

06-206-CD
Deutsche Natl Trust Co vs Samuel T

Deutsche Bank et al vs Samuel McClelland et
2006-206-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

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. *06-2ae-CD*

CLEARFIELD COUNTY

Plaintiff

v.

SAMUEL T. MCCLELLAND JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

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. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

FILED *Any pd 85.00*
m 12:48 PM
FEB 08 2006 *4cc shff*
(un)

William A. Shaw
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

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

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

SAMUEL T. MCCLELLAND JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

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

3. On 03/17/2000 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to ADVANTA NATIONAL BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200004069. By Assignment of Mortgage recorded 07/13/2000 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Mortgage Instrument No: 200009825.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 05/22/2005 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 | \$38,266.12 |
| Interest | 2,706.30 |
| 04/22/2005 through 02/06/2006 (Per Diem \$9.30) | |
| Attorney's Fees | 1,250.00 |
| Cumulative Late Charges | 141.20 |
| 03/17/2000 to 02/06/2006 | |
| Cost of Suit and Title Search | <u>\$ 550.00</u> |
| Subtotal | \$ 42,913.62 |
| Escrow | |
| Credit | 0.00 |
| Deficit | 154.78 |
| Subtotal | <u>\$ 154.78</u> |
| TOTAL | \$ 43,068.40 |

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).
10. By Deed recorded 07/01/1999 in the office of the recorder of Clearfield County as Instrument No: 199910991 MARY D. MCCLELLAND retained a life estate interest in the mortgaged premises. According she is being named as a defendant in the foreclosure action.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 43,068.40, together with interest from 02/06/2006 at the rate of \$9.30 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 pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

BEING the same premises as were granted and conveyed unto Mary D. McClelland by deed of Mike Kolesar and Margaret Kolesar, his wife, dated August 30, 1973, entered for record in the Office for the Recording of Deeds in and for Clearfield County in Clearfield County Deed Book Vol. 660, page 99, on October 3, 1973.

PROPERTY BEING: 803 CURTAIN 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.



FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 2/6/06

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101238
NO: 06-206-CD
SERVICE # 1 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

vs.

DEFENDANT: SAMUEL T. MCCLELLAND JR. and MARY D. MCCLELLAND, LIFE TENANT

SHERIFF RETURN

NOW, February 16, 2006 AT 8:24 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON SAMUEL T. MCCLELLAND JR. DEFENDANT AT 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARY MCCLELLAND, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

FILED
07/09/06
APR 10 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101238
NO: 06-206-CD
SERVICE # 2 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

vs.

DEFENDANT: SAMUEL T. MCCLELLAND JR. and MARY D. MCCLELLAND, LIFE TENANT

SHERIFF RETURN

NOW, February 16, 2006 AT 8:24 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON SAMUEL T. MCCLELLAND JR. DEFENDANT AT 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARY MCCLELLAND, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101238
NO: 06-206-CD
SERVICE # 3 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

vs.

DEFENDANT: SAMUEL T. MCCLELLAND JR. and MARY D. MCCLELLAND, LIFE TENANT

SHERIFF RETURN

NOW, February 16, 2006 AT 8:24 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARY D. MCCLELLAND DEFENDANT AT 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARY D. MCCLELLAND, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101238
NO: 06-206-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

vs.

DEFENDANT: SAMUEL T. MCCLELLAND JR. and MARY D. MCCLELLAND, LIFE TENANT

SHERIFF RETURN

NOW, February 16, 2006 AT 8:24 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARY D. MCCLELLAND DEFENDANT AT 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARY D. MCCLELLAND, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101238
NO: 06-206-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY

vs.

DEFENDANT: SAMUEL T. MCCLELLAND JR. and MARY D. MCCLELLAND, LIFE TENANT

SHERIFF RETURN

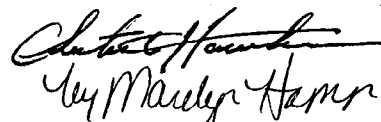
RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | PHELAN | 480778 | 40.00 |
| SHERIFF HAWKINS | PHELAN | 480778 | 60.00 |

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION
NO. 06-206-CD

FILED pd \$20.00
4/2/17 cm Statement to Atty
APR 28 2006 ICC + Notice issued
to lefts

William A. Shaw
Prothonotary

on April 28, 2006 Notice is given that a Judgment in the above captioned matter has been entered against you

BY William A. Shaw DEPUTY

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

Daniel G. Schmieg
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.

