

06-1097-CD
Nat'l City Mortg. Vs Wade A Maines et al

2006-1097-CD
National City et al vs Wade Maines et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.
s/b/m/t INTEGRA MORTGAGE
COMPANY, Assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

Plaintiff,

vs.

WADE A. MAINES and
DARLENE A. MAINES,

Defendants.

CIVIL DIVISION

NO. 06-1097-CD

**COMPLAINT IN MORTGAGE
FORECLOSURE**

Code -MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED *accShaw*
m 11/06/06
JUL 10 2006 *Atty pd. 85.00*
LM

William A. Shaw
Prothonotary/Clerk of Courts

8-31-06 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

W.A. Shaw GK
Deputy Prothonotary

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

NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA)
MORTGAGE COMPANY, Assignee of TOWNE &)
COUNTRY MORTGAGE CORP.,)
Plaintiff,) NO:
vs.)
WADE A. MAINES and DARLENE A. MAINES,)
Defendants.)

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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

(814) 765-2641 - EXT. 20

COMPLAINT IN MORTGAGE FORECLOSURE

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 3232 Newmark Drive, Miamisburg, OH 45342.

2. The Defendants are individuals with a last known mailing address of 18 Bills Road, Clearfield, PA 16830. The property address is **18 Bills Road, Clearfield, PA 16830** and is the subject of this action.

3. On the 23rd day of July, 1993, in consideration of a loan of Thirty One Thousand Two Hundred and 00/100 (\$31,200.00) Dollars made by Towne & Country Mortgage Corp., a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to Towne & Country Mortgage Corp., a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Towne & Country Mortgage Corp., as mortgagee, which mortgage was recorded on the 27th day of July, 1993, in the Office of the Recorder of Deeds of Clearfield County, in Mortgage Book Volume 1546, page 329. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

5. On the 27th day of July, 1993, Towne & Country Mortgage Corp., a PA corporation,

assigned to the Plaintiff, Integra Mortgage Company, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 27th day of July, 1993, in Mortgage Book Volume 1546, page 339. The said assignment is incorporated herein by reference.

6. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

7. Since February 1, 2006, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

8. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

9. The amount due on said mortgage is itemized on the attached schedule.

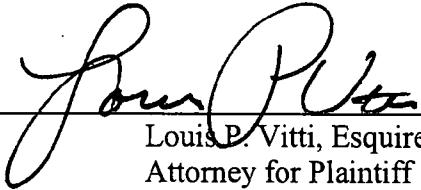
10. Pursuant to Pennsylvania Rules of Civil Procedure 1144 the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of filing this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Twenty Thousand Nine Hundred Three and 44/100 Dollars (\$20,903.44) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY


Louis P. Vitti, Esquire
Attorney for Plaintiff

MAINES

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance		16,761.80	
Interest @ 8.0000%	from 01/01/06	through 7/31/2006	775.18
(Plus \$3.6738 per day after 7/31/2006)			
Late charges through 7/5/2006			
0 months @ 15.61			
Accumulated beforehand			31.22
(Plus \$15.61 on the 17th day of each month after 7/5/2006)			
Attorney's fee		1,000.00	
Escrow deficit		<u>2,335.24</u>	

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

BALANCE DUE **20,903.44**

ATTACHED TO AND MADE A PART OF THAT CERTAIN MORTGAGE FROM WADE A. MAINES
AND DARLENE A. MAINES, HUSBAND AND WIFE TO TOWNE & COUNTRY MORTGAGE CORP. DATED JULY
23, 1993 AND COVERING PROPERTY KNOWN AS RD 2, BOX 183A, CLEARFIELD, PA 16830.

All those two (2) certain pieces or parcels of land situated in Girard Township,
Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a point on Station Street; thence by public road
leading from Karthaus to Clearfield South 30° 38' East, 231 1/2 feet to a stone at an
alley; thence by said alley, South 78° 45' West, 85 feet to a stone; thence North 22°
West, 200 feet to a stone on said Station Street; thence by said Station Street, North
53° 32' East, 81 feet to a stone and place of beginning.

EXCEPTING AND RESERVING one thousand six hundred forty (1,640) square feet transferred
to Martha Flood as noted in the prior deeds of record.

THE SECOND THEREOF: BEGINNING at the Southeast corner of lot of U. P. Murley, from
which this is taken; thence South 78° 45' West, 85 feet to a stone, 23 feet from
school lot; thence North 22° West, 63 feet and 2 inches along an alley to boarding
house to a stone; thence along land of U. P. Murley, North 75 feet to a stone at
public road leading from Clearfield to Karthaus; thence along said road South 30° 30'
East, 78 feet to stone and the place of beginning.

BEING the same property which Donald T. Williams and Deanne L. Williams, husband and
wife, by their Attorney in Fact Viola E. Stiner and Gerald S. Stiner and Viola E.
Stiner, husband and wife, by deed dated July 14, 1993 and to be recorded herewith,
granted and conveyed to Wade A. Maines and Darlene A. Maines, husband and wife, the
Mortgagors herein.

EXHIBIT A

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Complaint are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti
Louis P. Vitti

Dated: 7/7/2006

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket #

101700

NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA MORTGAGE COMPANY

Case #

06-1097-CD

vs.

WADE A. MAINES and DARLENE A. MAINES

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW August 18, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO WADE A. MAINES, DEFENDANT. RESIDES IN ALTOONA, PA..

SERVED BY: /

FILED
03:10 pm *LM*
AUG 18 2006

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101700
NO: 06-1097-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA MORTGAGE COMPANY
vs.

