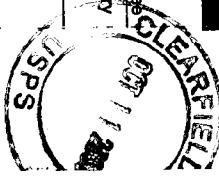
Agent  
 Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

**D. Is delivery address different from item 1?**  Yes  
 No

If YES, enter delivery address below:



|   |                          |
|---|--------------------------|
| 2. Article Number<br><i>(Transfer from service label)</i> | 7005 0390 0003 7235 1681 |
|---|--------------------------|

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

UNIVERSITY MAIL™

CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830  
Address Service Required

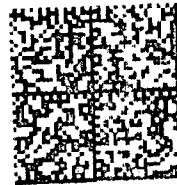


016H16505405

\$ 04.88

10/02/2006

MAILED FROM 16830  
US POSTAGE



Letter

7005 0390 0003 7235 1681

10/02/2006

NANCY MAYHEW  
1037 TREASURE LAKE

10/3  
A  
C  
S

- INSUFFICIENT ADDRESS
- ATTEMPTED NOT KNOWN
- NOT SUCH NUMBER STREET
- NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

**RTS**  
RETURN TO SENDER

10/02/2006

10/02/2006

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

10/02/2006  
CERTIFIED MAIL RECEIPT

|   |          |            |
|---|----------|------------|
| Postage   | \$ 01.43 | 10/02/06   |
| Certified Fee                                     | \$ 1.85  | 10/02/06   |
| Return Receipt Fee<br>(Endorsement Required)      | \$ 1.85  | 10/02/06   |
| Restricted Delivery Fee<br>(Endorsement Required) | \$ 0.00  | 10/02/06   |
| Total Postage & Fees                              | \$ 4.88  | 10/02/2006 |

Sent To

NANCY MAYHEW  
1037 TREASURE LAKE  
-DUBOIS, PA 15801  
City, State, Zip+4

PS Form 3800, June 2002

See Reverse for Instructions

**FILED**

JAN 22 2007

William A. Shaw  
Prothonotary/Clerk of Courts

**Phelan Hallinan & Schmieg, LLP**  
By: Daniel G. Schmieg, Esquire  
Attorney I.D. No.: 62205  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19102**  
**(215) 563-7000**

**Attorney for Plaintiff**

**MORTGAGE ELECTRONIC** : **CLEARFIELD COUNTY**  
**REGISTRATION SYSTEMS, INC.** : **COURT OF COMMON PLEAS**  
  
**Plaintiff,** :  
**v.** : **CIVIL DIVISION**  
  
**NANCY M. MAYHEW** :  
  
**Defendant(s).** :

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE**  
**PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **NANCY M. MAYHEW** on **JANUARY 26, 2007** at **411 KNARR STREET, DU BOIS, PA 15801 & 1037 TREASURE LAKE, DUBOIS, PA 15801** in accordance with the Order of Court dated **AUGUST 11, 2006**. The property was posted on **FEBRUARY 1, 2007**. Publication was advertised in **CLEARFIELD COUNTY LEGAL JOURNAL** on **FEBRUARY 2, 2007** & in **THE PROGRESS** on **FEBRUARY 5, 2007**.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. 4904 relating to the unsworn falsification to authorities.

PHELAN HALLINAN & SCHMIEG, LLP

By:

*Daniel Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE

Dated: March 14, 2007

FILED <sup>no cc</sup>  
MAR 15 2007  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

7160 3901 9849 6941 7370

7160 3901 9849 6941 7394

TO:NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

TO:NANCY M. MAYHEW  
1037 TREASURE LAKE  
DUBOIS, PA 15801

SENDER:

kam



REFERENCE128761

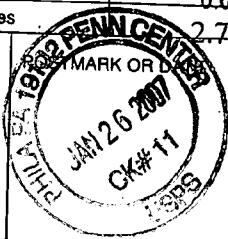
PS Form 3800, January 2005

|                              |                      |      |
|------------------------------|----------------------|------|
| RETURN<br>RECEIPT<br>SERVICE | Postage              | .39  |
|                              | Certified Fee        | 2.40 |
|                              | Return Receipt Fee   | 0.00 |
|                              | Restricted Delivery  | 0.00 |
|                              | Total Postage & Fees | 2.79 |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



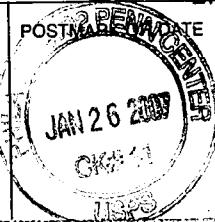
PS Form 3800, January 2005

|                              |                      |      |
|------------------------------|----------------------|------|
| RETURN<br>RECEIPT<br>SERVICE | Postage              | .39  |
|                              | Certified Fee        | 2.40 |
|                              | Return Receipt Fee   | 0.00 |
|                              | Restricted Delivery  | 0.00 |
|                              | Total Postage & Fees | 2.79 |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

vs.