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 Attorney for Plaintiff
(215) 563-7000

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-206-CD

FILED

APR 28 2006

William A. Shaw
Prothonotary

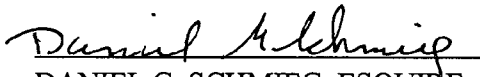
PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **SAMUEL T. MCCLELLAND, JR.** and **MARY D. MCCLELLAND, LIFE TENANT**, 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 | \$ 43,068.40 |
| Interest - 2/7/06 TO 4/27/06 | \$744.00 |
| TOTAL | <u>\$ 43,812.40</u> |

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: 4-28-06


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

DEUTSCHE BANK NATIONAL TRUST COMPANY, : COURT OF COMMON PLEAS

AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS

TRUST COMPANY OF CALIFORNIA, N.A.

Plaintiff

: CIVIL DIVISION

: CLEARFIELD COUNTY

Vs.

: NO. 06-206-CD

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE TENANT

Defendants

TO: SAMUEL T. MCCLELLAND, JR.

27 KOLESKI CLUB ROAD

OSCEOLA MILLS, PA 16666

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

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, : COURT OF COMMON PLEAS
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A. : CIVIL DIVISION
Plaintiff

Vs.

: CLEARFIELD COUNTY

: NO. 06-206-CD

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
Defendants

TO: MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

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

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127**

Plaintiff,

v.

**SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666**

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 06-206-CD

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

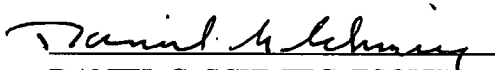
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 **SAMUEL T. MCCLELLAND, JR.** is over 18 years of age and resides at **27 KOLESKI CLUB ROAD, OSCEOLA MILLS, PA 16666.**

(c) that defendant **MARY D. MCCLELLAND, LIFE TENANT** is over 18 years of age, and resides at **27 KOLESKI CLUB ROAD, OSCEOLA MILLS, PA 16666.**

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

PHELAN HALLINAN & SCHMIEG, LLP

Suite 1400
1617 JFK Boulevard
Philadelphia, PA 19103-1814
Automated Attendant #215-320-0007
Operator Assisted #215-563-7000
Fax: 215-563-5534

CHRISTINE SCHOFFLER
Legal Assistant, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

4/27/06

Office of the Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830

**Re: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF CALIFORNIA, N.A. v. SAMUEL T. MCCLELLAND, JR.
and MARY D. MCCLELLAND, LIFE TENANT**
No. 06-206-CD

Dear Sir/ Madam:

I would appreciate your entering a Judgment against defendant(s), SAMUEL T. MCCLELLAND, JR. and MARY D. MCCLELLAND, LIFE TENANT, relative to the above matter.

All of the necessary documents are enclosed, together with my check to your order for payment of fees and costs. Kindly, send me your receipt and a stamped copy of the Praecipe for Judgment in the stamped self-addressed envelope, which I have enclosed.

If there are any questions concerning the above matter, please contact me immediately.

Very truly yours,

By: CHRISTINE SCHOFFLER
CHRISTINE SCHOFFLER

CQS
Enclosures

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

Deutsche Bank National Trust Company
Bankers Trust Company of California, N.A.
Plaintiff(s)

No.: 2006-00206-CD

Real Debt: \$43812.40

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment


Date of Entry: April 28, 2006

Expires: April 28, 2011

Vs.

Samuel T. McClelland Jr.
Mary D. McClelland
Defendant(s)

Certified from the record this April 28, 2006

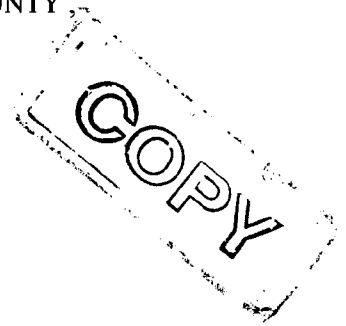


William A. Shaw, Prothonotary

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



NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Deutsche Bank National Trust Company Bankers
Trust Company of California, N.A.

Vs.

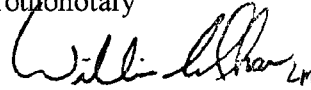
No. 2006-00206-CD

Samuel T. McClelland Jr. Mary D. McClelland

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$43812.40 on April 28, 2006.