DEFENDANT: WADE A. MAINES and DARLENE A. MAINES

SHERIFF RETURN

NOW, July 17, 2006 AT 1:30 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DARLENE A. MAINES DEFENDANT AT 18 BILLS ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KERI PRICE, BABYSITTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101700
NO: 06-1097-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA MORTGAGE COMPANY
vs.

DEFENDANT: WADE A. MAINES and DARLENE A. MAINES

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	1808	20.00
SHERIFF HAWKINS	VITTI	1808	25.00

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Marlyn A. Hamer

Chester A. Hawkins
Sheriff

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.
s/b/m/t INTEGRA MORTGAGE
COMPANY, Assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

Plaintiff,

CIVIL DIVISION

NO. 06-1097-CD

**COMPLAINT IN MORTGAGE
FORECLOSURE**

vs.

WADE A. MAINES and
DARLENE A. MAINES,

Defendants.

Code -MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

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

JUL 10 2006

Attest.

William L. Ritter
Prothonotary/
Clerk of Courts

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

NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA)
MORTGAGE COMPANY, Assignee of TOWNE &)
COUNTRY MORTGAGE CORP.,)
Plaintiff,) NO:
vs.)
WADE A. MAINES and DARLENE A. MAINES,)
Defendants.)

COMPLAINT IN MORTGAGE FORECLOSURE

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PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

(814) 765-2641 - EXT. 20

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assigned to the Plaintiff, Integra Mortgage Company, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County on the 27th day of July, 1993, in Mortgage Book Volume 1546, page 339. The said assignment is incorporated herein by reference.

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7. Since February 1, 2006, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

8. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

9. The amount due on said mortgage is itemized on the attached schedule.

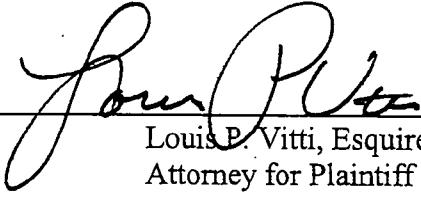
10. Pursuant to Pennsylvania Rules of Civil Procedure 1144 the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of filing this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Twenty Thousand Nine Hundred Three and 44/100 Dollars (\$20,903.44) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY


Louis P. Vitti, Esquire
Attorney for Plaintiff

MAINES

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance 16,761.80

Interest @ 8.0000% from 01/01/06 through 7/31/2006 775.18
(Plus \$3.6738 per day after 7/31/2006)

Late charges through 7/5/2006
0 months @ 15.61
Accumulated beforehand 31.22
(Plus \$15.61 on the 17th day of each month after 7/5/2006)

Attorney's fee 1,000.00

Escrow deficit 2,335.24

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

BALANCE DUE 20,903.44

DEEDS ATTACHED TO AND MADE A PART OF THAT CERTAIN MORTGAGE FROM WADE A. MAINES
AND DARLENE A. MAINES, HUSBAND AND WIFE TO TOWNE & COUNTRY MORTGAGE CORP. DATED JULY
23, 1993 AND COVERING PROPERTY KNOWN AS RD 2, BOX 183A, CLEARFIELD, PA 16830.

All those two (2) certain pieces or parcels of land situated in Girard Township,
Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a point on Station Street; thence by public road
leading from Karthaus to Clearfield South $30^{\circ} 38'$ East, 231 1/2 feet to a stone at an
alley; thence by said alley, South $78^{\circ} 45'$ West, 85 feet to a stone; thence North 22°
West, 200 feet to a stone on said Station Street; thence by said Station Street, North
 $52^{\circ} 32'$ East, 81 feet to a stone and place of beginning.

EXCEPTING AND RESERVING one thousand six hundred forty (1,640) square feet transferred
to Martha Flood as noted in the prior deeds of record.

THE SECOND THEREOF: BEGINNING at the Southeast corner of lot of U. F. Hurley, from
which this is taken; thence South $78^{\circ} 45'$ West, 85 feet to a stone, 23 feet from
school lot; thence North 22° West, 63 feet and 2 inches along an alley to boarding
house to a stone; thence along land of U. F. Hurley, North 75 feet to a stone at
public road leading from Clearfield to Karthaus; thence along said road South $30^{\circ} 30'$
East, 78 feet to stone and the place of beginning.

BEING the same property which Donald T. Williams and Deanne L. Williams, husband and
wife, by their Attorney in Fact Viola E. Stiner and Gerald B. Stiner and Viola E.
Stiner, husband and wife, by deed dated July 14, 1993 and to be recorded herewith,
granted and conveyed to Wade A. Maines and Darlene A. Maines, husband and wife, the
Mortgagors herein.

EXHIBIT A

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Complaint are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti

Dated: 7/7/2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.,
s/b/m/t INTEGRA MORTGAGE
COMPANY, Assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

Plaintiff,

vs.

WADE A. MAINES and DARLENE A.
MAINES,

Defendants.

CIVIL DIVISION

NO. 06-1097 CD

**PRAECIPE TO REINSTATE
COMPLAINT IN MORTGAGE
FORECLOSURE**

Code - Mortgage Foreclosure

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED Atty pd. 7.00
m/b 25/01
AUG 31 2006 Compl. Reinstated
to Staff

William A. Shaw
Prothonotary/Clerk of Courts

(61)

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE)
COMPANY, Assignee of TOWNE & COUNTRY MORTGAGE CORP.) NO. 06-1097-CD)
Plaintiff,)
vs.)
WADE A. MAINES and DARLENE A. MAINES,)
Defendants.)

