

06-658-CD
Countrywide Home vs Brenda S. Dixon

Countrywide Home vs Brenda Dixon
2006-658-CD

GOLDBECK McCAFFERTY & McKEEVER

BY: JOSEPH A. GOLDBECK, JR.

ATTORNEY I.D. #16132

SUITE 5000 – MELLON INDEPENDENCE CENTER

701 MARKET STREET

PHILADELPHIA, PA 19106

(215) 825-6318

WWW.GOLDBECKLAW.COM

ATTORNEY FOR PLAINTIFF

COUNTRYWIDE HOME LOANS INC.

7105 Corporate Drive

PTX C-35

Plano, TX 75024-3632

Plaintiff

vs.

BRENDA SUE DIXON

Mortgagor and Real Owner

149 Wallaceton Road

Morrisdale, PA 16858

Defendant

FILED

in 3:17 p.m. GK

APR 27 2006

KC Shff
ICC Atty

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS

OF CLEARFIELD COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term 2006-658-CD
No.

**CIVIL ACTION: 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 the 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 claim 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 OR CANNOT AFFORD ONE, 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.

PENNSYLVANIA BAR ASSOCIATION

P.O. Box 186

Harrisburg, PA 17108

800-692-7375

KEYSTONE LEGAL SERVICES

211 1/2 E. Locust Street

Clearfield, PA 16830

814-765-9646

A V I S O

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

RECUERDE: SI USTED NO RESPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA COUETE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

USTED DEBE LLEVAR ÉSTE PAPEL A SU ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELÉFONO LA OFICINA FIJADA AQUÍ ABAJO. ESTA OFICINA PUEDE PROVEERÉ CON INFORMACIÓN DE CÓMO CONSEUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ÉSTA OFICINA PUEDE PROVEERÉ INFORMACION ACERCA AGENCIAS QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE AQ UN HONORARIO REDUCIDO O GRATIS.

PENNSYLVANIA BAR ASSOCIATION

P.O. Box 186
Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES

211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646

**THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT
A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU
WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

Resources available for Homeowners in Foreclosure

ACT NOW!

Even though your lender (and our client) has filed an Action of Mortgage Foreclosure against you, you still may be able to SAVE YOUR HOME FROM FORECLOSURE.

- 1). Call an attorney. For referrals to a qualified attorney call either of the following numbers: 800-692-7375 or 814-765-9646.
- 2). Call the Consumer Credit Counseling Agency at 1-800-989-2227 for free counseling.
- 3). Visit HUD'S website www.hud.gov for Help for Homeowners Facing the Loss of Their Homes.
- 4). Call the Plaintiff (your lender) at and ask to speak to someone about Loss Mitigation or Home Retention options.
- 5). Call or contact our office to request the amount to bring the account current, or payoff the mortgage or request a Loan Workout / Home Retention Package. Call Beth at 215-825-6329 or fax 215-825-6429. The figure and/or package you requested will be mailed to the address that you request or faxed if you leave a message with that information. The attorney in charge of our firm's Homeowner Retention Department is David Fein who can be reached at 215-825-6318 or Fax: 215-825-6418. Please reference our Attorney File Number of CWD-5952.

Para informacion en espanol puede comunicarse con Loretta al 215-825-6344.

This Action of Mortgage Foreclosure will continue unless you take action to stop it.

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff is COUNTRYWIDE HOME LOANS INC., 7105 Corporate Drive, PTX C-35 Plano, TX 75024-3632.
2. The name and address of the Defendant is BRENDA SUE DIXON, 149 Wallaceton Road, Morrisdale, PA 16858-8428, who is the mortgagor and real owner of the mortgaged premises hereinafter described.
3. On October 27, 2003 mortgagor made, executed and delivered a mortgage upon the premises hereinafter described to AURORA LOAN SERVICES INC., which mortgage is recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument # 200322946. The mortgage has been assigned to: COUNTRYWIDE HOME LOANS, INC. by assignment of Mortgage, which has been lodged for recording. The Mortgage and assignment(s) are matters of public record and are incorporated by this reference in accordance with Pennsylvania Rule of Civil Procedure 1019(g); which Rule relieves the Plaintiff from its obligation to attach documents to pleadings if those documents are matters of public record.
4. The Property subject to the Mortgage is more fully described in the legal description set forth as Exhibit "A" ("Property").
5. The mortgage is in default because the monthly payments of principal and interest are due and unpaid for January 01, 2006, and each month thereafter and by the terms of the Mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due and other charges are due and collectible.
6. The following amounts are due to Plaintiff on the Mortgage:

Principal Balance	\$47,523.08
Interest from 12/01/2005	\$1,081.16
through 04/30/2006 at 5.5000%	
Per Diem interest rate at \$7.16	
Reasonable Attorney's Fee at 5% of Principal Balance as more fully explained in the next numbered paragraph	\$2,376.15
Late Charges from 01/01/2006 to 04/30/2006	\$88.68
Monthly late charge amount at \$22.17	
Costs of suit and Title Search	\$900.00
Monthly Escrow amount \$125.35	
	\$51,969.07

7. If the Mortgage is reinstated prior to a Sheriff's Sale, the Attorney's Fees set forth above may be less than the amount demanded based on work actually performed. The Attorney's Fees requested are in conformity with the Mortgage and Pennsylvania law. Plaintiff reserves its right to collect Attorney's fees of up to 5% of the remaining principal balance in the event the Property is sold to a third party purchaser at Sheriff's Sale or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.
8. Plaintiff is not seeking a judgment of personal liability (or and "in personam" judgment) against the Defendant in this Action but reserves it's right to bring a separate Action to establish that right, if such right exists. If Defendant has received a discharge of their personal liability in a Bankruptcy proceeding, this Action of Mortgage Foreclosure is, in no way, an attempt to re-establish the personal liability that was discharged in Bankruptcy, but only to foreclose the Mortgage and sell the Property pursuant to Pennsylvania law.

