

06-564-CD
Mortgage Electronic vs. Michael Bly et al

Netbank vs Michael Bly et al
2006-564-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

128469

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

Plaintiff

v.

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

Defendants

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
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 2006-564-CD

CLEARFIELD COUNTY

FILED
0 2:06pm 6K
APR 11 2006 4cc SHFF
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.

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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:

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

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

3. On 11/07/2003 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: 200320880.
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 10/01/2005 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	\$110,458.39
Interest	3,912.51
09/01/2005 through 04/05/2006 (Per Diem \$18.03)	
Attorney's Fees	1,250.00
Cumulative Late Charges	200.52
11/07/2003 to 04/05/2006	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 116,371.42
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00

TOTAL \$ 116,371.42

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 \$ 116,371.42, together with interest from 04/05/2006 at the rate of \$18.03 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 that certain tract of land designated as Section 13A, Lot 287, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Clearfield County Misc. Docket Map File No. 24.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING known as tax parcel No. 128-21-13A-287.

PROPERTY BEING: 1280 TREASURE LAKE

VERIFICATION

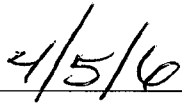
FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant 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: _____



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101433
NO: 06-564-CD
SERVICE # 1 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

VS.

DEFENDANT: MICHAEL J. BLY, KAREN M. BLY aka KAREN M. FERRA

SHERIFF RETURN

NOW, April 20, 2006 AT 1:38 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MICHAEL J. BLY DEFENDANT AT 1280 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHAEL J. BLY, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

FILED
0/3:15 LM
MAY 26 2006

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101433
NO: 06-564-CD
SERVICE # 2 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: MICHAEL J. BLY, KAREN M. BLY aka KAREN M. FERRA

SHERIFF RETURN

NOW, April 20, 2006 AT 1:38 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KAREN M. BLY aka KAREN M. FERRA DEFENDANT AT 1280 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHAEL BLY, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101433
NO: 06-564-CD
SERVICE # 3 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: MICHAEL J. BLY, KAREN M. BLY aka KAREN M. FERRA

SHERIFF RETURN

NOW, April 18, 2006, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MICHAEL J. BLY.

NOW, May 11, 2006 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MICHAEL J. BLY, 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 # 101433
NO: 06-564-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: MICHAEL J. BLY, KAREN M. BLY aka KAREN M. FERRA

SHERIFF RETURN

NOW, April 18, 2006, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KAREN M. BLY aka KAREN M. FERRA.

NOW, May 11, 2006 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KAREN M. BLY aka KAREN M. FERRA, 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 # 101433
NO: 06-564-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: MICHAEL J. BLY, KAREN M. BLY aka KAREN M. FERRA

SHERIFF RETURN

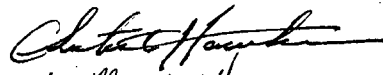
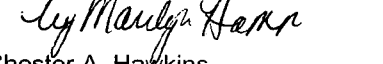
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	496010	40.00
SHERIFF HAWKINS	PHELAN	496010	60.00
JEFFERSON CO.	PHELAN	496017	39.82

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,

Chester A. Hawkins
Sheriff

No. 06-564 C.D.

Now, May 11, 2006, I return the Notice and Complaint in Mortgage Foreclosure for KAREN M. BLY, a/k/a KAREN M. FERRA and MICHAEL J. BLY, defendants, to the Clearfield County Sheriff's Office marked "not found; trailer park that was located at this address no longer exists".

Advance Costs Received:	\$125.00	
My Costs:	37.82	Paid
Prothy:	2.00	
Total Costs:	39.82	
REFUNDED:	\$ 85.18	

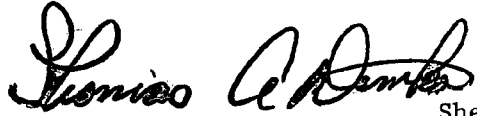
Sworn and subscribed

to before me this 23rd
day of May 2006

By Lorenda Selus, deputy
Prothonotary

My Commission expires:
1st Monday January 2010

So Answers,

 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
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(215) 563-7000

128469

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

Plaintiff

v.