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please reinstate the complaint in the above-captioned case.

Respectfully submitted,

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:

~~(Louis P. Vitti, Esquire)~~

DATE: August 29, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101886
NO: 06-1097-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: NATIONAL CITY MORTGAGE CO. s/b/m/t INTEGRA MORTGAGE
COMPANY
vs.
DEFENDANT: WADE A. MAINES

SHERIFF RETURN

NOW, September 13, 2006 AT 2:52 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WADE A MAINES DEFENDANT AT 4993 SHILOH ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO FLOYD MAINES, FATHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	VITTI	2140	10.00
SHERIFF HAWKINS	VITTI	2140	22.35

FILED
01015 cm
OCT 05 2006

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

*Chester A. Hawkins
by Marilyn Harr*
Chester A. Hawkins
Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.,
s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

Plaintiff,

vs.

WADE A. MAINES and DARLENE A.
MAINES,

Defendants.

CIVIL DIVISION

NO. 06-1097-CD

**PRAECIPE FOR DEFAULT
JUDGMENT, CERTIFICATION OF
MAILING AND AFFIDAVIT OF NON-
MILITARY SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED NO CC
m 11:05 AM OCT 19 2006 Notice to Defs.
Statement
William A. Shaw
Prothonotary/Clerk of Courts To Atty
Atty pd. 20.00
⑥p

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP.,

NO: 06-1097

vs

Plaintiff,

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

**PRAECIPE FOR DEFAULT JUDGMENT
AND ASSESSMENT OF DAMAGES**

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$21,190.00**, in favor of the National City Mortgage Co., et al, Plaintiff in the above-captioned action, against the Defendants, **Wade A. Maines and Darlene A. Maines** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	\$16,761.80
Interest from 01/01/06-10/17/06 (Plus \$6.0000% per day after 10/17/06)	1,061.74
Late charges (Plus \$15.61 per month from 07/05/06-Sale Date)	31.22
Attorney's fee	1,000.00
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<u>2,335.24</u>
Total Amount Due	<u>\$21,190.00</u>

The real estate, which is the subject matter of the Complaint, is situate in Twp of Girard, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 18 Bills Road, Clearfield, PA 16830. Parcel No. 114-N06-670-00005.


Louis P. Vitti, Esquire
Attorney for the Plaintiff

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP.,

NO: 06-1097

Plaintiff,

vs

WADE A. MAINES and DARLENE A. MAINES,

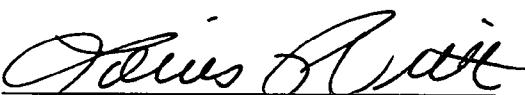
Defendants.

CERTIFICATION OF MAILING

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on October 6, 2006, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.

BY:


Louis P. Vitti, Esquire
Attorney for Plaintiff

SWORN to and subscribed

before me this 17th day

of October, 2006.



Notary Public

Notarial Seal

Sherry L. House, Notary Public
Pleasant Hills Boro. Allegheny County
My Commission Expires January 28, 2007

Member, Pennsylvania Association of Notaries

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP.,

NO. 06-1097-CD

Plaintiff,

vs.

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

IMPORTANT NOTICE

TO: Wade A. Maines
4993 Shiloh Road
Woodland, PA 16881

Darlene A. Maines
18 Bills Road
Clearfield, PA 16830

Date of Notice: **October 6, 2006**

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 (10) 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 NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

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

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641, EXT. 20

BY:

LOUIS P. VITTI & ASSOCIATES, P.C.


Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219

** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

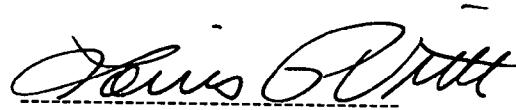
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

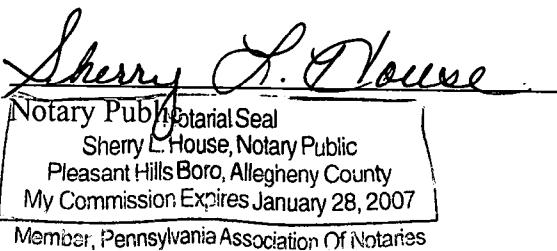


Louis P. Vitti, Esquire

SWORN to and subscribed

before me this 17th day

of October, 2006.



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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP.,

NO: 06-1097

Plaintiff,

vs

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding
on the 19th day of October 2006.

Judgment is as follows: **\$21,190.00.**



Deputy

** THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY
INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY
RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD
NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT
OF A LIEN AGAINST PROPERTY.**

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff, :
vs :
WADE A. MAINES and DARLENE A. MAINES, :
Defendants. :

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: DEFENDANT(S)

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on the 19th day of October 2006.

Judgment is as follows: \$21,190.00.



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

National City Mortgage Co.
Integra Mortgage Company
Towne & Country Mortgage Corp.
Plaintiff(s)

No.: 2006-01097-CD

Real Debt: \$21,190.00

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Wade A. Maines Entry: \$20.00
Darlene A. Maines
Defendant(s)

Instrument: Default Judgment

Date of Entry: October 19, 2006

Expires: October 19, 2011

Certified from the record this 19th day of October, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.,
s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

CIVIL DIVISION

NO. 06-1097-CD

**PRAECIPE FOR WRIT OF
EXECUTION AND AFFIDAVIT OF
LAST KNOWN ADDRESS**

Plaintiff,

vs.

WADE A. MAINES and DARLENE A.
MAINES,

Defendants.

