

06-1211-CD
Wells Fargo vs Russell Lindstrom et al

2006-1211-CD
Wells Fargo vs Russell Lindstrom et al

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

138240

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff

v.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
4523 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

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

**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

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

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

RUSSELL L. LINDSTROM
TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

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

3. On 08/26/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR EQUITY ONE, INCORPORATED which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200213792. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 01/01/2006 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	\$56,409.80
Interest	2,124.71
12/01/2005 through 07/27/2006	
(Per Diem \$8.89)	
Attorney's Fees	1,250.00
Cumulative Late Charges	110.28
08/26/2002 to 07/27/2006	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 60,444.79
Escrow	
Credit	0.00
Deficit	97.45
Subtotal	<u>\$ 97.45</u>
TOTAL	\$ 60,542.24

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 \$ 60,542.24, together with interest from 07/27/2006 at the rate of \$8.89 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 PROPERTY SITUATED IN THE TOWNSHIP OF MORRIS IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 10/20/1999 AND RECORDED 10/21/1999, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 199917476 AND PAGE.

ADDRESS: 4523 MORRISDALE ALLPORT HIGHWAY
TAX MAP OR PARCEL ID NO.: 124.0-88826

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

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE:

7/27/06

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101774
NO: 06-1211-CD
SERVICE # 1 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.
vs.
DEFENDANT: RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SHERIFF RETURN

NOW, August 04, 2006 AT 2:35 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RUSSELL L. LINDSTROM, SR. DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RUSSELL L. LINDSTROM SR., DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HAWKINS /

FILED
03:30 pm
SEP 21 2006

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 4 Services

Sheriff Docket # **101774**

WELLS FARGO BANK, N.A.

Case # 06-1211-CD

vs.

RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 21, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO TRACY R. LINDSTROM, DEFENDANT. MOVED TO: 309 SPRING BRAE CT., BELLEFONTE, PA..

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101774
NO: 06-1211-CD
SERVICE # 3 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SHERIFF RETURN

NOW, July 31, 2006, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RUSSELL L LINDSTROM SR..

NOW, September 12, 2006 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RUSSELL L LINDSTROM SR., DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101774
NO: 06-1211-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SHERIFF RETURN

NOW, July 31, 2006, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TRACY R. LINDSTROM.

NOW, August 16, 2006 AT 12:42 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TRACY R. LINDSTROM, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101774
NO: 06-1211-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SHERIFF RETURN

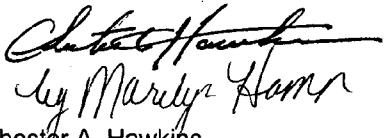
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	522085	40.00
SHERIFF HAWKINS	PHELAN	522085	60.00
CENTRE CO.	PHELAN	522077	33.67

Sworn to Before Me This

So Answers,

____ Day of _____ 2006


Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Wells Fargo Bank N. A.	2. Case Number 06-1211-CD
3. Defendant(s) Russell L Lindstrom Sr. and Tracy R Lindstrom	4. Type of Writ or Complaint: Clearfield (Complaint) 100371

SERVE → { 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold.
Russell L Lindstrom Sr.
AT { 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
309 Spring Brae Court, Bellfonte, PA

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20 I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER@SUBURBAN STATION 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above } SIGNATURE of Authorized CCSD Deputy of Clerk and Title | 14. Date Filed | 15. Expiration/Hearing Date

TO BE COMPLETED BY SHERIFF

16. Served and made known to _____, on the 18 day of August
20 2006, at 7:30 PM o'clock, m., at 309 Spring Brae Court, Bellfonte, PA, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) resides(s). Relationship is _____
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.

Other Not found and officer of said Defendant company.

On the _____ day of _____, 20____, at _____ o'clock, M.

Defendant not found because:

- Moved Unknown No Answer Vacant Other never lived at above address

Remarks:

Advance Costs 75.00	Docket 9.00	Service 15.00	Sur Charge 0.00	Affidavit 3.50	Mileage 5.17	Postage	Misc. 1.00	Total Costs 33.67	Costs Due or Refund (41.33)
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17. AFFIRMED and subscribed to before me this 12

So Answer.