NANCY M. MAYHEW,

Defendant

\*

\*

\*NO. 06-57-CD

\*

\*

ORDER

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge  
I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

AUG 14 2006

Attest.

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts

## **AFFIDAVIT OF SERVICE**

|                                      |  |   |
|--------------------------------------|--|---|
| PLAINTIFF                            | MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. | CLEARFIELD County<br>No. 2006-57-CD<br>Our File #: 128761 |
| DEFENDANT(S)                         | NANCY M. MAYHEW                                |   |
| PLEASE POST PREMISES PER COURT ORDER |  | Type of Action<br>- Notice of Sheriff's Sale              |
| SERVE AT:                            | 411 KNARR STREET<br>DU BOIS, PA 15801          | Sale Date: 3/2/07   |

**SERVED**

Served and made known to Nancy Mayhew, Defendant, on the 1<sup>ST</sup> day of February, 2007, at 115, o'clock P.m., at 411 Knorr St, Dubois, PA 15801, Commonwealth of Pennsylvania, in the manner described below:

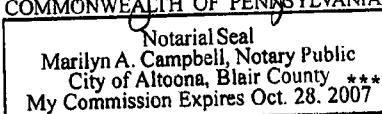
Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 Other: POSTEN ON FRONT DOOR an officer of said Defendant(s)'s company.

Description:      Age \_\_\_\_\_      Height \_\_\_\_\_      Weight \_\_\_\_\_      Race \_\_\_\_\_      Sex \_\_\_\_\_      Cat \_\_\_\_\_

I, D.M. ELLIS, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above. POSTED

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of February 2007

of January, 2007  
Notary: Marilyn A. Campbell  
COMMONWEALTH OF PENNSYLVANIA



By: *J. M. Ellis*  
J. M. ELLIS

**NOT SERVED**

## NOT SERVED

## PT SERVICE NL

**NOT SERVED**  
**ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\***

On the Member Penetanguishene Association of Notaries 200 at 6:30 a.m. D.S.T. AND NOTIFICATION

\_\_\_\_ Moved \_\_\_\_ Unknown \_\_\_\_ No Answer  
1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_.  
Other: \_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_ day  
of \_\_\_\_ 200

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

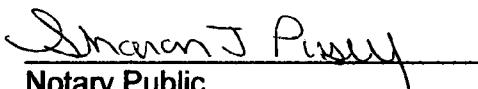
COUNTY OF CLEARFIELD : :

On this 2nd day of February AD 2006, 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 the notice or advertisement published in said publication in the regular issues of Week of February 2, 2007, Vol. 18 No. 5. 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

|                                     |
|-------------------------------------|
| NOTARIAL SEAL                       |
| SHARON J. PUSEY, Notary Public      |
| Clearfield, Clearfield County, PA   |
| My Commission Expires APRIL 7, 2007 |

Full Spectrum Legal Services  
400 Fellowship Rd Suite 220  
Mt. Laurel NJ 08054

WITH INFORMATION ABOUT AGENCIES  
THAT MAY OFFER LEGAL SERVICES TO  
ELIGIBLE PERSONS AT A REDUCED FEE  
OR NO FEE.

LAWYERS REFERRAL SERVICE,  
David S. Meholick, Court Administrator,  
Clearfield County Courthouse, Clearfield, PA  
16830, 814.765.2641 x5982.

MARK J. UDREN, ATTORNEY FOR  
PLAINTIFF, UDREN LAW OFFICES, P.C.,  
WOODCREST CORPORATE CENTER,  
111 WOODCREST ROAD, SUITE 200,  
CHERRY HILL, NJ 08003-3620, 856-669-  
5400.