MICHAEL J. BLY
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A/K/A KAREN M. FERRA
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800-692-7375

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 2006-564-CD

CLEARFIELD COUNTY

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

APR 11 2006

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

I hereby certify the
within to be a true and
correct copy of the
original filed of record

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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:

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

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

3. On 11/07/2003 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: 200320880.
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 10/01/2005 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.


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Principal Balance	\$110,458.39
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09/01/2005 through 04/05/2006 (Per Diem \$18.03)	
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11/07/2003 to 04/05/2006	
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Subtotal	\$ 116,371.42
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 116,371.42

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 \$ 116,371.42, together with interest from 04/05/2006 at the rate of \$18.03 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 that certain tract of land designated as Section 13A, Lot 287, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Clearfield County Misc. Docket Map File No. 24.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
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4. A lien for all unpaid charges or assessments as may be made by Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING known as tax parcel No. 128-21-13A-287.

PROPERTY BEING: 1280 TREASURE LAKE

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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FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4/5/10

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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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.

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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

**We hereby certify the
within to be a true and
correct copy of the
original filed of record**

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 2006-564-CD

CLEARFIELD COUNTY

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

APR 11 2006

Attest.

William L. 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.

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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:

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

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

3. On 11/07/2003 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: 200320880.
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 10/01/2005 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	\$110,458.39
Interest	3,912.51
09/01/2005 through 04/05/2006 (Per Diem \$18.03)	
Attorney's Fees	1,250.00
Cumulative Late Charges	200.52
11/07/2003 to 04/05/2006	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 116,371.42
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00

TOTAL \$ 116,371.42

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 \$ 116,371.42, together with interest from 04/05/2006 at the rate of \$18.03 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 that certain tract of land designated as Section 13A, Lot 287, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Clearfield County Misc. Docket Map File No. 24.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING known as tax parcel No. 128-21-13A-287.

PROPERTY BEING: 1280 TREASURE LAKE

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 Dec.

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4/5/16

FILED

MAY 26 2006

William A. Shaw
Prothonotary

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 *Att'y pd. 20.00*
7/2/06
JUN 02 2006 *ICC Notice*
to Defs.

William A. Shaw
Prothonotary/Clerk of Courts
Statement to Att'y
(6K)

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

Plaintiff,

v.

**MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801**

Defendant(s).

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 06-564

**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 **MICHAEL J. BLY and KAREN M. BLY A/K/A KAREN M. FERRA**, 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	\$ 116,371.42
Interest - 4/6/06-6/1/06	\$1,027.71
TOTAL	<u>\$ 117,399.13</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 D. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/2/06

William A. Shaw

PRO PROTHY

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

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

Plaintiff,

v.

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-564

Notice is given that a Judgment in the above captioned matter has been entered against you
on June 2, 2006.

BY Will [Signature] 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 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
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA
Defendants

: NO. 06-564

TO: MICHAEL J. BLY
1280 TREASURE LAKE
DUBOIS, PA 15801

FILE COPY

DATE OF NOTICE: MAY 11, 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

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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

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

ATTORNEY FOR PLAINTIFF

Plaintiff

Vs.

MICHAEL J. BLY

KAREN M. BLY A/K/A KAREN M. FERRA

Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-564

TO: KAREN M. BLY A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

FILE COPY

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Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
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(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA
Defendants

: NO. 06-564

TO: MICHAEL J. BLY
314 MARTIN STREET
PUNXSUTAWNEY, PA 15767

FILE COPY

DATE OF NOTICE: MAY 11, 2006

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Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG

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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

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Plaintiff

Vs.

MICHAEL J. BLY

KAREN M. BLY A/K/A KAREN M. FERRA

Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-564

TO: KAREN M. BLY A/K/A KAREN M. FERRA
314 MARTIN STREET
PUNXSUTAWNEY, PA 15767

FILE COPY

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FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
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Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
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ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA
Defendants

: NO. 06-564

TO: MICHAEL J. BLY
30 CATALINA DRIVE
DEBARY, FL 32713

FILE COPY

DATE OF NOTICE: MAY 11, 2006

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IMPORTANT NOTICE

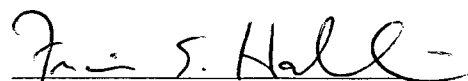
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CLEARFIELD COUNTY
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CLEARFIELD COUNTY COURTHOUSE
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800-692-7375


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

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Plaintiff

Vs.