18. Signature of Dep. Sheriff

19. Date

9/6/2006

21. Signature of Sheriff

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. Page

23. COMMONWEALTH OF PENNSYLVANIA Notarial Seal Corinne H. Peters, Notary Public My Commission Expires Bellfonte Boro, Centre County	24. I ACKNOWLEDGE RECEIPT OF THIS PROCESS RETURN SIGNATURE OF AUTHORIZED ATTORNEY AND TITLE of the Pennsylvania Association of Notaries	25. Date Received
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SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Wells Fargo Bank N. A.	2. Case Number 06-1211-CD
3. Defendant(s) Russell L Lindstrom Sr. and Tracy R Lindstrom	4. Type of Writ or Complaint: Clearfield (Complaint) 100371

SERVE  5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold.
Tracy R Lindstrom
AT 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
1217 ZION RD., Bellfonte, PA

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20 I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER@SUBURBAN STATION 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSO Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
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TO BE COMPLETED BY SHERIFF

16. Served and made known to TRACY R. LINDSTROM, on the 16 day of August,
20 2006, at 12:42 PM o'clock, m., at 1217 ZION RD., Bellfonte, PA, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is DEFENDANT
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
and officer of said Defendant company.

Other

On the _____ day of _____, 20 _____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs 75.00	Docket 9.00	Service 15.00	Sur Charge 0.00	Affidavit 3.50	Mileage 5.17	Postage	Misc. 1.00	Total Costs 33.67	Costs Due or Refund (41.33)
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17. AFFIRMED and subscribed to before me this 12

20. day of Sept 2006

23. Corinne H. Peters

Notary Public
Corinne H. Peters, Notary Public
My Commission Expires Sept 2009, Centre County

24. I acknowledge receipt of Sheriff's RETURN SIGNATURE
OF AUTHORIZED AUTHORITY AND TITLE

So Answer.

18. Signature of Dep. Sheriff

21. Signature of Sheriff

19. Date

9/6/06

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. _____ Page _____

25. Date Received



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

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

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533

FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 101774

TERM & NO. 06-1211-CD

WELLS FARGO BANK, N.A.

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SERVE BY: 08/26/06

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.

SERVE: RUSSELL L LINDSTROM SR.

ADDRESS: 309 SPRING BRAE COURT, BELLEFONTE, PA 16823

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, July 31, 2006.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

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

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 101774

TERM & NO. 06-1211-CD

WELLS FARGO BANK, N.A.

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

RUSSELL L. LINDSTROM, SR. and TRACY R. LINDSTROM

SERVE BY: 08/26/06

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.

SERVE: TRACY R. LINDSTROM

ADDRESS: 309 SPRING BRAE COURT, BELLEFONTE, PA 16823

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, July 31, 2006.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S RETURN OF SERVICE
CENTRE COUNTY

Plaintiff(s)

CIVIL ACTION NUMBER

Defendant(s)
RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

STRENGTH STRENGTHENED

SERVE AT
RUSSELL L. LINDSTROM, SR.
309 SPRING BRAE COURT
DELMARVON, PA 16022

DISTRICT

BELLEFONTE, PA

TYPE OF ACTION
Mortgage Foreclosure

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20___, at ___ o'clock, ___a.m., at _____, County of _____, Commonwealth of Pennsylvania, in the manner described below:

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

SHERIFF

On the ____ day of _____, 20____, at ____ o'clock, ___.m., Defendant not found because:
Moved Unknown No Answer Vacant Other

SHERIFF
By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this _____ day of _____, 20_____, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of County to serve this Complaint and make return thereof and according to law.

SHERIFF
By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

**TO BE COMPLETED BY
PROTHONOTARY**

Name Francis S. Hallinan, Esquire

Id. No. 62695

Address One Penn Center at Suburban Station,
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

Pro Prothy

110 *Rowley*

Date

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

138240

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff

v.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Defendants

JUL 28 2006

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

Attest.

Wren D. Shar
Prothonotary/
Clerk of Courts

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.