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED Atty pd. 20.00
M 11:05 AM
OCT 19 2006 Cleo Lewinis
to Shff w
William A. Shaw Prost
Prothonotary/Clerk of Courts Dscr.
(60)

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff, :
vs :
WADE A. MAINES and DARLENE A. MAINES, :
Defendants. :

**PRAECIPE FOR WRIT OF
EXECUTION IN MORTGAGE FORECLOSURE**

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the
above-captioned matter as follows:

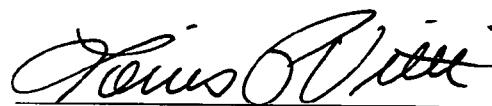
Amount Due \$21,190.00

Interest 10/18/06-Sale Date _____.

Total **Prothonotary costs** \$ 132.00

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate
in:

Twp of Girard, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 18 Bills Road, Clearfield, PA 16830.
Parcel No. 114-N06-670-00005.



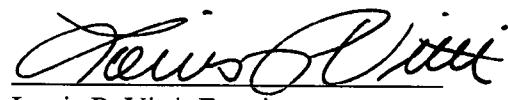
Louis P. Vitti, Esquire
Attorney for Plaintiff

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff, :
vs :
WADE A. MAINES and DARLENE A. MAINES, :
Defendants. :

AFFIDAVIT

I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief, the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute. That the Defendants', Wade A. Mainess, last known address is 4993 Shiloh Road, Woodland, PA 16881. That the Defendants', Darlene A. Maines, last known address is 18 Bills Road, Clearfield, PA 16830

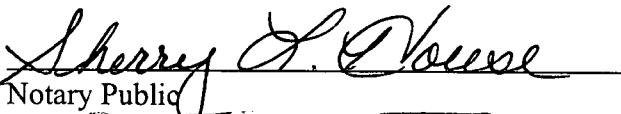


Louis P. Vitti

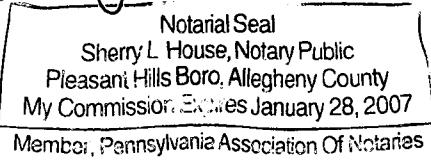
SWORN TO and subscribed

before me this 17th day of

October, 2006.



Sherry L. House
Notary Public



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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff, :
vs :
WADE A. MAINES and DARLENE A. MAINES, :
Defendants. :

AFFIDAVIT PURSUANT TO RULE 3129.1

National City Mortgage Co., et al, Plaintiff in the above action, sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at 18 Bills Road, Clearfield, PA 16830.

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Wade A. Maines	4993 Shiloh Road Woodland, PA 16881
Darlene A. Maines	18 Bills Road Clearfield, PA 16830

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
Same as No. 1 above.	

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

Name:	Address (Please indicate if this cannot be reasonably ascertained)
NONE	

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

Name _____ Address (Please indicate if this cannot be reasonably ascertained) _____

NONE

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

Name _____ Address (Please indicate if this cannot be reasonably ascertained) _____

None

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

Name _____ Address (Please indicate if this cannot be reasonably ascertained) _____

None

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

Name _____ Address (Please indicate if this cannot be reasonably ascertained) _____

Tax Collector of Girard Township P.O. Box 54
c/o Melanie L. Martell LeContes Mills, PA 16850

Girard Township Municipal Authority 165 Girard Circle
P.O. Box 36 LeContes Mills, PA 16836

Commonwealth of PA -DPW P.O. Box 8016
Harrisburg, PA 17105

Clerk of Courts P.O. Box 549
Criminal/Civil Division Clearfield, PA 16830

Tax Claim Bureau of Clearfield County

230 East Market Street
Clearfield, PA 16830

Court of Common Pleas of
Clearfield County
Domestic Relations Division

P.O. Box 549
Clearfield, PA 16830

PA Dept. of Sheriff Sales
Bureau of Compliance

Dept. #281230
Harrisburg, PA 17128-1230

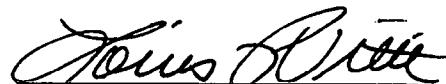
Tenant/Occupant

18 Bills Road
Clearfield, PA 16830

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

October 16, 2006

Date

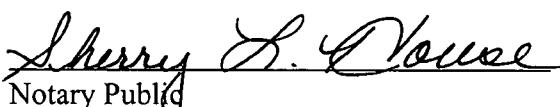


Louis P. Vitti, Esquire
Attorney for Plaintiff

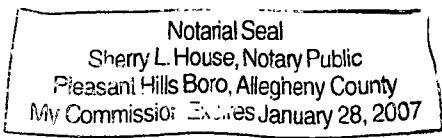
SWORN TO and subscribed

before me this 17th day

of October, 2006.



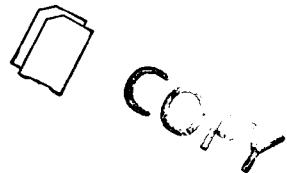
Notary Public



Member, Pennsylvania Association of Notaries

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

National City Mortgage Co., s/b/m/t
Integra Mortgage Company, assignee of
Towne & Country Mortgage Corp.



Vs.

NO.: 2006-01097-CD

Wade A. Maines and Darlene A. Maines

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP., Plaintiff(s) from WADE A. MAINES and DARLENE A. MAINES, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached Descriptions

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$21,190.00
INTEREST: 10/18/06-Sale Date
ATTY'S COMM: \$
DATE: 10/19/2006

PROTHONOTARY'S COSTS PAID: \$132.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Ave.
Pittsburgh, PA 15219
(412) 281-1725

Sheriff

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff,
vs
WADE A. MAINES and DARLENE A. MAINES,
Defendants.