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

NOTICE OF ACTION IN MORTGAGE  
FORECLOSURE  
CHASE HOME FINANCE Vs. DAVID S.  
KRAUSE, TONYA L. KRAUSE, A/K/A  
TONY KRAUSE

• TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

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

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

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

NOTICE OF ACTION IN MORTGAGE  
FORECLOSURE

CHASE HOME FINANCE Vs. DAVID S.  
KRAUSE, TONYA L. KRAUSE, A/K/A  
TONYA L. STRICKER

COURT OF COMMON PLEAS

CIVIL DIVISION

CLEARFIELD COUNTY

NO. 06-1599-CD

NOTICE

TO DAVID S. KRAUSE:

You are hereby notified that on OCTOBER 10, 2006, Plaintiff, CHASE HOME FINANCE, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CLEARFIELD COUNTY Pennsylvania, docketed to No. 06-1599-CD. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 14086 TYRONE PIKE, CURWENSVILLE, PA 16833 whereupon your 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

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 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, GO TO OR

(814) 755-2641 x 5982

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

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2006-57-CD

NOTICE OF ACTION IN MORTGAGE  
FORECLOSURE

MORTGAGE ELECTRONIC REGIS-  
TRATION SYSTEMS, INC. vs. NANCY M.  
MAYHEW

NOTICE

TO: NANCY M. MAYHEW  
"NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY"

TAKE NOTICE that the real estate located at 411 KNARR STREET, DUBOIS, PA 15801 is scheduled to be sold at Sheriff's Sale on Friday, MARCH 2, 2007 at 10:00 A.M., CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield, PA 16830, to enforce the court judgment of \$61,851.73, obtained by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (the mortgagee).

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands

NOTICE OF ACTION  
IN MORTGAGE FORECLOSURE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW  
NO. 2006-57-CD  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.  
vs.  
NANCY M. MAYHEW  
NOTICE  
TO: NANCY M. MAYHEW  
"NOTICE OF SHERIFF'S  
SALE OF  
REAL PROPERTY".

TAKE NOTICE that the real estate located at 411 KNARR STREET, DUBOIS, PA 15801 is scheduled to be sold at Sheriff's Sale on Friday, MARCH 2, 2007 at 10:00 A.M., CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield, PA 15830, to enforce the court judgment of \$61,851.73, obtained by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (the mortgagor). ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street, being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

TITLE TO SAID PREMISES IS  
VESTED IN Nancy M. Mayhew, an  
adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded as Instrument # 200502429.

Being Premises 411 KNARR  
STREET, DUBOIS, PA 15801  
Improvements consist of residential property.

Sold as the property of NANCY M.  
MAYHEW

CONDITIONS OF SALE: THE  
HIGHEST AND BEST BIDDER  
SHALL BE THE BUYER.

Terms: The purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with, a deed will be tendered by the Sheriff at the next Court of Common Pleas for Clearfield County, conveying to the purchaser all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINIMUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions are not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on APRIL 2, 2007, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

Daniel G. Schmieg,  
Esquire  
Suite 1400  
One Penn Center  
1617 John F. Kennedy  
Boulevard  
Philadelphia, PA 19103-1814  
(215)563-7000  
Attorney for Plaintiff

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 5th day of February, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of February 2, 2007.  
And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

*Margaret E. Krebs*

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

*Cheryl J. Robison*  
Notary Public

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Clearfield, Pa. Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007  
Member, Pennsylvania Association Of Notaries

**Phelan Hallinan & Schmieg, LLP**  
By: Daniel G. Schmieg, Esquire  
Attorney I.D. No.: 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19102  
(215) 563-7000

**Attorney for Plaintiff**

**MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.**

:  
: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
: **CIVIL DIVISION**  
: **NO. 2006-57-CD**  
:  
:

**Plaintiff,**

**v.**

**NANCY M. MAYHEW**

**Defendant(s).**

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE  
PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **NANCY M. MAYHEW** on **JANUARY 26, 2007** at **411 KNARR STREET, DU BOIS, PA 15801 & 1037 TREASURE LAKE, DUBOIS, PA 15801** in accordance with the Order of Court dated **AUGUST 11, 2006**. The property was posted on **FEBRUARY 1, 2007**. Publication was advertised in **CLEARFIELD COUNTY LEGAL JOURNAL** on **FEBRUARY 2, 2007** & in **THE PROGRESS** on **FEBRUARY 5, 2007**.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. 4904 relating to the unsworn falsification to authorities.