William A. Shaw
Prothonotary



William A. Shaw

COPY

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-206-CD Term 2005...

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

To the Director of the Office of Judicial Support

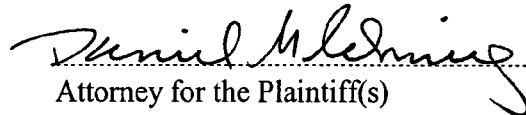
Issue writ of execution in the above matter:

Amount Due \$43,812.40

Interest from 4/27/06 to Sale \$ _____
Per diem \$7.20

Add'l Costs \$3,190.00

Prothonotary costs \$ 125.00


Attorney for the Plaintiff(s)

Note: Please attach description of Property.

FILED
MAY 12 2006
11:31 AM
William A. Shaw
Prothonotary/Clerk of Courts
1 CENT w/6 WRTS
TO SUPR

No. 06-206-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

11

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

12

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Daniel M. Schumacher

Attorney for Plaintiff(s)

Address: SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD 27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-206-CD Term 20 05

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

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: 803 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)

Amount Due \$43,812.40

Interest from 4/27/06 to Sale \$-----
per diem \$7.20

Total \$-----

Add'l Costs \$3,190.00

Prothonotary costs 125.00

(Clerk) Office of the Prothy Support, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 5-12-06
(SEAL)

No. 06-206-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$43,812.40

Int. from 4/27/06

To Date of Sale (\$7.20 per diem)

Costs

Prothy Pd.

Sheriff

Daniel M. Schumacher
Attorney for Plaintiff(s)

Address: SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD 27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-206-CD

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A., Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution
was filed, the following information concerning the real property located at **803 CURTIN STREET,**
OSCEOLA MILLS, PA 16666.

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

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

| | |
|------------------------------|---|
| SAMUEL T. MCCLELLAND, JR. | 27 KOLESKI CLUB ROAD OSCEOLA MILLS, PA 16666 |
|------------------------------|---|

| | |
|---------------------------------------|---|
| MARY D. MCCLELLAND, LIFE TENANT | 27 KOLESKI CLUB ROAD OSCEOLA MILLS, PA 16666 |
|---------------------------------------|---|

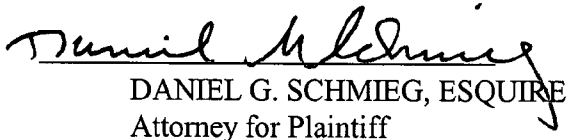
2. Name and address of Defendant(s) in the judgment:

| 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.

4/27/06
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-206-CD

AFFIDAVIT PURSUANT TO RULE 3129

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A., Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution
was filed, the following information concerning the real property located at **803 CURTIN STREET,**
OSCEOLA MILLS, PA 16666.

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.) |
|-----------------------|---|
| Advanta National Bank | 10790 Rancho Bernardo Road San Diego, CA 92127 |

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.) |
|------|---|

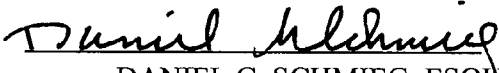
| | |
|-----------------|--|
| TENANT/OCCUPANT | 803 CURTIN STREET OSCEOLA MILLS, PA 16666 |
|-----------------|--|

| | |
|---|--|
| 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.

4/27/06
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127**

Plaintiff,

v.

**SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666**

Defendant(s).

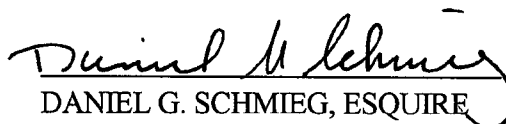
**:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 06-206-CD
:
:
:
:
:**

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

AFFIDAVIT OF SERVICE

PLAINTIFF

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.**

**CLEARFIELD County
No. 06-206-CD
Our File #: 126298**

FILED *no cc*
11:11 AM
JUN 28 2008

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

DEFENDANT(S)

**SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT**

**Type of Action
- Notice of Sheriff's Sale**

Sale Date: 8-4-06

Please serve upon: SAMUEL T. MCCLELLAND, JR.