9. The Mortgage is insured by the Federal Housing Administration under Title II of the National Housing Act and, as such, is not subject to the provisions of Pennsylvania Act No. 91 of 1983 or Act 160 of 1998.

WHEREFORE, Plaintiff demands a de terris judgment in mortgage foreclosure in the sum of \$51,969.07, together with interest at the rate of \$7.16, per day and other expenses costs and charges incurred by the Plaintiff which are properly chargeable in accordance with the terms of the Mortgage and Pennsylvania law until the Mortgage is paid in full, and for the foreclosure of the Mortgage and Sheriff's Sale of the Property.

By: _____


GOLDBECK McCAFFERTY & McKEEVER

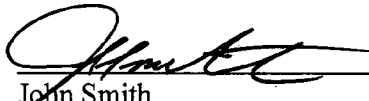
BY: JOSEPH A. GOLDBECK, JR., ESQUIRE

ATTORNEY FOR PLAINTIFF

VERIFICATION

I, John Smith, as the representative of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 4/26/06



John Smith
COUNTRYWIDE HOME LOANS INC.

Exhibit A

EXHIBIT "A"

ALL THAT CERTAIN LOT OR TRACT OF LAND SITUATE IN THE TOWNSHIP OF MORRIS, COUNTY OF CLEARFIELD, AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THIS PROPERTY AND BEING A CORNER OF THIS TRACT AND LANDS OF, NOW OR FORMERLY, ALVIN HALL, SAID IRON PIN BEING ALONG THE SOUTH SIDE OF L.R. 17060; THENCE ALONG SAID ROAD SOUTH 80 DEGREE 43'40" EAST, A DISTANCE OF 94.35 FEET TO AN IRON PIN SET; THENCE THROUGH LANDS OF WHICH THIS PROPERTY ORIGINATES, SOUTH 7 DEGREES 50' 00" WEST, A DISTANCE OF 206.00 FEET TO AN IRON PIN; THENCE SOUTH 80 DEGREES 43' 40" EAST, A DISTANCE OF 165.50 FEET TO AN IRON PIN SET ON LINE OF, NOW OR FORMERLY, JAMES LANNER, THENCE ALONG LANDS OF LANNER SOUTH 7 DEGREES 50' 00" WEST A DISTANCE OF 146.25 FEET TO AN IRON PIN FOUND; THENCE NORTH 88 DEGREES 05' 57" WEST, A DISTANCE OF 237.90 FEET TO AN IRON PIN SET ON LINE OF LANDS OF, NOW OR FORMERLY, JOE KARDAHELY; THENCE BY KARDAHELY NORTH 4 DEGREES 22' 37" EAST, A DISTANCE OF 191.31 FEET TO AN OLD POST; THENCE BY THE LANDS OF, NOW OR FORMERLY, ALVIN HALL ALONG A LINE IN THE SAME DIRECTION NORTH 4 DEGREES 22' 37" EAST, A DISTANCE OF 192.75 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

FILED

APR 27 2006

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101488
NO: 06-658-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: COUNTRYWIDE HOME LOANS INC.
vs.
DEFENDANT: BRENDA SUE DIXON

SHERIFF RETURN

NOW, May 01, 2006 AT 12:20 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON BRENDA SUE DIXON DEFENDANT AT 149 WALLACETON ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BRENDA SUE DIXON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

FILED
MAY 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GOLDBECK	256959	10.00
SHERIFF HAWKINS	GOLDBECK	256959	29.57

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,


by 
Chester A. Hawkins
Sheriff

GOLDBECK McCAFFERTY & McKEEVER

BY: Joseph A. Goldbeck, Jr.
Attorney I.D. #16132
Suite 5000 – Mellon Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-825-6321
Attorney for Plaintiff

COUNTRYWIDE HOME LOANS INC.
7105 Corporate Drive
PTX C-35
Plano, TX 75024-3632

Plaintiff

vs.

BRENDA SUE DIXON
(Mortgagor(s) and Record owner(s))
149 Wallaceton Road
Morrisdale, PA 16858

IN THE COURT OF COMMON PLEAS

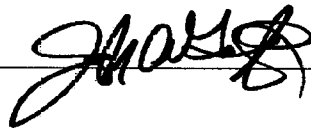
of Clearfield County

No. 2006-658-CD

PRAECIPE TO DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark the above case Discontinued and Ended upon payment of your costs only.



JOSEPH A. GOLDBECK, JR., ESQUIRE

FILED

m/2:22

JUN 07 2008

NOCC & NO
Cert of Disc
per request of
Atty.

William A. Shaw
Prothonotary

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

CIVIL DIVISION

COPY

Countrywide Home Loans Inc.

Vs.

No. 2006-00658-CD

Brenda Sue Dixon

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 7, 2006, marked:

Discontinued and Ended

Record costs in the sum of \$85.00 have been paid in full by Goldbeck McCafferty and McKeever.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of June A.D. 2006.



William A. Shaw, Prothonotary