MICHAEL J. BLY

KAREN M. BLY A/K/A KAREN M. FERRA

Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-564

TO: KAREN M. BLY A/K/A KAREN M. FERRA
30 CATALINA DRIVE
DEBARY, FL 32713

FILE COPY

DATE OF NOTICE: MAY 11, 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

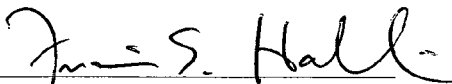
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

(215) 563-7000

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NO. 06-564

v.

Defendant(s).

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

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

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2006-00564-CD

Real Debt: \$117,399.13

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Michael J. Bly
Karen M. Bly
Defendant(s)

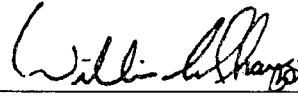
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: June 2, 2006

Expires: June 2, 2011

Certified from the record this 2nd day of June, 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.

MICHAEL.J.BLY
KAREN.M.BLY
A/K/A.KAREN.M.FERRA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-564 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

\$117,399.13

Interest from JUNE 1, 2006 to Sale
Per diem \$19.30

\$ _____

Add'l Costs

\$550.00

Prothonotary costs

125.00

Daniel D. Schmieg
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

FILED July pd. 20.00
m12:40
JUN 02 2006 ICC @ 6 w/ nts w/ prop.
descr. to shff
William A. Shaw
Prothonotary/Clerk of Courts

No. 06-564..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

vs.

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA

William A. Shaw
Prothonotary/Clerk of Courts

JUN 02 2006

FILED

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Daniel V. Schmieg
Attorney for Plaintiff(s)

Address: MICHAEL J. BLY KAREN M. BLY A/K/A KAREN M. FERRA
1280 TREASURE LAKE 1280 TREASURE LAKE
DUBOIS, PA 15801 DUBOIS, PA 15801

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

Plaintiff,

v.

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-564

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 Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1280 TREASURE LAKE , DUBOIS, 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.)

MICHAEL J. BLY

1280 TREASURE LAKE
DUBOIS, PA 15801

KAREN M. BLY

A/K/A KAREN M. FERRA

1280 TREASURE LAKE
DUBOIS, 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.

JUNE 1, 2006

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

1280 TREASURE LAKE
DUBOIS, 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.

JUNE 1, 2006

Date

Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

CC, Y

MORTGAGE.ELECTRONIC
REGISTRATION.SYSTEMS,.INC.

vs.

MICHAEL J. BLY

KAREN M. BLY
A/K/A KAREN M. FERRA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-564 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: 1280 TREASURE LAKE , DUBOIS, PA 15801
(See Legal Description attached)

Amount Due \$117,399.13

Interest from JUNE 1, 2006 to Sale \$-----
per diem \$19.30

Total \$-----

Add'l Costs \$550.00
Prothonotary costs 125.00

William L. Hanger

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

Dated 6/2/06
(SEAL)

No. 06-564..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

vs.

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$117,399.13

Int. from JUNE 1, 2006

To Date of Sale (\$19.30 per diem)

Costs

Prothy Pd. 125.00

Sheriff

Daniel B. Schmieg

Attorney for Plaintiff(s)

Address: MICHAEL J. BLY

1280 TREASURE LAKE

DUBOIS, PA 15801

KAREN M. BLY A/K/A KAREN M. FERRA

1280 TREASURE LAKE

DUBOIS, PA 15801

LEGAL DESCRIPTION

All that certain tract of land designated as Lot No. 287, Section No. 13 A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25

Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc. recorded in Misc Book Vol. 146, p. 476, as amended, Misc. Book Vol. NA, p. NA, and Misc. Book Vol. NA, p NA; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Grantor of Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Being a portion of the premises which became vested in the Grantor by deed of Treasure Lake of Pennsylvania, Inc. and dated November 28, 1979 and recorded in Clearfield County Deed Book Volume 790, page 450.

TITLE TO SAID PREMISES IS VESTED IN Michael J. Bly and Karen M. Bly, tenants by entirety, by Deed from Recreation Land Corporation, a Pennsylvania Corporation, dated 2-20-94, recorded 3-21-94, in Deed Book 1593, page 238.