SERVE AT:

**27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666**

SERVED

Served and made known to Samuel T. McClelland, Jr., Defendant, on the 16th day of June,
2006, at 5:55, o'clock P.m., at 27 Koleski Club Rd. Osceola Mills

Commonwealth of Pennsylvania, in the manner described below:

____ Defendant personally served.
☒ Adult family member with whom Defendant(s) reside(s). Relationship is Mary, Wife
____ 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 58 Height 5'7" Weight 140 Race W Sex F 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 19th day
of June, 2006
Notary: _____

By: Thomas Holmberg
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**

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.**

**CLEARFIELD County
No. 06-206-CD
Our File #: 126298**

DEFENDANT(S)

**SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT**

**Type of Action
- Notice of Sheriff's Sale**

Please serve upon:

MARY D. MCCLELLAND, LIFE TENANT

Sale Date: 8-4-06

SERVE AT:

**27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666**

SERVED

Served and made known to Mary D. McClelland, Defendant, on the 16th day of June,
2006 at 5:55, o'clock P.m., at 27 Koleski Club Road, Osceola Mills

Commonwealth of Pennsylvania, in the manner described below:

X 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 58 Height 5'7" Weight 140 Race W Sex F 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 19th day
of June, 2006
Notary: _____

By: Thomas Holmberg
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

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20352

NO: 06-206-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

DEFENDANT: SAMUEL T. MCCLELLAND, JR. AND MARY D. MCCLELLAND, LIFE TENANT

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/15/2006

LEVY TAKEN 05/26/2006 @ 10:42 AM

POSTED 05/26/2006 @ 10:42 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 01/22/2007

DATE DEED FILED NOT SOLD

FILED
01/22/2007
JAN 22 2007
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

06/29/2006 @ 11:05 AM SERVED SAMUEL T. MCCLELLAND, JR.

SERVED SAMUEL T. MCCLELLAND, JR., DEFENDANT, AT HIS RESIDENCE 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARY D. MCCLELLAND, LIFE TENANT/MOTHER/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

06/29/2006 @ 11:05 AM SERVED MARY D. MCCLELLAND, LIFE TENANT

SERVED MARY D. MCCLELLAND, LIFE TENANT, DEFENDANT, AT HER RESIDENCE 27 KOLESKI CLUB ROAD, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARY D. MCCLELLAND, LIFE TENANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ 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, OCTOBER 30, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SCHEDULED FOR NOVEMBER 3, 2006 AND RETURN THE WRIT TO THE PROTHONOTARY'S OFFICE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20352

NO: 06-206-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

DEFENDANT: SAMUEL T. MCCLELLAND, JR. AND MARY D. MCCLELLAND, LIFE TENANT

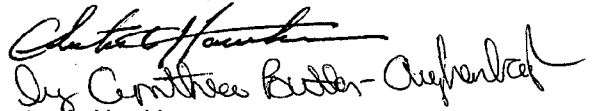
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$290.45

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 06-206-CD Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

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: 803 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)


Amount Due \$43,812.40

Interest from 4/27/06 to Sale \$-----
per diem \$7.20

Total \$-----

Add'l Costs \$3,190.00

Prothonotary costs 125.00



(Clerk) Office of the Prothy Support, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 5-12-06
(SEAL)

Received May 15, 2006 @ 3:00 P.M.
Chester A. Hawkins
by Cynthia Butler-Argharsh

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME SAMUEL T. MCCLELLAND, JR.

NO. 06-206-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 Samuel T. McClelland, Jr. And Mary D. McClelland, Life Tenant 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 | 17.80 |
| LEVY | 15.00 |
| MILEAGE | 17.80 |
| POSTING | 15.00 |
| CSDS | 10.00 |
| COMMISSION | 0.00 |
| POSTAGE | 5.85 |
| HANDBILLS | 15.00 |
| DISTRIBUTION | 25.00 |
| ADVERTISING | 15.00 |
| ADD'L SERVICE | 15.00 |
| DEED | |
| ADD'L POSTING | |
| ADD'L MILEAGE | 89.00 |
| ADD'L LEVY | |
| BID/SETTLEMENT AMOUNT | |
| RETURNS/DEPUTIZE | |
| COPIES | 15.00 |
| | 5.00 |