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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. Meholic, 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*

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

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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

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

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

RUSSELL L. LINDSTROM
TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

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

3. On 08/26/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR EQUITY ONE, INCORPORATED which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200213792. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 01/01/2006 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	\$56,409.80
Interest 12/01/2005 through 07/27/2006 (Per Diem \$8.89)	2,124.71
Attorney's Fees	1,250.00
Cumulative Late Charges 08/26/2002 to 07/27/2006	110.28
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 60,444.79
Escrow	
Credit	0.00
Deficit	97.45
Subtotal	<u>\$ 97.45</u>
TOTAL	\$ 60,542.24

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.

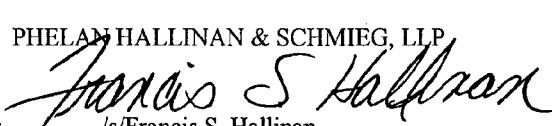
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9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 60,542.24, together with interest from 07/27/2006 at the rate of \$8.89 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

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

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 7/27/6

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

138240

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff

v.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-1211-CD

CLEARFIELD COUNTY

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

JUL 28 2006

Attest.

William C. Brown
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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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.

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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 PROPERTY SITUATED IN THE TOWNSHIP OF MORRIS IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 10/20/1999 AND RECORDED 10/21/1999, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 199917476 AND PAGE.

ADDRESS: 4523 MORRISDALE ALLPORT HIGHWAY
TAX MAP OR PARCEL ID NO.: 124.0-88826

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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Attorney for Plaintiff

DATE: 7/27/6

COPY

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LAWRENCE T. PHELAN, ESQ., Id. No. 32227
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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

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

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

RUSSELL L. LINDSTROM
TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

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

3. On 08/26/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR EQUITY ONE, INCORPORATED which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200213792. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 01/01/2006 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	\$56,409.80
Interest	2,124.71
12/01/2005 through 07/27/2006	
(Per Diem \$8.89)	
Attorney's Fees	1,250.00
Cumulative Late Charges	110.28
08/26/2002 to 07/27/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 60,444.79
Escrow	
Credit	0.00
Deficit	97.45
Subtotal	<u>\$ 97.45</u>
TOTAL	\$ 60,542.24

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 \$ 60,542.24, together with interest from 07/27/2006 at the rate of \$8.89 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 PROPERTY SITUATED IN THE TOWNSHIP OF MORRIS IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 10/20/1999 AND RECORDED 10/21/1999, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 199917476 AND PAGE.

ADDRESS: 4523 MORRISDALE ALLPORT HIGHWAY
TAX MAP OR PARCEL ID NO.: 124.0-88826

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

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 7/27/6

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

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Attorney for Plaintiff

Plaintiff,

v.

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE
ALLPORT HIGHWAY MORRISDALE, PA
16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 06-1211-CD

Defendant(s).

PRAEICE 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 **RUSSELL L. LINDSTROM, SR.** and **TRACY R. LINDSTROM**, 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:

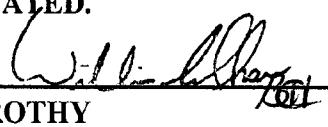
As set forth in the Complaint	\$ 60,542.24
Interest - 7/28/06 TO 9/20/06	\$488.95
TOTAL	<u>\$61,031.19</u>

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


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 9/22/06


PRO PROTHY

FILED Atty pd 20.00
M 11:09 AM 2006 ICC & Notice
SEP 22 2006 to Lefs.

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

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

WELLS FARGO BANK, N.A.
Plaintiff

Vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-1211-CD

TO: TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFONTE, PA 16823

DATE OF NOTICE: SEPTEMBER 6, 2006

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

IMPORTANT NOTICE

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

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

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

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

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

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

WELLS FARGO BANK, N.A.
Plaintiff

Vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-1211-CD

TO: **RUSSELL L. LINDSTROM, SR.**
306 BRAE COURT
BELLEFONTE, PA 16823

DATE OF NOTICE: SEPTEMBER 6, 2006

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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

WELLS FARGO BANK, N.A.
Plaintiff

Vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-1211-CD

**TO: TRACY R. LINDSTROM
306 BRAE COURT
BELLEFONTE, PA 16823**

DATE OF NOTICE: SEPTEMBER 6, 2006

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CLEARFIELD COUNTY
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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

WELLS FARGO BANK, N.A.
Plaintiff

Vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-1211-CD

**TO: RUSSELL L. LINDSTROM, SR.
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858**

DATE OF NOTICE: SEPTEMBER 6, 2006

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
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HARRISBURG, PA 17108
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.

Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

Defendants

: CLEARFIELD COUNTY

: NO. 06-1211-CD

**TO: TRACY R. LINDSTROM
4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858**

DATE OF NOTICE: SEPTEMBER 6, 2006

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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 & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

WELLS FARGO BANK, N.A.

3476 STATEVIEW BOULEVARD

FORT MILL, SC 29715

Plaintiff,

v.

RUSSELL L. LINDSTROM, SR.

4523 A/K/A RR1 BOX 62 MORRISDALE

ALLPORT HIGHWAY MORRISDALE, PA

16858

TRACY R. LINDSTROM

1217 ZION ROAD

BELLEFINTE, PA 16823

:

:

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-1211-CD

:

:

:

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

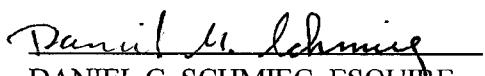
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

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

(b) that defendant RUSSELL L. LINDSTROM, SR. is over 18 years of age and resides at 4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY MORRISDALE, PA 16858.

(c) that defendant TRACY R. LINDSTROM is over 18 years of age, and resides at 1217 ZION ROAD BELLEFINTE, PA 16823.

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


DANIEL G. SCHMIEG, ESQUIRE

FILED

SEP 22 2006

William A. Shaw
Prothonotary/Clerk of Courts

(Rule of Civil Procedure No. 236 - Revised)

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION

Plaintiff,

v.

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE
ALLPORT HIGHWAY MORRISDALE, PA
16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

: NO. 06-1211-CD

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on September 22, 2006.

BY Willie L. Hall DEPUTY
BN

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.

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

Wells Fargo Bank, N.A.
Plaintiff(s)

No.: 2006-01211-CD

Real Debt: \$61,031.19

Atty's Comm: \$

Vs.

Costs: \$

Russell L. Lindstrom Sr.
Tracy R. Lindstrom
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 22, 2006

Expires: September 22, 2011

Certified from the record this 22nd day of September, 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

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

Attorney for Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION

WELLS FARGO BANK, N.A.

Plaintiff

vs

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

Defendant(s)

CLEARFIELD COUNTY

NO. 06-1211-CD

FILED *no cc*
m 11/04/06
SEP 22 2006
WAS

William A. Shaw
Prothonotary/Clerk of Courts

TO THE PROTHONOTARY:

DANIEL G. SCHMIEG, ESQUIRE, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief the Mortgage Premises was erroneously listed as:

4523 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

The correct name for the Mortgage Premises is:

4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Kindly change the information on the docket.

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

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

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.

TRACY R. LINDSTROM

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-1211-CD Term 2005.

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$61,031.19
------------	-------------

Interest from 9/20/06 to Sale	\$ _____
Per diem \$10.03	

Add'l Costs	\$3,265.00
-------------	------------

Prothonotary costs 125.-

Marvin M. Johnson
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

138240

FILED

SEP 29 2006

M 11:50 AM

William A. Shaw
Prothonotary/Clerk of Courts

1 GENE TO ATT

1 GENE w/ 6 WANTS
TO STAFF

No. 06-1211-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Russell L. Lindstrom
Attorney for Plaintiff(s)

Address:

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE ALPORT HIGHWAY MORRISDALE, PA 16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate in Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the corner of the lands of James Fowler; thence along said lands South 3 degrees West Three Hundred five (305) feet to a post on Township Road; thence along said Township Road in an Easterly direction and parallel to said Township Road a distance of Two Hundred Eleven (211) feet; thence North 3 degrees East Three Hundred Five (305) feet to a point on the New York Central Railroad Right of Way; thence in a Westerly direction parallel to the right of way of said New York Central Railroad a distance of Two Hundred Eleven (211) feet to a post and the place of beginning.