**PHELAN HALLINAN & SCHMIEG, LLP**

By:

*Daniel Schmieg*  
**DANIEL G. SCHMIEG, ESQUIRE**

Dated: March 14, 2007

*FILED NOCC  
M 12:51 PM  
MAR 16 2007  
5*  
William A. Shaw  
Prothonotary/Clerk of Courts

7160 3901 9849 6941 7370

7160 3901 9849 6941 7394

TO: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

TO: NANCY M. MAYHEW  
1037 TREASURE LAKE  
DUBOIS, PA 15801

SENDER: kam  
REFERENCE: 128761

Kam A  
128761

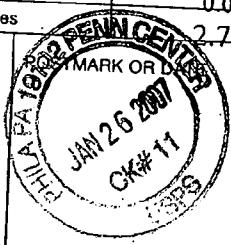
PS Form 3800, January 2005

| RETURN<br>RECEIPT<br>SERVICE | Postage              | .39  |
|------------------------------|----------------------|------|
|                              | Certified Fee        | 2.40 |
|                              | Return Receipt Fee   | 0.00 |
|                              | Restricted Delivery  | 0.00 |
|                              | Total Postage & Fees | 2.79 |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



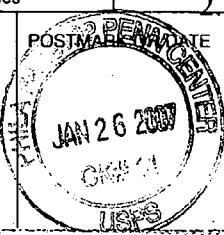
PS Form 3800, January 2005

| RETURN<br>RECEIPT<br>SERVICE | Postage              | .39  |
|------------------------------|----------------------|------|
|                              | Certified Fee        | 2.40 |
|                              | Return Receipt Fee   | 0.00 |
|                              | Restricted Delivery  | 0.00 |
|                              | Total Postage & Fees | 2.79 |

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

vs.

NANCY M. MAYHEW,

Defendant

\*  
\*  
\*NO. 06-57-CD  
\*  
\*

O R D E R

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge  
I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

AUG 14 2006

Attest,



William L. Ammerman  
Prothonotary/  
Clerk of Courts

## **AFFIDAVIT OF SERVICE**

|                                      |  |   |
|--------------------------------------|--|---|
| PLAINTIFF                            | MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. | CLEARFIELD County<br>No. 2006-57-CD<br>Our File #: 128761 |
| DEFENDANT(S)                         | NANCY M. MAYHEW                                |   |
| PLEASE POST PREMISES PER COURT ORDER |  | Type of Action<br>- Notice of Sheriff's Sale              |
| SERVE AT:                            | 411 KNARR STREET<br>DU BOIS, PA 15801          | Sale Date: 3/2/07   |

**SERVED**

Served and made known to Nancy Mayhew, Defendant, on the 1<sup>ST</sup> day of February, 2007, at 115, o'clock P.m., at 411 King St., Dubois, PA 15801, Commonwealth of Pennsylvania, in the manner described below:

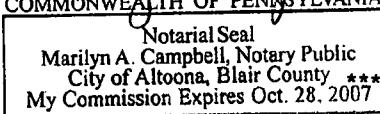
Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 X Other: *Posten on Front Page* an officer of said Defendant(s)'s company.

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, D.M. ELLIS, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above. *POSTED*

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of February 2007

Notary: *Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA



By: *J. M. Ellis*  
*J. M. ELLIS*

**NOT SERVED**

#### PT SERVICE NLT T

**ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\***

On the Member, Pennsylvania Association of Notaries, 200, at \_\_\_\_\_ o'clock a.m. Defendant **NOT FOUND** because \_\_\_\_\_

Moved  Unknown  No Answer  Vacant  
1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt  
Date: \_\_\_\_\_ Time: \_\_\_\_\_.  
Other: \_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200

## PROOF OF PUBLICATION

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2006-57-CD

NOTICE OF ACTION IN MORTGAGE  
FORECLOSURE

MORTGAGE ELECTRONIC REGIS-  
TRATION SYSTEMS, INC. vs. NANCY M.  
MAYHEW

NOTICE  
TO: NANCY M. MAYHEW  
"NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY"

TAKE NOTICE that the real estate  
located at 411 KNARR STREET, DUBOIS,  
PA 15801 is scheduled to be sold at Sheriff's  
Sale on Friday, MARCH 2, 2007 at 10:00  
A.M., CLEARFIELD County Courthouse, 1  
North 2nd Street, Ste. 116, Clearfield, PA  
16830, to enforce the court judgment of  
\$61,851.73, obtained by MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC. (the mortgagee).