BILLING/PHONE/FAX
CONTINUED SALES
MISCELLANEOUS

TOTAL SHERIFF COSTS \$290.45

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

| | |
|--------------------|--------------|
| DEBT-AMOUNT DUE | 43,812.40 |
| INTEREST @ 7.2000 | (5,273,481.6 |
| FROM 04/27/2006 TO | |

| | |
|--------------------------|-------|
| PROTH SATISFACTION | |
| LATE CHARGES AND FEES | |
| COST OF SUIT-TO BE ADDED | |
| FORECLOSURE FEES | |
| ATTORNEY COMMISSION | |
| REFUND OF ADVANCE | |
| REFUND OF SURCHARGE | 40.00 |
| SATISFACTION FEE | |
| ESCROW DEFICIENCY | |
| PROPERTY INSPECTIONS | |
| INTEREST | |
| MISCELLANEOUS | |

TOTAL DEBT AND INTEREST (\$5,229,629.20)

COSTS:

| | |
|---------------------|--------|
| ADVERTISING | 429.46 |
| TAXES - COLLECTOR | |
| TAXES - TAX CLAIM | |
| DUE | |
| LIEN SEARCH | 100.00 |
| ACKNOWLEDGEMENT | |
| DEED COSTS | 0.00 |
| SHERIFF COSTS | 290.45 |
| LEGAL JOURNAL COSTS | 198.00 |
| PROTHONOTARY | 125.00 |
| MORTGAGE SEARCH | 40.00 |
| MUNICIPAL LIEN | |

TOTAL COSTS \$1,182.91

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices
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

Christine Schoffler
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

July 23, 2006

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

ATTENTION: CINDY (814) 765-5915

Re: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR
TRUSTEE, F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A.
v. SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
No. 06-206-CD
803 CURTIN STREET, OSCEOLA MILLS, PA 16666

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: SAMUEL T. MCCLELLAND, JR.
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

MARY D. MCCLELLAND,
LIFE TENANT
803 CURTIN STREET
OSCEOLA MILLS, PA 16666

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

CHRISTINE SCHOFFLER
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

October 27, 2006

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

ATTENTION: CINDY (814) 765-5915


Re: **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN
OF TRUSTEE, F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A.
v. SAMUEL T. MCCLELLAND, JR. & MARY D. MCCLELLAND
No. 06-206-CD
808 CURTIN STREET, OSCEOLA MILLS, PA 16666**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for November 3, 2006, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

Please be further advised that no consideration was reported to have been received by our office.

Very truly yours,


Christine Schoffler

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-206-CD Term 2005....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due

\$43,812.40

Interest from 4/27/06 to Sale
Per diem \$7.20

\$ _____

Prothonotary costs

145.00

Add'l Costs

\$6092.50

Attorney for the Plaintiff(s)

Note: Please attach description of Property.

FILED
m 12:44 PM
FEB 01 2007

William A. Shaw (6A)
Prothonotary/Clerk of Courts

Att'y pd. 20.00
ICC to 6 writs w/
prop. descr. to Sheriff

Term 20.05.A.D.:

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE

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

Filed:

Attorney for Plaintiff(s)

Address: SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD / 27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127**

Plaintiff,

v.

**SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666**

Defendant(s).

**:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 06-206-CD
:
:
:
:**

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-206-CD

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A., Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution
was filed, the following information concerning the real property located at **803 CURTIN STREET,
OSCEOLA MILLS, PA 16666.**

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

NAME

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

SAMUEL T.
MCCLELLAND, JR.

27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

MARY D.
MCCLELLAND, LIFE
TENANT

27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

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.

4/27/06
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.
10790 RANCHO BERNARDO RD
SAN DIEGO, CA 92127

Plaintiff,

v.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-206-CD

AFFIDAVIT PURSUANT TO RULE 3129

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A., Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution
was filed, the following information concerning the real property located at **803 CURTIN STREET,**
OSCEOLA MILLS, PA 16666.

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.) |
|-----------------------|---|
| Advanta National Bank | 10790 Rancho Bernardo Road San Diego, CA 92127 |

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 803 CURTIN STREET
OSCEOLA MILLS, PA 16666**

**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.

4/27/06

Date _____

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 06-206-CD Term 20 Q5
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

vs.

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

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: 803 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)

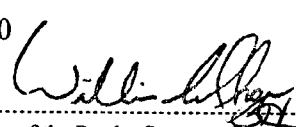
Amount Due \$43,812.40

Interest from 4/27/06 to Sale \$-----
per diem \$7.20

Total \$-----
Prothonotary costs 145.00

Add'l Costs \$6092.50

Dated 2/1/07
(SEAL)



(Clerk) Office of the Prothy Support, Common Pleas Court
of CLEARFIELD County, Penna.