PARCEL IDENTIFICATION NO: 124-Q10-63 CONTROL #: 124088826

TITLE TO SAID PREMISES IS VESTED IN Russell L. Lindstrom and Tracy R. Lindstrom, his wife, as tenants by the entireties, by Deed from Jean M. Hummel, a widow, by Roger G. Hummel, her Attorney in Fact by Power of Attorney dated June 19, 1999, dated 10/20/1999, recorded 10/21/1999, in Deed Mortgage Inst# 199917476.

Premises being: 4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Tax Parcel No. Q10-000-00063

FILED
SEP 29 2006
William A Shaw
Prothonotary/Clerk of Courts

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

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.

TRACY R. LINDSTROM

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-1211-CD Term 20 Q5

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 4523 A/K/A RR1 BOX 62 MORRISDALE ALPORT HIGHWAY, MORRISDALE, PA 16858
(See Legal Description attached)

Amount Due \$61,031.19

Interest from 9/20/06 to Sale \$-----
per diem \$10.03

Total \$-----

Add'l Costs \$3,265.00

Prothonotary costs \$12.00


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

Dated 9-29-06
(SEAL)

No. 06-1211-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$61,031.19

Int. from 9/20/06
To Date of Sale (\$10.03 per diem)

Costs

Prothy Pd.

Sheriff

Tracy R. Lindstrom

Attorney for Plaintiff(s)

Address:

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE ALPORT HIGHWAY MORRISDALE, PA 16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate in Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the corner of the lands of James Fowler; thence along said lands South 3 degrees West Three Hundred five (305) feet to a post on Township Road; thence along said Township Road in an Easterly direction and parallel to said Township Road a distance of Two Hundred Eleven (211) feet; thence North 3 degrees East Three Hundred Five (305) feet to a point on the New York Central Railroad Right of Way; thence in a Westerly direction parallel to the right of way of said New York Central Railroad a distance of Two Hundred Eleven (211) feet to a post and the place of beginning.

PARCEL IDENTIFICATION NO: 124-Q10-63 CONTROL #: 124088826

TITLE TO SAID PREMISES IS VESTED IN Russell L. Lindstrom and Tracy R. Lindstrom, his wife, as tenants by the entireties, by Deed from Jean M. Hummel, a widow, by Roger G. Hummel, her Attorney in Fact by Power of Attorney dated June 19, 1999, dated 10/20/1999, recorded 10/21/1999, in Deed Mortgage Inst# 199917476.

Premises being: 4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Tax Parcel No. Q10-000-00063

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS

Plaintiff,

v.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM
4523 A/K/A RR1 BOX 62 MORRISDALE
ALLPORT HIGHWAY MORRISDALE, PA
16858
1217 ZION ROAD BELLEFINTE, PA 16823

: CIVIL DIVISION

: NO. 06-1211-CD

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

WELLS FARGO BANK, N.A., Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY, MORRISDALE, PA 16858**.

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

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

RUSSELL L. 4523 A/K/A RR1 BOX 62 MORRISDALE
LINDSTROM, SR. ALLPORT HIGHWAY MORRISDALE, PA
16858

TRACY R. LINDSTROM 1217 ZION ROAD BELLEFINTE, PA 16823

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

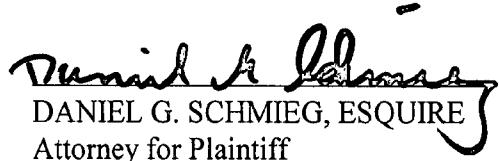
NAME LAST KNOWN ADDRESS (If address cannot be
reasonably ascertained, please so indicate.)

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.

9/20/06

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WELLS FARGO BANK, N.A. :
3476 STATEVIEW BOULEVARD :
FORT MILL, SC 29715 :

Plaintiff, : CLEARFIELD COUNTY
v. : COURT OF COMMON PLEAS

RUSSELL L. LINDSTROM, SR. : CIVIL DIVISION
4523 A/K/A RR1 BOX 62 MORRISDALE :
ALLPORT HIGHWAY MORRISDALE, PA : NO. 06-1211-CD
16858 :
TRACY R. LINDSTROM :
1217 ZION ROAD :
BELLEFINTE, PA 16823 :

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129

WELLS FARGO BANK, N.A., Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY, MORRISDALE, PA 16858**.