SHORT DESCRIPTION

Twp of Girard, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 18 Bills Road, Clearfield, PA 16830.
Parcel No. 114-N06-670-00005.

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP.,

NO: 06-1097

Plaintiff,

vs

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

LEGAL DESCRIPTION

ALL those two (2) certain pieces or parcels of land situated in Girard Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: Beginning at a point on Station Street; thence by public road leading from Karthaus to Clearfield South $30^{\circ} 35'$ East, 231 1/2 feet to a stone at an alley; thence by said alley, South $78^{\circ} 45'$ West, 85 feet to a stone; thence North 22° West, 200 feet to a stone on said Station Street; thence by said Station Street, North $52^{\circ} 32'$ East, 51 feet to a stone and place of beginning.

EXCEPTING and reserving one thousand six hundred forty (1,640) square feet transferred to Marta Flood as noted in the prior deeds of record.

THE SECOND THEREOF: Beginning at the Southeast corner of Lot of U. F. Hurley, from which this is taken; thence South $78^{\circ} 45'$ West, 85 feet to a stone, 23 feet from school lot; thence North 22° West, 63 feet and 2 inches along an alley to boarding house to a stone; thence along land of U. F. Hurley, North 75 feet to a stone at public road leading from Clearfield to Karthaus; thence along said road South $30^{\circ} 30'$ East, 78 feet to stone and the place of beginning.

HAVING erected thereon a dwelling known as 18 Bills Road, Clearfield, PA 16830.

PARCEL NO. 114-N06-670-00005.

BEING the same premises which Donald T. Williams and Deanne L. Williams, et al by Deed dated 07/14/1993 and recorded 07/27/1993 in the Recorder's Office of Clearfield County, Pennsylvania, Deed Book Volume 1546, Page 325, granted and conveyed unto Wade A. Maines and Darlene A. Maines, husband and wife, as tenants by the entireties.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE CO.,
s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE &
COUNTRY MORTGAGE CORP.,

CIVIL DIVISION

NO. 06-1097-CD

MOTION FOR SPECIAL SERVICE

Plaintiff,

vs.

WADE A. MAINES and DARLENE A.
MAINES,

Defendants.

Code MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

FILED NO
3114054
JAN 08 2007
SAC
William A. Shaw
Prothonotary/Clerk of Courts

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

NOTICE

TO: Wade A. Maines
4993 Shiloh Road
Woodland, PA 16881

Sheriff of Clearfield County
P.O. Box 549
Clearfield, PA 16830

TAKE NOTICE that the within Motion for Special Service pursuant to Rule 400, et seq., and Rule 3129 of the Pennsylvania Rules of Civil Procedure will be presented before the Motions Judge, Clearfield County, Pennsylvania, as unopposed unless a responsive pleading is filed.

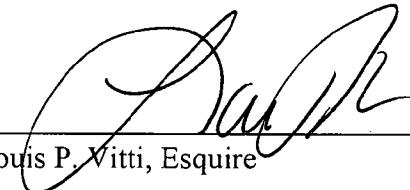
LOUIS P. VITTI & ASSOC., P.C.

BY: 

Louis P. Vitti, Esquire
Attorney for Plaintiff

CERTIFICATION

I hereby certify that a true and correct copy of the within Motion was mailed to the above, this 4th day of January, 2007.

BY: 

Louis P. Vitti, Esquire

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP.,

vs

WADE A. MAINES and DARLENE A. MAINES,

Plaintiff,

: NO: 06-1097-CD

Defendants.

MOTION FOR SPECIAL SERVICE

AND NOW comes the Plaintiff by and through its counsel, Louis P. Vitti & Associates, P.C., and Louis P. Vitti, Esquire, and files this Motion for Special Service whereof the following is a statement:

1. Plaintiff did file a Complaint at the above-captioned number in mortgage foreclosure and judgment was entered and sale scheduled.
2. The Plaintiff has attempted to make service in accordance with Pennsylvania Rule of Civil Procedure No. 3129.1, et seq. by mailing a copy of the Notice of Sale to the Defendant by certified mail, return receipt requested, and the Defendant has either avoided, frustrated or removed himself from the jurisdiction to prevent service; said certified receipt has been returned to Plaintiff's counsel marked "Unclaimed". See Exhibit "A".
3. The Defendant, Wade A. Maines, was sent notice by certified mail that the mortgaged property would be subject to Sheriff's Sale on January 5, 2007. See Exhibit "B".
4. Postal Authority indicated that the Defendant still receives mail at 4993 Shiloh Road, Woodland, PA 16881. See Exhibit "C".
5. The Sheriff did attempt to make service, but has been unable to serve the Defendant, Wade A. Maines at 4993 shiloh Road, Woodland, PA 16881 because his father stated he is no longer at said address and is residing in Altoona, PA, however, he would not provide address. See Exhibit "D".

6. Notice of said sale was given by handbills posted by the Sheriff of Clearfield County in his office and upon the mortgaged property at least thirty (30) days before the sale.

7. Mail has been directed to the Defendant, effecting substantial compliance with Rule of Civil Procedure 3129 and Rule 400, et seq.

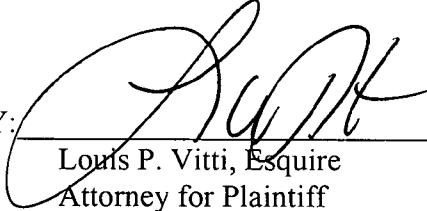
8. This sale has been advertised in accord with the Rules of Civil Procedure by the Sheriff.