ALL those certain pieces, parcels or lots  
of land lying and being situate in the Fourth  
Ward of the City of DuBois, Clearfield  
County, Pennsylvania, being bounded and  
described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at  
a post on the Easterly side of Knarr Street  
and the Southwest corner of other lands

STATE OF PENNSYLVANIA : :

COUNTY OF CLEARFIELD : :

On this 2nd day of February AD 2006, 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 the notice or  
advertisement published in said publication in the regular issues of Week of  
February 2, 2007, Vol. 18 No. 5. 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

NOTARIAL SEAL  
SHARON J. PUSEY, Notary Public  
Clearfield, Clearfield County, PA  
My Commission Expires APRIL 7, 2007

Full Spectrum Legal Services  
400 Fellowship Rd Suite 220  
Mt. Laurel NJ 08054

NOTICE OF ACTION  
IN MORTGAGE FORECLOSURE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW  
NO. 2006-57-CD  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.  
vs.  
NANCY M. MAYHEW

NOTICE  
TO: NANCY M. MAYHEW  
"NOTICE OF SHERIFF'S  
SALE OF  
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THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street, being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3 1/2 feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3 1/2 feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

TITLE TO SAID PREMISES IS VESTED IN Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded as Instrument # 200502429.

Being Premises 411 KNARR STREET, DUBOIS, PA 15801

Improvements consist of residential property.

Sold as the property of NANCY M. MAYHEW

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

Terms: The purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with, a deed will be tendered by the Sheriff at the next Court of Common Pleas for Clearfield County, conveying to the purchaser all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINIMUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on APRIL 2, 2007, distribution will be made in accordance with the Schedule unless exceptions are filed within ten days thereto.

Daniel G. Schmieg,

Esquire

Suite 1400

One Perin Center

1617 John F. Kennedy

Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

2:2-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : : SS:  
COUNTY OF CLEARFIELD :

On this 5th day of February, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of February 2, 2007. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

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

Cheryl J. Robison

Notary Public  
My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007  
Member, Pennsylvania Association Of Notaries

SALE DATE: APRIL 13, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.** No.: 2006-57-CD

vs.

**NANCY M. MAYHEW**

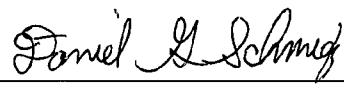
FILED  
MAY 04 2007  
APR 04 2007  
S  
William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

**411 KNARR STREET, DU BOIS, PA 15801.**

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

  
\_\_\_\_\_  
DANIEL SCHMIEG, ESQUIRE  
Attorney for Plaintiff

April 3, 2007

Name and  
Address  
of Sender

→

CQS/KAM  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

| Line   | Article Number | Name of Addressee, Street, and Post Office Address   | Postage | Fee |
|--|----------------|--|---------|-----|
| 1  |                | TENANT/OCCUPANT<br>411 KNARR STREET<br>DU BOIS, PA 15801   |         |     |
| 2  |                | DOMESTIC RELATIONS CLEARFIELD COUNTY<br>CLEARFIELD COUNTY COURTHOUSE<br>230 EAST MARKET STREET<br>CLEARFIELD, PA 16830 |         |     |
| 3  |                | COMMONWEALTH OF PENNSYLVANIA<br>DEPARTMENT OF WELFARE<br>PO BOX 2675<br>HARRISBURG, PA 17105                           |         |     |
| 4  |                |  |         |     |
| 5  |                |  |         |     |
| 6  |                |  |         |     |
| 7  |                |  |         |     |
| 8  |                |  |         |     |
| 9  |                |  |         |     |
| 10   |                |  |         |     |
| 11   |                |  |         |     |
| 12   |                | Re: NANCY M. MAYHEW(PHS#128761) KAM TEAM 4   |         |     |
| Total Number of<br>Pieces Listed by Sender   |                |  |         |     |
| Total Number of Pieces<br>Received at Post Office  |                |  |         |     |
| Postmaster, Per (Name of Receiving<br>Employee)  |                |  |         |     |
| <p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.</p> |                |  |         |     |



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20488  
NO. 06-57-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: NANCY M. MAYHEW

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 12/21/2006

LEVY TAKEN 01/11/2007 @ 10:30 AM  
POSTED 01/11/2007 @ 10:30 AM  
SALE HELD 04/13/2007  
SOLD TO PHH MORTGAGE CORPORATION  
SOLD FOR AMOUNT \$1.00 PLUS COSTS  
WRIT RETURNED 05/17/2007  
DATE DEED FILED 05/17/2007  
PROPERTY ADDRESS 411 KNARR STREET DUBOIS , PA 15801

FILED *pd \$5.00*  
0/11:50 am  
MAY 17 2007  
*WAS*

William A. Shaw  
Prothonotary/Clerk of Courts

**SERVICES**

01/18/2007 @ SERVED NANCY M. MAYHEW

SERVED NANCY M. MAYHEW, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 411 KNARR STREET, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, CERT #70060810000145072902. CERT RETRUNED 2/17/07 UNCLAIMED.