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

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

None

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

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

MERS as a nominee for 301 Lippincott Drive
Equity One, Inc. Marlton, NJ 08053

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

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

None

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

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

None

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
TENANT/OCCUPANT	4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY MORRISDALE, PA 16858
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

Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division
Attention: John Murphy

6th Floor, Strawberry Square
Dept. 280601
Harrisburg, PA 17128

Internal Revenue Service
Federated Investors Tower

13th Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program

P.O. Box 8486
Willow Oak Building
Harrisburg, PA 17105-8486

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.

9/20/06

Date

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

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

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff,

v.

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE
ALLPORT HIGHWAY MORRISDALE, PA
16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 06-1211-CD

Defendant(s).

CERTIFICATION

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

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

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


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

AFFIDAVIT OF SERVICE

PLAINTIFF	WELLS FARGO BANK, N.A.	CLEARFIELD County
DEFENDANT(S)	RUSSELL L. LINDSTROM, SR. TRACY R. LINDSTROM	No. 06-1211-CD Our File #: 138240
Please serve upon:	RUSSELL L. LINDSTROM, SR.	Type of Action - Notice of Sheriff's Sale
SERVE AT:	4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY MORRISDALE, PA 16858	Sale Date: 1/5/07

SERVED

Served and made known to Russell L. Lindstrom, Sr., Defendant, on the 12th day of NOV.,
2006 at 1:29, o'clock P.m., at 4523 Allport Highway, Morrisdale,

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age 65 Height 5'6" Weight 150 Race W Sex F Other

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

Sworn to and subscribed
before me this 13th day
of November, 2006
Notary:

By: Thomas Holmberg

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

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

On the _____ day of _____, 200____, at _____ o'clock _____.m., Defendant NOT FOUND because:

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

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: By:

Attorney for Plaintiff

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

FILED
M 10:48 AM NOV 27 2006 CC
NOV 27 2006
JAN

William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF WELLS FARGO BANK, N.A. CLEARFIELD County
DEFENDANT(S) RUSSELL L. LINDSTROM, SR. No. 06-1211-CD
 TRACY R. LINDSTROM Our File #: 138240

Please serve upon: TRACY R. LINDSTROM
SERVE AT: 1217 ZION ROAD 141 Medical Pkwy
 BELLEFINTE, PA 16823
*****PLEASE DEPUTIZE TO THE SHERIFF OF CENTRE COUNTY*****
SERVED

Served and made known to Tracy R. Lindstrom, Defendant, on the 22 day of November,
2006, at 12:35, o'clock P.m., at 1217 ZION Rd

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age 30-40 Height 5'6" Weight 160 Race WC Sex F Other

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

Sworn to and subscribed
before me this 13rd day
of November, 2006

Notary:

Patricia E. Harris
Notary Public

State of New Jersey
PATRICIA E. HARRIS

Commission Expires June 16, 2008

By: *David Roberts*

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200____, at _____ o'clock _____.m., Defendant NOT FOUND because:

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

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: By:

Attorney for Plaintiff

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

FILED ^{NO CC}
m12:54 PM
DEC 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

8

24

FILED

DEC 13 2006

William A. Shaw
Prothonotary/Clerk of Courts

SALE DATE: JANUARY 5, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

WELLS FARGO BANK, N.A.

No.: 06-1211-CD

vs.

**RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM**

FILED *M 10/3/2006* ^{NO CC}
JAN 03 2007 *LS*

William A. Shaw
Prothonotary/Clerk of Courts

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

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

4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY, MORRISDALE, PA
16858.