No. 06-206-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$43,812.40

Int. from 4/27/06

To Date of Sale (\$7.20 per diem)

Costs

Prothy Pd.

Sheriff

145.00

Attorney for Plaintiff(s)

Address: SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD 27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

SALE DATE: MAY 4, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR
TRUSTEE, F/K/A BANKERS TRUST
COMPANY OF CALIFORNIA, N.A.

No.: 06-206-CD

FILED *no cc*
0710:44/01
APR 04 2007
William A. Shaw
Prothonotary/Clerk of Courts

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT

**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 Praecept for the Writ of Execution was filed the following information concerning the real property located at:

803 CURTIN STREET, OSCEOLA MILLS, PA 16666.

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 A. Schmieg

DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

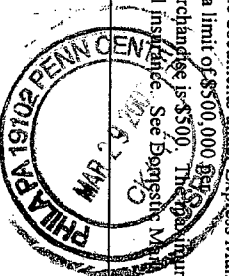
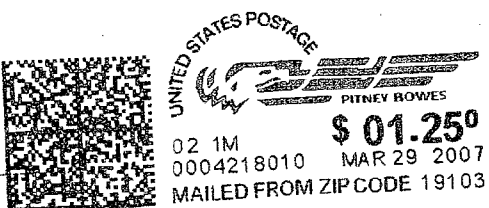
April 3, 2007

Name and Address of Sender

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

AXA

| Line | Article Number | Name of Addressee, Street, and Post Office Address | Post |
|---|----------------|--|--|
| 1 | | TENANT/OCCUPANT 803 CURTIN STREET OSCEOLA MILLS, PA 16666 | |
| 2 | | DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830 | |
| 3 | | COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105 | |
| 4 | | Advanta National Bank 10790 Rancho Bernardo Road San Diego, CA 92127 | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | Re: SAMUEL T. MCCLELLAND, JR. KAM TEAM 4 176298 | |
| Total Number of Pieces Listed by Sender | | Total Number of Pieces Received at Post Office | Postmaster, Per (Name of Receiving Employee) |
| | | | 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 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. |



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20526
NO: 06-206-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

DEFENDANT: SAMUEL T. MCCLELLAND, JR. AND MARY D. MCCLELLAND, LIFE TENANT

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 02/01/2007

LEVY TAKEN 02/16/2007 @ 2:14 PM

POSTED 02/16/2007 @ 2:14 PM

SALE HELD 05/04/2007

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 06/11/2007

DATE DEED FILED

PROPERTY ADDRESS 803 CURTIN STREET OSCEOLA MILLS , PA 16666

SERVICES

02/23/2007 @ 2:00 PM SERVED SAMUEL T. MCCLELLAND

SERVED SAMUEL T. MCCLELLAND, DEFENDANT, AT HIS RESIDENCE 803 CURTIN STREET, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SAMUEL T. MCCLELLAND,

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

02/23/2007 @ 2:00 PM SERVED MARY D. MCCLELLAND, LIFE TENANT

SERVED MARY D. MCCLELLAND, LIFE TENANT, AT HER RESIDENCE 803 CURTIN STREET, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SAMUEL MCCLELLAND, SON OF THE DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, APRIL 26, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR MAY 4, 2007. DUE TO A BANKRUPTCY FILING.

FILED
2/3/18/07
JUN 11 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20526

NO: 06-206-CD

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

DEFENDANT: SAMUEL T. MCCLELLAND, JR. AND MARY D. MCCLELLAND, LIFE TENANT

Execution REAL ESTATE

SHERIFF RETURN


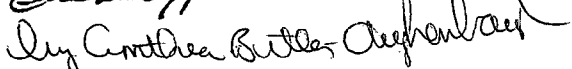
SHERIFF HAWKINS \$247.28

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,

Chester A. Hawkins
Sheriff

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

DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS
CUSTODIAN OR TRUSTEE, F/K/A
BANKERS TRUST COMPANY OF
CALIFORNIA, N.A.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-206-CD Term 20 05

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

SAMUEL T. MCCLELLAND, JR.