01/18/2007 @ SERVED NANCY M. MAYHEW

SERVED NANCY M. MAYHEW, DEFENDANT, BY CERT. AND REG. MAIL PER COURT ORDER TO 1037 TREASURE LAKE, DUBOIS, PA 15801 CERT #70060810000145072858.CERT RETURNED TO SHERIFF OFFICE 1/30/07.

@ SERVED

NOW, FEBRUARY 27, 2007 RECEIVED A FAX LETTER TO CONTINUE THE SHERIFF SALE SCHEDULED FOR MARCH 12, 2007 TO APRIL 13, 2007.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20488  
NO: 06-57-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: NANCY M. MAYHEW

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$235.91

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

*Chester A. Hawkins*  
*by Another Better Authentical*  
Chester A. Hawkins  
Sheriff

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

NANCY M. MAYHEW

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 2006-57-CD Term 20 05  
No. ..... Term 20

**WRIT OF EXECUTION**  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 411 KNARR STREET, DU BOIS, PA 15801  
(See Legal Description attached)

|  |                   |
|--|-------------------|
| Amount Due                                       | \$61,851.73       |
| Interest from 4/29/06 to Sale<br>per diem \$9.28 | \$-----           |
| Total  | \$-----<br>145.00 |
| Add'l Costs                                      | \$8,460.90        |

*Walt Shantz*  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated ..... 12/21/06  
(SEAL)

Received December 21, 2006 @ 3:30 P.M.

Chester A. Hawkins  
by Cynthia Butcher-Augustine

No. 2006-57-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

vs.

NANCY M. MAYHEW

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt \$61,851.73

Int. from 4/29/06  
To Date of Sale (\$9.28 per diem)

Costs

Prothy Pd. 145.00

Sheriff

Attoqey for Plaintiff(s)

Address: NANCY M. MAYHEW  
411 KNARR STREET  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of DuBois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at a post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys, 150 feet, more or less, to a post at an alley; thence South 30 degrees 45 minutes West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys, 150 feet, more or less, to said Knarr Street; thence North 30 degrees 45 minutes East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B.B. Marshall and Donna C. Marshall, husband and wife, by Deed dated November 3, 1970, and recorded in Clearfield County in Deed Book 569, Page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by Deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, Page 50 (said land now or formerly being owned by Elizabeth S. Nelson); thence North 30 degrees 45 minutes East by line of Knarr Street a distance of 3  $\frac{1}{2}$  feet to a point; thence in a Southwesterly direction by a line parallel with the property line between this and adjoining properties, a distance of 43 feet to a point; thence South 30 degrees 45 minutes West a distance of 3  $\frac{1}{2}$  feet to a point on the property line between this and adjoining properties; thence in a Northwesterly direction along the property line between this and adjoining properties a distance of 43 feet to Knarr Street and the place of beginning.

BEING further identified in the Office of Mapping and Assessment of Clearfield County as Map No. 007-4-011-000-03089.

BEING the same premises which were conveyed to William C. Dilts and Brenda J. Dilts, husband and wife, by Deed of Danny K. Kiehlmeier and Robin L. Kiehlmeier, husband and wife, said deed dated May 28, 2002 and recorded July 10, 2002 as Instrument # 200210870.

**TITLE TO SAID PREMISES IS VESTED IN** Nancy M. Mayhew, an adult individual, by Deed from William C. Dilts and Brenda J. Dilts, husband and wife, dated 2-9-05, recorded 2-18-05 as Instrument #: 200502429

Premises being: 411 KNARR STREET  
DU BOIS, PA 15801

Tax Parcel No. 011-000-03089

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME NANCY M. MAYHEW NO. 06-57-CD

NOW, May 17, 2007, 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 13, 2007, I exposed the within described real estate of Nancy M. Mayhew to public venue or outcry at which time and place I sold the same to PHH MORTGAGE CORPORATION he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