9. By virtue of the fact that substantial compliance with the requirements of Rule 3129.1 and Rule 400, et seq. have been effected, the case may be scheduled for the January 5, 2007 sale.

WHEREFORE, Plaintiff prays this Honorable Court enter an Order directing the Sheriff to sell the within property at the regularly scheduled Sheriff's Sale or at any date to which continued.

LOUIS P. VITTI & ASSOC., P.C.

BY:



Louis P. Vitti, Esquire
Attorney for Plaintiff

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE & COUNTRY,

Plaintiff,

NO: 06-1097-CD

vs

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

INVESTIGATION AFFIDAVIT PURSUANT TO PA.R.C.P. NO. 430

Four Star Investigation sets forth the following:

1. Affiant and/or its agents have conducted an investigation to determine the whereabouts of the Defendant, Wade A. Maines, by making inquiries of or examining the following:

- a. Local telephone directory assistance has the following information:

NO LISTING

- b. Department of Transportation - shows that the last known address for the Defendant(s) is/are:

NO RECORD

- c. Other (please explain): SOCIAL SECURITY CHECK SHOWS
4993 SHILOH ROAD WOODLAND, PA. 16881 AS
MOS T RECENT FOR WADE MAINES (NOV 06)

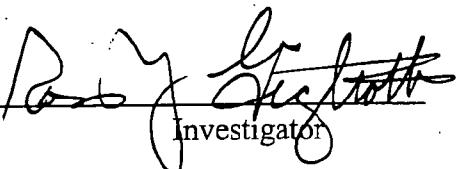
ACCORDING TO NEIGHBORS ON SHILOH ROAD,
WADE MAINES IS GONE FROM
WOODLAND, PA AREA

WADE'S FATHER, FLOYD MAINES WAS A POLICE
OFFICER #14-857-7940. HE DIED NO HELP MENTAL CONDITION
- DISEASE

2. Notwithstanding the investigation as set forth in this Affidavit, Affiant and/or its agents have not been able to locate the whereabouts of said Defendant(s) as shown above and by the attached exhibits.

We verify that the statements made in this Affidavit are true and correct to the best of our knowledge, information and belief. We understand that false statements are made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

FOUR STAR INVESTIGATION

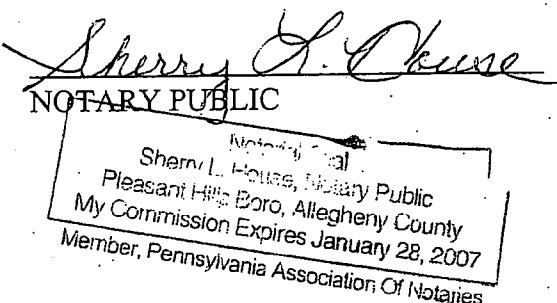
BY: 

Randy L. Eckert
Investigator

Commonwealth of Pennsylvania :
: SS.
County of Allegheny :
:

On this the 15th day of December, 2006, before me the undersigned officer, personally appeared the Affiant, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.



CERTIFIED MAIL

DUIS P. VITTI AND ASSOCIATES, P. C.

COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219



464
U.S. POSTAGE
8455598

7160 3901 9842 9187 7248

RETURN RECEIPT REQUESTED

Wade A. Maines
4993 Shiloh Roa
Woodland, PA 16

A
C
S

- INSUFFICIENT ADDRESS
- ATTEMPTED NOT KNOWN
- NO SUCH NUMBER/ STREET
- NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

OTHER



Notice 11-1
Notice 11-06
Return 11-16-06

Undelivered

deadlined

EXHIBIT "A"

Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1725

FAX: (412) 281-3810

LOUIS P. VITTI
RODNEY PERMIGIANI
ANDREW T. MOXIE



Today is Monday
October 30, 2006

Wade A. Maines
4993 Shiloh Road
Woodland, PA 16881

Darlene A. Maines
18 Bills Road
Clearfield, PA 16830

**RE: National City Mortgage Co., et al vs Wade A. Maines, et al
Loan No. 8477106**

Dear Sir/Madam:

Be advised that a default judgment has been taken against you by the above-captioned Plaintiff in the amount of \$21,190.00, together with interest and costs.

Also, be advised that the Sheriff's Sale for the property located at 18 Bills Road, Clearfield, PA 16830, shall occur on the **5th day of January, 2007, at 10:00 A.M.** in Clearfield County Courthouse, Pennsylvania.

Very truly yours,

Louis P. Vitti

Louis P. Vitti

LPV/slh

**** 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.****

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

EXHIBIT "B"

LOUIS P. VITTI & ASSOCIATES, P.C.
916 Fifth Avenue
Pittsburgh, PA 15219
PHONE: (412) 281-1725 FAX: (412) 281-3810

DATE: November 16, 2006

*Please
Expedite*

POSTMASTER
WOODLAND, PA 16881

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: WADE A. MAINES
Address: 4993 SHILOH ROAD, WOODLAND, pa 16881

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. **The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.**

1. Capacity of requester (e.g., process server, attorney, party representing himself): Attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): N/A
3. The names of all known parties to the litigation: National City Mortgage Co., et al vs Wade A. Maines, et al
4. The court in which the case has been or will be heard: Common Pleas of Clearfield County
5. The docket or other identifying number if one has been issued: 06-1097-CD
6. The capacity in which this individual is to be served (e.g. defendant or witness): Defendant

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.