MARY D. MCCLELLAND, LIFE
TENANT

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):

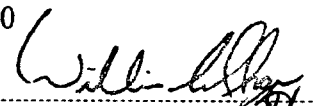
PREMISES: 803 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)

Amount Due \$43,812.40

Interest from 4/27/06 to Sale \$-----
per diem \$7.20

Total \$-----
Prothonotary costs 145.00

Add'l Costs \$6092.50



(Clerk) Office of the Prothy Support, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 2/1/07
(SEAL)

Received February 1, 2007 @ 3:00 P.M.
Chester A. Hunkeler
by Cynthia Butler Oughonick

No. 06-206-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY,
AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS
TRUST COMPANY OF CALIFORNIA, N.A.

vs.

SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$43,812.40

Int. from 4/27/06

To Date of Sale (\$7.20 per diem)

Costs

Prothy Pd. 145.00

Sheriff

.....
Attorney for Plaintiff(s)

Address: SAMUEL T. MCCLELLAND, JR. MARY D. MCCLELLAND, LIFE TENANT
27 KOLESKI CLUB ROAD 27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

LEGAL DESCRIPTION

ALL those pieces, parcels or lots of land, situate in Decatur Township, Clearfield County, Pennsylvania, known and designated as West Osceola, and marked in the plot plan as Lots Nos. 544, 545, and 546 bounded as follows:

BEGINNING at the Southwest corner of Curtin Street and First Avenue; thence along said Curtin Street North sixty-one (61 degrees) degrees thirty (30 minutes) minutes West, fifty-two (52 feet) feet; thence North seventy-eight (78 degrees) degrees forty-five minutes (45 minutes) West one hundred (100 feet) feet to an Alley; thence along said Alley South eleven (11 degrees) degrees fifteen (15 minutes) minutes West one hundred and fifty (150 feet) feet to an alley; thence along said Alley seventy-eight (78 degrees) degrees forty-five (45 minutes) minutes East one hundred and fifty (150 feet) feet to First Avenue; and, thence along the said First Avenue North eleven (11 degrees) degrees fifteen (15 minutes) minutes East one hundred and thirty-nine (139 feet) feet to the place of beginning.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

EXCEPTING AND RESERVING to Mary D. McClelland, the right to use, occupy and enjoy the premises, and the rents and profits thereof, for and during her natural life. It being the intention of Mary D. McClelland to reserve a life estate for herself in said premise.

TITLE TO SAID PREMISES IS VESTED IN Samuel T. McClelland, Jr., single, by Deed from Mary D. McClelland, single, dated 6-29-99, recorded 7-1-99 in Deed Inst#: 199910991

(Note: Deed transfer from parent to child.)

Premises being: 803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Tax Parcel No. 013-381-00008

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME SAMUEL T. MCCLELLAND

NO. 06-206-CD

NOW, June 11, 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 May 04, 2007, I exposed the within described real estate of Samuel T. McClelland, Jr. And Mary D. McClelland, Life Tenant 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 | 19.40 |
| LEVY | 15.00 |
| MILEAGE | 19.40 |
| POSTING | 15.00 |
| CSDS | 10.00 |
| COMMISSION | 0.00 |
| POSTAGE | 4.68 |
| HANDBILLS | 15.00 |
| DISTRIBUTION | 25.00 |
| ADVERTISING | 15.00 |
| ADD'L SERVICE | 15.00 |
| DEED | |
| ADD'L POSTING | |
| ADD'L MILEAGE | 38.80 |
| ADD'L LEVY | |
| BID/SETTLEMENT AMOUNT | |
| RETURNS/DEPUTIZE | |
| COPIES | 15.00 |
| | 5.00 |
| BILLING/PHONE/FAX | 5.00 |
| CONTINUED SALES | |
| MISCELLANEOUS | |
| TOTAL SHERIFF COSTS | \$247.28 |

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

| | |
|--------------------------------|--------------------|
| DEBT-AMOUNT DUE | 43,812.40 |
| INTEREST @ 7.2000 | 2,678.40 |
| FROM 04/27/2006 TO 05/04/2007 | |
| ATTORNEY FEES | |
| PROTH SATISFACTION | |
| LATE CHARGES AND FEES | |
| COST OF SUIT-TO BE ADDED | |
| FORECLOSURE FEES | |
| ATTORNEY COMMISSION | |
| REFUND OF ADVANCE | |
| REFUND OF SURCHARGE | 40.00 |
| SATISFACTION FEE | |
| ESCROW DEFICIENCY | |
| PROPERTY INSPECTIONS | |
| INTEREST | |
| MISCELLANEOUS | |
| TOTAL DEBT AND INTEREST | \$46,530.80 |