## **SHERIFF COSTS:**

## **PLAINTIFF COSTS, DEBT AND INTEREST:**

|                            |                 |                               |                   |
|----------------------------|-----------------|-------------------------------|-------------------|
| RDR SERVICE                | 15.00           | DEBT-AMOUNT DUE               | 50,801.05         |
| MILEAGE                    | 15.00           | INTEREST @ 13.3900 %          | 3,374.28          |
| LEVY                       | 15.00           | FROM 08/04/2006 TO 04/13/2007 |                   |
| MILEAGE                    | 18.43           | PROTH SATISFACTION            |                   |
| POSTING                    | 15.00           | LATE CHARGES AND FEES         | 86.56             |
| CSDS                       | 10.00           | COST OF SUIT-TO BE ADDED      | 1,412.50          |
| COMMISSION                 | 0.00            | FORECLOSURE FEES              |                   |
| POSTAGE                    | 16.48           | ATTORNEY COMMISSION           | 1,675.00          |
| HANDBILLS                  | 15.00           | REFUND OF ADVANCE             |                   |
| DISTRIBUTION               | 25.00           | REFUND OF SURCHARGE           | 20.00             |
| ADVERTISING                | 15.00           | SATISFACTION FEE              |                   |
| ADD'L SERVICE              |                 | ESCROW DEFICIENCY             | 445.74            |
| DEED                       | 30.00           | PROPERTY INSPECTIONS          |                   |
| ADD'L POSTING              |                 | INTEREST                      | 4,930.81          |
| ADD'L MILEAGE              |                 | MISCELLANEOUS                 | 105.00            |
| ADD'L LEVY                 |                 | TOTAL DEBT AND INTEREST       | \$62,850.94       |
| BID AMOUNT                 | 1.00            |                               |                   |
| RETURNS/DEPUTIZE           |                 | <b>COSTS:</b>                 |                   |
| COPIES                     | 15.00           | ADVERTISING                   | 1,495.20          |
|                            | 5.00            | TAXES - COLLECTOR             |                   |
| BILLING/PHONE/FAX          | 5.00            | TAXES - TAX CLAIM             |                   |
| CONTINUED SALES            | 20.00           | DUE                           |                   |
| MISCELLANEOUS              |                 | LIEN SEARCH                   | 200.00            |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$235.91</b> | ACKNOWLEDGEMENT               | 5.00              |
| <b>DEED COSTS:</b>         |                 | DEED COSTS                    | 30.50             |
| ACKNOWLEDGEMENT            | 5.00            | SHERIFF COSTS                 | 235.91            |
| REGISTER & RECORDER        | 30.50           | LEGAL JOURNAL COSTS           | 216.00            |
| TRANSFER TAX 2%            | 0.00            | PROTHONOTARY                  | 145.00            |
| <b>TOTAL DEED COSTS</b>    | <b>\$30.50</b>  | MORTGAGE SEARCH               | 80.00             |
|                            |                 | MUNICIPAL LIEN                |                   |
|                            |                 | <b>TOTAL COSTS</b>            | <b>\$2,407.61</b> |

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff

vs.

NANCY M. MAYHEW,

Defendant

\*

\*

\*NO. 06-57-CD

\*

\*

ORDER

NOW, this 11th day of August, 2006, the Plaintiff is granted leave to serve the Notice of Sale upon the Defendant **Nancy M. Mayhew** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known addresses, 411 Knarr Street, DuBois, PA 15801 and 1037 Treasure Lake, DuBois, PA 15801 by posting the mortgaged premises known in this herein action as 411 Knarr Street, DuBois, PA 15801.

Service of the aforementioned mailings and advertisements are to be done by Plaintiff's Attorney, who will file Affidavits of Service with the Clearfield County Prothonotary's Office.

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge *I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.*

AUG 14 2006

Attest.

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts



CHESTER A. HAWKINS

SHERIFF

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

ATTEMPT  
UNKNOWN

ATTEMPTED  
DESTITUTION  
BY  
THE  
SCHOOL  
BOAR

016-465505 405  
\$00.630  
51 18 27307  
Mailed From 16930  
US POSTAGE

NANCY M. MAYHEW  
1037 TREASURE LAKE ← This is not  
DUBOIS, PA 15801 the correct address  
This has been taken  
before 1037 off of the  
list of names

PLACE STAMPS HERE  
OR THE REVERSE SIDE OF THE ENVELOPE IF HIGH

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

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

**1. Article Addressed to:**

NANCY M. MAYHEW  
1037 TREASURE LAKE  
DUBOIS, PA 15801

|   |   |
|---|---|
| A. Signature  | <input checked="" type="checkbox"/> Agent |
| X   | <input type="checkbox"/> Addressee        |
| B. Received by (Printed Name)   | C. Date of Delivery                       |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No |   |