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

Daniel L Schmieg
DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

January 2, 2007

Name and
Address
of Sender

COS
PHELAN HALLINAN & SCHMIDT
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 4523 A/K/A RR1 BOX 62 MORRISDALE ALIPORT HIGHWAY MORRISDALE, PA 16858		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET		
3		CLEARFIELD, PA 16830 COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE		
4		PO BOX 2675 HARRISBURG, PA 17105 MERS as a nominee for Equity One, Inc. 301 Lipincott Drive, Marlton, NJ 08053		
5		Commonwealth of Pennsylvania Bureau of Individual Tax 6th Floor, Strawberry Square Dept. 280601 Inheritance Tax Division Attention: John Murphy Harrisburg, PA 17128		
6		Internal Revenue Service Federated Investors Tower 13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222		
7		Department of Public Welfare TPI Casualty Unit P.O. Box 8486 Willow Oak Building Estate Recovery Program Harrisburg, PA 17105-8486		
8				
9	KAZ	Re: RUSSELL L. LINDSTROM, SR. 138240 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 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.				



FILED

JAN 03 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20457
NO: 06-1211-CD

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: RUSSELL L. LINDSTROM, SR. AND TRACY R. LINDSTROM

Execution REAL ESTATE

FILED

01/16/07
JAN 16 2007
SJS

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

DATE RECEIVED WRIT: 09/29/2006

LEVY TAKEN 10/25/2006 @ 2:54 PM

POSTED 10/25/2006 @ 2:54 PM

SALE HELD 01/05/2007

SOLD TO FEDERAL HOME LOAN MORTGAGE CORPORATION

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 01/16/2007

DATE DEED FILED 01/16/2007

PROPERTY ADDRESS 4523 MORRISDALE ALLPORT HIGHWAY A/K/A RR1, BOX 62 MORRISDALE , PA 16858

SERVICES

10/31/2006 @ 9:58 AM SERVED RUSSELL L. LINDSTROM, SR.

SERVED RUSSELL L. LINDSTROM, SR., DEFENDANT, AT HIS RESIDENCE 4523 MORRISDALE ALLPORT HIGHWAY, MORRISDALE, PENNSYLVANIA BY HANDING TO SHAWNA MILES, GIRLFRIEND/AAR

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.

12/07/2006 @ 2:16 PM SERVED TRACY R. LINDSTROM

CENTRE COUNTY SERVED TRACY R. LINDSTROM, DEFENDANT, AT HER RESIDENCE 309 SPRING BRAE COURT, BELLEFONTE, CENTRE COUNTY, PENNSYLVANIA BY HANDING TO TRACY R. LINDSTROM

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 TRACY R. LINDSTROM

NOT SERVED MOVED TO BELLEFONTE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20457
NO: 06-1211-CD

PLAINTIFF: WELLS FARGO BANK, N.A.

VS

DEFENDANT: RUSSELL L. LINDSTROM, SR. AND TRACY R. LINDSTROM

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$260.96

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2007

Chester Hawkins
by Amitha Bitter-DeGennaro
Chester A. Hawkins
Sheriff

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

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.

TRACY R. LINDSTROM

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-1211-CD Term 20 05

No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY, MORRISDALE, PA 16858
(See Legal Description attached)

Amount Due \$61,031.19

Interest from 9/20/06 to Sale \$-----
per diem \$10.03

Total \$-----

Add'l Costs \$3,265.00

Prothonotary costs \$12.00


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

Dated 9-29-06
(SEAL)

Received September 29, 2006 @ 3:30
Chester A. Hawkins
by Cynthia Butler-Alegheny

138240

No. 06-1211-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

RUSSELL L. LINDSTROM, SR.
TRACY R. LINDSTROM

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	
Real Debt	\$61,031.19
Int. from 9/20/06	
To Date of Sale (\$10.03 per diem)	
Costs	
Prothy Pd.	
Sheriff	

Marvin M. Lehman

Attorney for Plaintiff(s)

Address:

RUSSELL L. LINDSTROM, SR.
4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY MORRISDALE, PA 16858
TRACY R. LINDSTROM
1217 ZION ROAD
BELLEFINTE, PA 16823

LEGAL DESCRIPTION

ALL that certain piece or parcel of land, situate in Morris Township, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the corner of the lands of James Fowler; thence along said lands South 3 degrees West Three Hundred five (305) feet to a post on Township Road; thence along said Township Road in an Easterly direction and parallel to said Township Road a distance of Two Hundred Eleven (211) feet; thence North 3 degrees East Three Hundred Five (305) feet to a point on the New York Central Railroad Right of Way; thence in a Westerly direction parallel to the right of way of said New York Central Railroad a distance of Two Hundred Eleven (211) feet to a post and the place of beginning.