TITLE TO SAID PREMISES IS VESTED IN Recreation Land Corporation, a Pennsylvania Corporation, by Deed from Treasure Lake of Pennsylvania, Inc., a Pennsylvania Corporation, dated 11-28-79, recorded 11-29-79, in Deed Book 790, page 450.

Premises being: 1280 TREASURE LAKE
DUBOIS, PA 15801

Tax Parcel No. C02-13A-00287-00-21

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

Michael J. Bly

: No. 06-564

Karen M. Bly, a/k/a Karen M. Ferra

Defendants

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 April 11, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on June 2, 2006 in the amount of \$117,399.13. 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 September 1, 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

JUL 18 2006

m/10:40/m

William A. Shaw
Prothonotary/Clerk of Courts

NO CERT COPIES

4. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment.

The amount of damages should now read as follows:

Principal Balance	\$110,458.39
Interest Through 9/1/06	6,489.43
Per Diem \$17.78	
Late Charges	200.52
Legal fees	2,675.00
Cost of Suit and Title	1,777.50
Sheriff's Sale Costs	2,414.82
Property Inspections	0.00
Appraisal/BPO	95.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>7,659.33</u>
TOTAL	\$131,769.99

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 Defendants.

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

Date: 7/17/06

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

Exhibit “A”

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 128469

ATTORNEY FOR PLAINTIFF

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

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-564

CLEARFIELD COUNTY

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

Defendants

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

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:

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

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

3. On 11/07/2003 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: 200320880.
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 10/01/2005 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	\$110,458.39
Interest	3,912.51
09/01/2005 through 04/05/2006 (Per Diem \$18.03)	
Attorney's Fees	1,250.00
Cumulative Late Charges	200.52
11/07/2003 to 04/05/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 116,371.42
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>


TOTAL

\$ 116,371.42

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 \$ 116,371.42, together with interest from 04/05/2006 at the rate of \$18.03 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 that certain tract of land designated as Section 13A, Lot 287, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Clearfield County Misc. Docket Map File No. 24.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

BEING known as tax parcel No. 128-21-13A-287.

PROPERTY BEING: 1280 TREASURE LAKE

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: _____

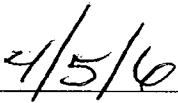


Exhibit “B”

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

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

Plaintiff,

v.

MICHAEL J. BLY
KAREN M. BLY
A/K/A KAREN M. FERRA
1280 TREASURE LAKE
DUBOIS, PA 15801

Defendant(s).

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 MICHAEL J. BLY and KAREN M. BLY A/K/A KAREN M. FERRA, 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

Interest - 4/6/06-6/1/06

TOTAL

\$ 116,371.42

\$1,027.71

\$117,399.13

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.

ATTORNEY FILE COPY
PLEASE RETURN

Daniel D. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/2/06

William A. Shaw
PRO PROTHY

PHS# 128469

FILED

JUN 02 2006

William A. Shaw
Prothonotary/Clerk of Courts

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-564

ATTORNEY FILE COPY
PLEASE RETURN

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: 7/17/10

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

Michael J. Bly

: No. 06-564

Karen M. Bly, a/k/a Karen M. Ferra

Defendants

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 individuals on the date indicated below.

Michael J. Bly

Karen M. Bly, a/k/a Karen M. Ferra

1280 Treasure Lake

DuBois, PA 15801

Michael J. Bly

Karen M. Bly, a/k/a Karen M. Ferra

314 Martha Street

Punxsutawney, PA 15767

Michael J. Bly

Karen M. Bly, a/k/a Karen M. Ferra

30 Catalina Drive

DeBary, FL 32713

DATE: 7/17/06

Phelan Hallinan & Schmieg, LLP

By: 

Michele M. Bradford, Esquire

Attorney for Plaintiff

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

Michael J. Bly
Karen M. Bly, a/k/a Karen M. Ferra
Defendants

: No. 06-564

FILED ^{NO CC}
m/11/18/06
JUL 27 2006

CERTIFICATION OF SERVICE

William A. Shaw
Prothonotary/Clerk of Courts

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 August 30, 2006 has been served upon the following persons:

Michael J. Bly
Karen M. Bly, a/k/a Karen M. Ferra
1280 Treasure Lake
DuBois, PA 15801

Michael J. Bly
Karen M. Bly, a/k/a Karen M. Ferra
314 Martha Street
Punxsutawney, PA 15767

Michael J. Bly
Karen M. Bly, a/k/a Karen M. Ferra
30 Catalina Drive
Debary, FL 32713

Date: 7/26/06

PHELAN HALLINAN & SCHMIEG, LLP

By: [Signature]
Michele M. Bradford, Esquire
Attorney for Plaintiff

LA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

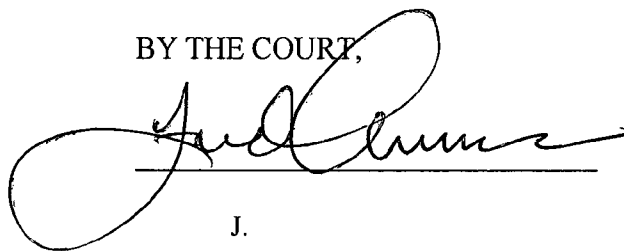
Mortgage Electronic Registration Systems, Inc.	: Court of Common Pleas
Plaintiff	: Civil Division
vs.	: Clearfield County
Michael J. Bly	: No. 06-564
Karen M. Bly, a/k/a Karen M. Ferra	
Defendants	

ORDER

AND NOW, this 20 day of July 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 23rd day of August 2006, at 3:30 in Courtroom No. 1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,


J.

FILED
JUL 21 2006
06/10/06
William A. Shaw
Prothonotary/Clerk of Courts
1 CENT TO ATT
w/ memo.

DATE: 7-21 _____
You are responsible for serving all appropriate parties.

☒ You are responsible for serving all appropriate parties to the following parties:

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

____ Plaintiff(s) _____ Attorney _____ Other _____

____ Plaintiff(s) _____ Defendant(s) Attorney _____

____ Defendant(s) _____

____ Special Instructions: _____

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
Michael J. Bly	: No. 06-564
Karen M. Bly, a/k/a Karen M. Ferra	
Defendants	

ORDER

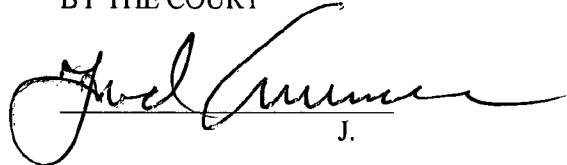
AND NOW, this 23 day of August, 2006 the Prothonotary is ORDERED to amend the judgment in this case as follows:

Principal Balance	\$110,458.39
Interest Through 9/1/06	6,489.43
Per Diem \$17.78	
Late Charges	200.52
Legal fees	2,675.00
Cost of Suit and Title	1,777.50
Sheriff's Sale Costs	2,414.82
Property Inspections	0.00
Appraisal/BPO	95.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>7,659.33</u>
TOTAL	\$131,769.99

Plus interest from 9/1/06 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.

FILED

200
010:56401
AUG 24 2006

Atty Lhota
(local attorney)

William A. Shaw
Prothonotary/Clerk of Courts

128469

DATE: 8/24/06

☒ 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:

FILED

AUG 24 2006

William A. Shaw
Prothonotary/Clerk of Courts

SALE DATE: **OCTOBER 6, 2006**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

No.: 06-564

vs.

**MICHAEL J. BLY
KAREN M. BLY**

FILED *no cc*
m/11:00/BL
SEP 07 2006
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 Praecipe for the Writ of Execution was filed the following information concerning the real property located at:

1280 TREASURE LAKE, DUBOIS, 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 A. Schmieg

DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

September 6, 2006

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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	1280 TREASURE LAKE DUBOIS, 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
---------------------------------	--

TREASURE LAKE PROPERTY OWNERS ASSOCIATION INC.	DUBOIS, PA 15801
--	------------------

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.