**3. Service Type**

|   |   |
|---|---|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail                   |
| <input type="checkbox"/> Registered     | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail   | <input type="checkbox"/> C.O.D.                         |

**4. Restricted Delivery? (Extra Fee)**

Yes

**2. Article Number**

(Transfer from service label)

700b 0810 0001 4507 2858

**PS Form 3811, February 2004**

Domestic Return Receipt

102595-02-N-1540



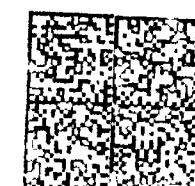


CHESTER A. HAWKINS  
SHERIFF

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



7006 0810 0001 4507 2858



Hasler

\$04.880  
01/18/2007

Mailed From 16830

US POSTAGE

NANCY M. MAYHEW  
1037 TREASURE LAKE  
DUBOIS, PA 15801

1-19-07  
1/18/01  
Hasler

Air Mail  
NOT KNOWN

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL**

|   |                |
|---|----------------|
| Postage   | \$ 1.63        |
| Certified Fee                                     | \$ 0.25        |
| Return Receipt Fee<br>(Endorsement Required)      | \$ 0.05        |
| Restricted Delivery Fee<br>(Endorsement Required) | \$ 0.00        |
| Total Postage & Fees                              | <b>\$ 4.88</b> |

Sent To

Street, Apt. No.,  
or PO Box No. .... NANCY M. MAYHEW  
City, State, Zip/4 ..... 1037 TREASURE LAKE  
DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

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

**1. Article Addressed to:**

NANCY M. MAYHEW  
411 KNARR STREET  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

|  |   |
|--|---|
| A. Signature   | <input checked="" type="checkbox"/> Agent |
| X  | <input type="checkbox"/> Addressee        |
| B. Received by (Printed Name)  | C. Date of Delivery                       |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
| If YES, enter delivery address below:  |   |

**3. Service Type**

|   |   |
|---|---|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail                   |
| <input type="checkbox"/> Registered     | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail   | <input type="checkbox"/> C.O.D.                         |

**4. Restricted Delivery? (Extra Fee)**

|                              |
|------------------------------|
| <input type="checkbox"/> Yes |
|------------------------------|

2. Article Number  
(Transfer from service label)

7006 0810 0001 4507 2902

Domestic Return Receipt

102555-02-M-1540

PS Form 3811, February 2004



CHESTER A. HAWKINS

SHERIFF

COURTHOUSE

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7006 0810 0001 4507 2902



Carrier  
1  
16911

Recorded 16911

US POSTAGE

\$04.880

01/15/07

1-24-07 VNC

NANCY M. MAYHEW  
411 KNARR STREET  
DUBOIS, PA 15801

NIXIE

165 1 25 02/15/07

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 16830247201

\*0595-08765-22-31

168302472

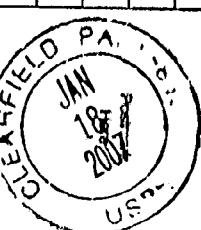
C M V

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**C O R R I D O R F I C I A L U S E**

|   |         |      |
|---|---------|------|
| 4507  | 4507    | 4507 |
| Postage   | \$ .53  |      |
| Certified Fee                                     |         |      |
| Return Receipt Fee<br>(Endorsement Required)      |         |      |
| Restricted Delivery Fee<br>(Endorsement Required) |         |      |
| Total Postage & Fees                              | \$ 4.88 |      |



7006  
Sent To  
Street, Apt. No., ..... NANCY M. MAYHEW  
or PO Box No. ..... 411 KNARR STREET  
City, State, Zip/4 ..... DUBOIS, PA 15801

PS Form 3800, June 2002

See Reverse for Instructions

Law Offices**PHELAN HALLINAN & SCHMIEG, LLP**One Penn Center at Suburban Station1617 John F. Kennedy BoulevardSuite 1400Philadelphia, PA 19103-1814[Christine.Schoffler@fedphe.com](mailto:Christine.Schoffler@fedphe.com)

Christine Schoffler  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

February 27, 2007

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

ATTENTION: CINDY (814) 765-5915

Re: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**  
v. **NANCY M. MAYHEW**  
**No. 2006-57-CD**  
**411 KNARR STREET, DU BOIS, PA 15801**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for MARCH 2, 2007.

The property is to be relisted for the APRIL 13, 2007 Sheriff's Sale.

Very truly yours,

CQS

Christine Schoffler

VIA TELECOPY (814) 765-5915