FOR POST OFFICE USE ONLY


Louis P. Vitti, Esquire
916 Fifth Avenue
Pittsburgh, PA 15219

No change of address order on file. NEW

ADDRESS or BOXHOLDER'S POSTMARK

Not known at address given.

NAME AND STREET ADDRESS

Moved, left no forwarding address.

No such address.

Good as Addressed

EXHIBIT "C"

REAL ESTATE**REAL ESTATE****EXECUTION SERVICE SHEET**DKT: EX PAGE: 20461

DEPUTY RECEIVED: October 26, 2006

DEFENDANT(S): WADE A. MAINES

ADDRESS: 4993 SHILOH ROAD
WOODLAND, PA 16881

LEVY & POST AT: SAME AS ABOVE

SERVE AND LEAVE WITH: DEFENDANT POST GARNISHEE

WRIT OF EXECUTION NOTICE OF SALE TO POST / SERVE WRIT LEVY

INTERROGATORIES TO GARNISHEE WRIT OF POSSESSION

MUST BE SERVED, POSTED OR LEVIED BY: NOV. 23, 2006

DATE SERVED, POSTED OR LEVIED: 10/26/06 TIME: 8:50NAME OF PERSON SERVED: WADE A. MAINESTITLE: fatherWHERE SERVED /POSTED(ADDRESS): 4993 Shiloh Rd

DEFENDANT(S): RESIDENCE EMPLOYMENT

SIGNATURE OF PERSON SERVED: WADE A. MAINESDATE: 10/26/06ATTEMPTS: lives in Altoona father won't give address**SPECIAL DIRECTIONS:**NO 06-1097-CD
WADE A. MAINES AND DARLENE A. MAINESSERVED, POSTED OR LEVIED ON BY: WADE A. MAINESNOTES: WADE A. MAINES

EXHIBIT "D"

VERIFICATION

AND NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.



Louis P. Vitti

Dated: December 28, 2006

UA

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP.,

vs

WADE A. MAINES and DARLENE A. MAINES,

Plaintiff,

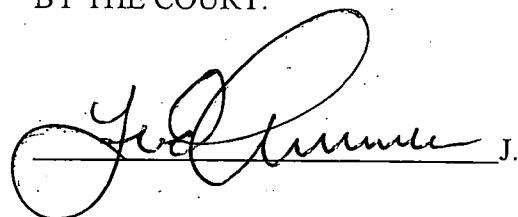
NO: 06-1097-CD

Defendants.

ORDER OF COURT

AND NOW, to-wit, this 9 day of Jan. ²⁰⁰⁷~~2006~~, it is hereby Ordered,
Adjudged and Decreed Plaintiff shall direct a copy of this Order and the Notice of Sale upon Defendants
by regular mail and upon all lienholders by regular mail to complete service under Rule 3129.1 and by
posting the property by the Sheriff. Sale need not be advertised again and the Sheriff may sell the within
property at the regularly scheduled sale or at any future sale date.

BY THE COURT:



FILED
012-34567 Vitti
JAN 8 9 2007
ICCSheriff

William A. Shaw
Prothonotary/Clerk of Courts 

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20461
NO: 06-1097-CD

PLAINTIFF: NATIONAL CITY MORTGAGE CO., S/B/M/T INTEGRA MORTGAGE COMPANY, ASSIGNEE OF TOWNE & COUNTRY MORTGAGE CORP.

vs.

DEFENDANT: WADE A. MAINES AND DARLENE A. MAINES

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 10/19/2006

LEVY TAKEN 11/02/2006 @ 8:43 AM

POSTED 11/02/2006 @ 8:43 AM

SALE HELD

SOLD TO

WRIT RETURNED 10/17/2007

DATE DEED FILED **NOT SOLD**

FILED
01073561
OCT 17 2007


William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED WADE A. MAINES

DEPUTIES INFORMED DEFENDANT MOVED TO ALTOONA UNABLE TO SERVE WADE A. MAINES AT 4993 SHILOH ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA

11/13/2006 @ 8:55 AM SERVED DARLENE A. MAINES

SERVED DARLENE A. MAINES, DEFENDANT, AT HER RESIDENCE 18 BILLS ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HARRY PRICE, FIANCE

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, JANUARY 9, 2007 RECEIVED ORDER OF COURT FOR SERVICE.

@ SERVED

NOW, JANUARY 3, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JANUARY 5, 2007 TO APRIL 6, 2007.

@ SERVED

NOW, FEBRUARY 28, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR APRIL 13, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20461

NO: 06-1097-CD

PLAINTIFF: NATIONAL CITY MORTGAGE CO., S/B/M/T INTEGRA MORTGAGE COMPANY, ASSIGNEE OF TOWNE & COUNTRY MORTGAGE CORP.

vs.

DEFENDANT: WADE A. MAINES AND DARLENE A. MAINES

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$212.91

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

Chester Hawkins
I beg Cynthia Borden-Aylenard
Chester A. Hawkins
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

National City Mortgage Co., s/b/m/t
Integra Mortgage Company, assignee of
Towne & Country Mortgage Corp.

Vs.

NO.: 2006-01097-CD

Wade A. Maines and Darlene A. Maines

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP., Plaintiff(s) from WADE A. MAINES and DARLENE A. MAINES, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached Descriptions

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$21,190.00
INTEREST: 10/18/06-Sale Date
ATTY'S COMM: \$
DATE: 10/19/2006

PROTHONOTARY'S COSTS PAID: \$132.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 10th day
of October A.D. 2006
At 2:00 A.M./P.M.