August 31, 2006
Date

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DATE: August 31, 2006

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

OWNER(S): MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA

PROPERTY: 1280 TREASURE LAKE
DUBOIS, PA 15801

Improvements: Residential Property

CLEARFIELD COUNTY

NO.: 06-564

Judgment Amount: \$117,399.13

The above-captioned property is scheduled to be sold at the **CLEARFIELD** Sheriff's Sale on **OCTOBER 6, 2006** at **10:00 A.M.**, in CLEARFIELD County Courthouse, 1 North 2nd 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

DATE: June 22, 2006

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

**MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA**

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

**OWNER(S): MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA**

**PROPERTY: 1280 TREASURE LAKE
DUBOIS, PA 15801**

Improvements: Residential Property

CLEARFIELD COUNTY

NO.: 06-564

Judgment Amount: \$117,399.13

The above-captioned property is scheduled to be sold at the **CLEARFIELD** Sheriff's Sale on **SEPTEMBER 1, 2006** at **10:00 A.M.**, in CLEARFIELD County Courthouse, 1 North 2nd 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.

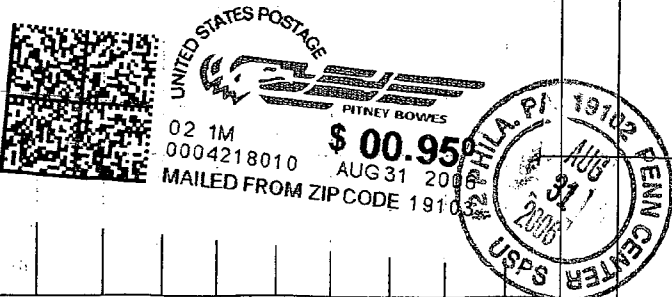
The Sheriff will file a schedule of Distribution on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

CQS

Name and Address of Sender

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

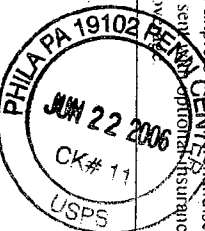
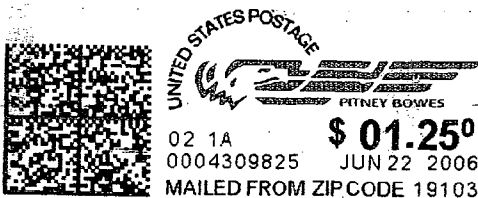
Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TREASURE LAKE PROPERTY OWNERS ASSOCIATION INC DUBOIS, PA 15801		
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12		Re: MICHAEL J. BLY(PHS#128469) PMB TEAM 4		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	
			<p>The full declaration of value is required on all domestic and international registered mail items. 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>	



Name and Address of Sender

COS
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 1280 TREASURE LAKE DUBOIS, PA 15801		
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		CSB BANK P.O. BOX 465 DUBOIS, PA 15801		
5				
6				
7				
8				
9				
10				
11				
12		Re: MICHAEL J. BLY(PHS#128469) LLD TEAM 4		
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 insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, separate 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 # 20372
NO: 06-564-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: MICHAEL J. BLY AND KAREN M. BLY A/K/A KAREN M. FERRA

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 06/02/2006

LEVY TAKEN 06/23/2006 @ 10:10 AM
POSTED 06/23/2006 @ 10:10 AM
SALE HELD 10/06/2006
SOLD TO FANNIE MAE
SOLD FOR AMOUNT \$1.00 PLUS COSTS
WRIT RETURNED 02/07/2007
DATE DEED FILED 02/07/2007

FILED
011:36/301
FEB 07 2007

William A. Shaw
Prothonotary/Clerk of Courts

PROPERTY ADDRESS 1280 TREASURE LAKE, LOT NO. 287, SECT. NO 13 DUBOIS , PA 15801

SERVICES

06/23/2006 @ 10:10 AM SERVED MICHAEL J. BLY

SERVED MICHAEL J. BLY, DEFENDANT, AT HIS RESIDENCE 1280 TREASURE LAKE A/K/A LOT 287, SECT. 13A, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KAREN BLY WIFE/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.