PARCEL IDENTIFICATION NO: 124-Q10-63 **CONTROL #:** 124088826

TITLE TO SAID PREMISES IS VESTED IN Russell L. Lindstrom and Tracy R. Lindstrom, his wife, as tenants by the entireties, by Deed from Jean M. Hummel, a widow, by Roger G. Hummel, her Attorney in Fact by Power of Attorney dated June 19, 1999, dated 10/20/1999, recorded 10/21/1999, in Deed Mortgage Inst# 199917476.

Premises being: 4523 A/K/A RR1 BOX 62 MORRISDALE ALLPORT HIGHWAY
MORRISDALE, PA 16858

Tax Parcel No. Q10-000-00063

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME RUSSELL L. LINDSTROM, SR. NO. 06-1211-CD

NOW, January 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 January 05, 2007, I exposed the within described real estate of Russell L. Lindstrom, Sr. And Tracy R. Lindstrom to public venue or outcry at which time and place I sold the same to FEDERAL HOME LOAN MORTGAGE CORPORATION 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	11.57
LEVY	15.00
MILEAGE	11.57
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.68
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	23.14
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	10.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$260.96

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	61,031.19
INTEREST @ 10.0300 %	1,073.21
FROM 09/20/2006 TO 01/05/2007	
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	\$62,144.40
COSTS:	
ADVERTISING	363.22
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	260.96
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,067.18

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

CHESTER A. HAWKINS, Sheriff



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

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

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

CYNTHIA AUGHENBAUGH

OFFICE MANAGER

KAREN BAUGHMAN

CLERK TYPIST

PETER F. SMITH

SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20457

TERM & NO. 06-1211-CD

WELLS FARGO BANK, N.A.

VS.

RUSSELL L. LINDSTROM, SR. AND TRACY R. LINDSTROM

DOCUMENTS TO BE SERVED:

NOTICE OF SALE

WRIT OF EXECUTION

COPY OF LEVY

SERVE BY: DEC. 4, 2006

**MAKE REFUND PAYABLE TO PHELAN HALLINAN AND SCHMIEG
RETURN TO BE SENT TO THIS OFFICE**

SERVE: TRACY R. LINDSTROM

ADDRESS: 309 SPRING BRAE COURT
BELLEFONTE, PA 16823

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Depetation being made at the request and risk of the Plaintiff this day, Monday, November 13, 2006.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Wells Fargo Bank N. A.	2. Case Number 06-1211-CD
3. Defendant(s) Russell L Lindstrom Sr. et al	4. Type of Writ or Complaint: Notice, Writ and C 101221

SERVE → { 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold.
Tracy R Lindstrom

AT { 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
309 Spring Brae Court, Bellefonte, PA 16823

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This depose being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER SUITE 1400 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above. {	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
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TO BE COMPLETED BY SHERIFF

16. Served and made known to Tracy R Lindstrom, on the 7 day of December
20 2006, at 2:16 PM o'clock, m., at 309 Spring Brae Court, Bellefonte, PA 16823, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is _____ Defendant
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
 and officer of said Defendant company.

Other _____

On the _____ day of _____, 20 _____, at _____ o'clock. M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks: Served at Centre Medical and Surgical.

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 3.45	Postage	Misc. 1.00	Total Costs 24.95	Costs Due or Refund (50.05)
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17. AFFIRMED and subscribed to before me this _____

So Answer.

18. Signature of Dep. Sheriff

21. Signature of Sheriff

19. Date

12-8-06

22. Date

23. _____ Notary Public

SHERIFF OF CENTRE COUNTY

Amount Pd. _____ Page _____

My Commission Expires _____

24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE
OF AUTHORIZED AUTHORITY AND TITLE.

25. Date Received

FILED

JAN 16 2007

William A. Shaw
Prothonotary/Clerk of Courts