Requesting Party: Louis P. Vitti, Esq.
916 Fifth Ave.
Pittsburgh, PA 15219
(412) 281-1725

Constance A. Kneale
Sheriff Jeff Cenitova, Butler Augmented

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP.,

NO: 06-1097

Plaintiff,

vs

WADE A. MAINES and DARLENE A. MAINES,

Defendants.

SHORT DESCRIPTION

Twp of Girard, Cty of Clearfield & Cmwlth of PA. HET a dwg k/a 18 Bills Road, Clearfield, PA 16830.
Parcel No. 114-N06-670-00005.

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA
MORTGAGE COMPANY, assignee of TOWNE & COUNTRY
MORTGAGE CORP., : NO: 06-1097
Plaintiff,
vs
WADE A. MAINES and DARLENE A. MAINES, :
Defendants.

LEGAL DESCRIPTION

ALL those two (2) certain pieces or parcels of land situated in Girard Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: Beginning at a point on Station Street; thence by public road leading from Karthaus to Clearfield South 30° 35' East, 231 1/2 feet to a stone at an alley; thence by said alley, South 78° 45' West, 85 feet to a stone; thence North 22° West, 200 feet to a stone on said Station Street; thence by said Station Street, North 52° 32' East, 51 feet to a stone and place of beginning.

EXCEPTING and reserving one thousand six hundred forty (1,640) square feet transferred to Marta Flood as noted in the prior deeds of record.

THE SECOND THEREOF: Beginning at the Southeast corner of Lot of U. F. Hurley, from which this is taken; thence South 78° 45' West, 85 feet to a stone, 23 feet from school lot; thence North 22° West, 63 feet and 2 inches along an alley to boarding house to a stone; thence along land of U. F. Hurley, North 75 feet to a stone at public road leading from Clearfield to Karthaus; thence along said road South 30° 30' East, 78 feet to stone and the place of beginning.

HAVING erected thereon a dwelling known as 18 Bills Road, Clearfield, PA 16830.

PARCEL NO. 114-N06-670-00005.

BEING the same premises which Donald T. Williams and Deanne L. Williams, et al by Deed dated 07/14/1993 and recorded 07/27/1993 in the Recorder's Office of Clearfield County, Pennsylvania, Deed Book Volume 1546, Page 325, granted and conveyed unto Wade A. Maines and Darlene A. Maines, husband and wife, as tenants by the entireties.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME WADE A. MAINES

NO. 06-1097-CD

NOW, October 16, 2007, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Wade A. Maines And Darlene A. Maines to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	6.45
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.46
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	4.00
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$212.91

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	21,190.00
INTEREST @	0.00
FROM 10/18/2006 TO	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$21,230.00
COSTS:	
ADVERTISING	253.78
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	212.91
LEGAL JOURNAL COSTS	126.00
PROTHONOTARY	132.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$724.69

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

Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1711

FAX: (412) 281-3810

LOUIS P. VITTI
RODNEY PERMICIANI
BLAISE J. GLEBENICK

RECEIVED
[Redacted] 25000

Today is Wednesday
January 3, 2007

Sheriff of Clearfield County

Clearfield County Courthouse

(814) 765-5915 (Fax)

Attn: Cindy, Real Estate Dept.

RE: Wade A. Barnes, et al

Case No: 06-1097-CJ

Dear Sir or Madam:

Kindly continue the above captioned Sheriff's Sale which was scheduled for:

January 5, 2007 to April 1, 2007

Thank you for your cooperation in this matter.

Very truly yours,

Louis P. Vitti

Louis P. Vitti

LPV

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

NATIONAL CITY MORTGAGE CO., s/b/m/t INTEGRA MORTGAGE
COMPANY, assignee of TOWNE & COUNTRY MORTGAGE CORP.,

vs

WADE A. MAINES and DARLENE A. MAINES,

Plaintiff,

: NO: 06-1097-CD

Defendants.

ORDER OF COURT

AND NOW, to-wit, this 9 day of Jan. ^{2007 FJA/BN}, 2006, it is hereby Ordered,

Adjudged and Decreed Plaintiff shall direct a copy of this Order and the Notice of Sale upon Defendants by regular mail and upon all lienholders by regular mail to complete service under Rule 3129.1 and by posting the property by the Sheriff. Sale need not be advertised again and the Sheriff may sell the within property at the regularly scheduled sale or at any future sale date.

BY THE COURT:

/s/ Fredric J. Ammerman

J.

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

JAN 09 2007

Attest.

William L. Bissell
Prothonotary/
Clerk of Courts

Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW
916 FIFTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1725

FAX: (412) 281-3810

LOUIS P. VITTI
RODNEY PERMIGLIANI



DAVID F. ALBERON - *Of Counsel*
Phone: (412) 471-1960 & 1961 / Fax: (412) 232-3666
E-Mail: AlpcndFA@verizon.net

Today is Wednesday
February 28, 2007

Sheriff of Clearfield CountyClearfield County Courthouse(814) 765-5915 - FAX

Att: Cindy, Real Estate Dept

RE: Wade A. Maines, et al
Sale #: 06-1097

To whom it may concern:

Please stay the writ on the above captioned case which is scheduled for the April 6, 2007
Sheriff sale.

REASON: Active Bankruptcy

MONEY REALIZED: YES for the amount of \$ _____
NO XX

Thank you for your attention to this matter.

Very Truly Yours,

Louis P. Vitti

Louis P. Vitti

LPV/