06/23/2006 @ 10:10 AM SERVED KAREN M. BLY A/K/A KAREN M. FERRA

SERVED KAREN M. BLY A/K/A KAREN M. FERRA, DEFENDANT, AT HER RESIDENCE 1280 TREASURE LAKE A/K/A LOT 287, SECT 13A, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO KAREN BLY

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 AUGUST 31, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF'S SALE SCHEDULED FOR SEPTEMBER 1, 2006 TO OCTOBER 6, 2006.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20372
NO: 06-564-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: MICHAEL J. BLY AND KAREN M. BLY A/K/A KAREN M. FERRA

Execution REAL ESTATE

SHERIFF RETURN


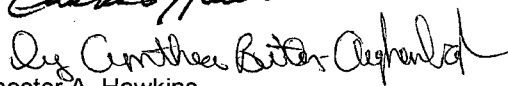
SHERIFF HAWKINS \$255.67

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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

vs.

MICHAEL J. BLY

KAREN M. BLY
A/K/A KAREN M. FERRA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-564 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: 1280 TREASURE LAKE, DUBOIS, PA 15801
(See Legal Description attached)

Amount Due \$117,399.13

Interest from JUNE 1, 2006 to Sale \$-----
per diem \$19.30

Total \$-----

Add'l Costs \$550.00

Prothonotary costs 125.00

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

Dated 6/2/06
(SEAL)

Received June 2, 2006 @ 3:30 P.M.
Chesta A. Williams
by Cameron Butler-Aughanbaugh

No. 06-564..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

vs.

MICHAEL J. BLY
KAREN M. BLY A/K/A KAREN M. FERRA

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$117,399.13

Int. from JUNE 1, 2006
To Date of Sale (\$19.30 per diem)

Costs

Prothy Pd.

125.00

Sheriff

Daniel B. Schmier
Attorney for Plaintiff(s)

Address: MICHAEL J. BLY

1280 TREASURE LAKE

DUBOIS, PA 15801

KAREN M. BLY A/K/A KAREN M. FERRA

1280 TREASURE LAKE

DUBOIS, PA 15801

LEGAL DESCRIPTION

All that certain tract of land designated as Lot No. 287, Section No. 13 A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25

Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc. recorded in Misc Book Vol. 146, p. 476, as amended, Misc. Book Vol. NA, p. NA, and Misc. Book Vol. NA, p NA; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Grantor of Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

Being a portion of the premises which became vested in the Grantor by deed of Treasure Lake of Pennsylvania, Inc. and dated November 28, 1979 and recorded in Clearfield County Deed Book Volume 790, page 450.

TITLE TO SAID PREMISES IS VESTED IN Michael J. Bly and Karen M. Bly, tenants by entirety, by Deed from Recreation Land Corporation, a Pennsylvania Corporation, dated 2-20-94, recorded 3-21-94, in Deed Book 1593, page 238.

TITLE TO SAID PREMISES IS VESTED IN Recreation Land Corporation, a Pennsylvania Corporation, by Deed from Treasure Lake of Pennsylvania, Inc., a Pennsylvania Corporation, dated 11-28-79, recorded 11-29-79, in Deed Book 790, page 450.

Premises being: 1280 TREASURE LAKE
DUBOIS, PA 15801

Tax Parcel No. C02-13A-00287-00-21

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME MICHAEL J. BLY

NO. 06-564-CD

NOW, February 07, 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 October 06, 2006, I exposed the within described real estate of Michael J Bly And Karen M. Bly A/K/A Karen M. Ferra to public venue or outcry at which time and place I sold the same to FANNIE MAE he/she being the highest bidder, for the sum of \$1.00 plus costs 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	5.85
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$255.67

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	117,399.13
INTEREST @ 19.3000 %	2,451.10
FROM 06/01/2006 TO 10/06/2006	

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	\$119,890.23

COSTS:

ADVERTISING	1,392.60
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	255.67
LEGAL JOURNAL COSTS	252.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
TOTAL COSTS	\$2,339.77

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

August 31, 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. MICHAEL J. BLY & KAREN M. BLY
No. 06-564
1280 TREASURE LAKE, DUBOIS, PA 15801

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for SEPTEMBER 1, 2006.

The property is to be relisted for the OCTOBER 6, 2006 Sheriff's Sale.

Very truly yours,

CJS

Christine Schoffler

VIA TELECOPY (814) 765-5915

CC: MICHAEL J. BLY 1280 TREASURE LAKE DUBOIS, PA 15801	KAREN M. BLY 1280 TREASURE LAKE DUBOIS, PA 15801
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