COSTS:

| | |
|---------------------|-------------------|
| ADVERTISING | 430.90 |
| TAXES - COLLECTOR | |
| TAXES - TAX CLAIM | |
| DUE | |
| LIEN SEARCH | |
| ACKNOWLEDGEMENT | |
| DEED COSTS | 0.00 |
| SHERIFF COSTS | 247.28 |
| LEGAL JOURNAL COSTS | 180.00 |
| PROTHONOTARY | 145.00 |
| MORTGAGE SEARCH | |
| MUNICIPAL LIEN | |
| TOTAL COSTS | \$1,003.18 |

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices
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

CHRISTINE SCHOFFLER
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

April 26, 2007

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

ATTENTION: CINDY (814) 765-5915

Re: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE,
F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A. v. SAMUEL T. MCCLELLAND, JR.
MARY D. MCCLELLAND, LIFE TENANT
803 CURTIN STREET, OSCEOLA MILLS, PA 16666
No. 06-206-CD
PHS # 126298

Dear Cindy:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for 5/4/2007.

The Defendant (s) filed a Chapter 13 Bankruptcy (No. **07-70406**) on **4/18/07**.

Very truly yours,

Christine Schoffler

Christine Schoffler (for)
Phelan Hallinan & Schmieg, LLP

| | |
|-------------------------------|--------------------------|
| CC: SAMUEL T. MCCLELLAND, JR. | MARY D. MCCLELLAND, LIFE |
| 27 KOLESKI CLUB ROAD | TENANT |
| OSCEOLA MILLS, PA 16666 | 27 KOLESKI CLUB ROAD |
| | OSCEOLA MILLS, PA 16666 |

FILED

2 m 4:50 p.m. CLK

9 FEB 19 2014

ICC Atty Dunn

Atty Paid 7.00

CLK

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

Phelan Hallinan, LLP
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

Attorney For Plaintiff

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS CUSTODIAN OR
TRUSTEE, F/K/A BANKERS TRUST
COMPANY OF CALIFORNIA, N.A.

Plaintiff

v.

SAMUEL T. MCCLELLAND JR.
MARY D. MCCLELLAND
Defendant(s)

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 06-206-CD

PRAECIPE

TO THE PROTHONOTARY:

- ☐ Please withdraw the complaint and mark the action Discontinued and Ended without prejudice.
- ☐ Please mark the above referenced case Settled, Discontinued and Ended.
- ☒ Please Vacate the judgment entered and mark the action Discontinued and Ended without prejudice.
- ☐ Please mark the in rem judgment Satisfied and the action Discontinued and Ended.
- ☐ Please Vacate the Judgment entered.

Date:

2/18/14

PHELAN HALLINAN, LLP

By:

Courtenay R. Dunn, Esq., Id. No. 206779

Attorney for Plaintiff

PH # 620442

Phelan Hallinan, LLP
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

Attorney For Plaintiff

| | | |
|--|---|-----------------------|
| DEUTSCHE BANK NATIONAL TRUST COMPANY, AS CUSTODIAN OR TRUSTEE, F/K/A BANKERS TRUST COMPANY OF CALIFORNIA, N.A. Plaintiff | : | Court of Common Pleas |
| | : | |
| | : | Civil Division |
| | : | |
| | : | CLEARFIELD County |
| | : | |
| v. | : | No. 06-206-CD |
| | : | |
| SAMUEL T. MCCLELLAND JR. MARY D. MCCLELLAND Defendant(s) | : | |

CERTIFICATION OF SERVICE

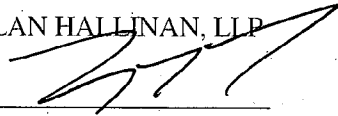
I hereby certify true and correct copies of the foregoing Plaintiff's Praecipe was served by regular mail to the person(s) on the date listed below:

SAMUEL T. MCCLELLAND JR.
27 KOLESKI CLUB ROAD
OSCEOLA MILLS, PA 16666

MARY D. MCCLELLAND
803 CURTIN STREET
OSCEOLA MILLS, PA 16666

Date: 2/18/14

PHELAN HALLINAN, LLP

By: 
Courtenay R. Dunn, Esq., Id. No. 206779
Attorney for Plaintiff