

06-1294-CD

PHH Mort. Corp. vs Ernest Blake Jr.

2006-1294-CD
PHH Mortgage Corp et al vs Ernest Blake

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 138712

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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Lawyer Referral Service:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186

Nov. 14, 2006 D Harrisburg, PA 17108

Reinstated/Reissued to Sheriff/Attorney
for service.

[Signature]
Deputy Prothonotary

Oct. 18, 2006 Document

Reinstated/Reissued to Sheriff/Attorney
for service.

[Signature]
Deputy Prothonotary

Notice to Defend:

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

FILED *Att'y pd. 85.00*

10/16/06 39/01
AUG 14 2006 *2cc Shff*

William A. Shaw
Prothonotary/Clerk of Courts

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

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

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IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

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

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
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who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 03/26/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to FIRST COMMONWEALTH BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200305043. By Assignment of Mortgage recorded 07/21/2003 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200312879. Said mortgage was modified as set forth in the modification agreement recorded 04/05/2005, in Mortgage Instrument No: 200504834.
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 04/01/2006 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.

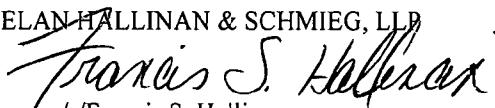
6. The following amounts are due on the mortgage:

Principal Balance	\$32,955.45
Interest 03/01/2006 through 08/10/2006 (Per Diem \$5.61)	914.43
Attorney's Fees	1,250.00
Cumulative Late Charges 03/26/2003 to 08/10/2006	64.13
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 35,734.01
Escrow	
Credit	0.00
Deficit	341.73
Subtotal	<u>\$ 341.73</u>
TOTAL	\$ 36,075.74

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 36,075.74, together with interest from 08/10/2006 at the rate of \$5.61 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: Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479, page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt; thence by land now or formerly of said Jack Weygandt, North 3 degrees 28 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 41 degrees 10 minutes East 50 feet to an iron pin; and South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of R.C. Anderson, Jr. and on line of now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake, Jr., and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield County as Instrument Number 200218132.

PROPERTY BEING: 804 THUNDERBIRD ROAD

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.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

31 dec.

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 8/10/04

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket #

101817

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE
CORPORATION

Case # 06-1294-CD

vs.

ERNEST L. BLAKE JR.

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 22, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ERNEST L. BLAKE JR., DEFENDANT. ATTEMPTED, NOT HOME @ 804 THUNDERBIRD RD., DUBOIS.

SERVED BY: /

FILED
03:40 pm
SEP 25 2006


William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # 101817

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SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101817
NO: 06-1294-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORPORATION
vs.
DEFENDANT: ERNEST L. BLAKE JR.

SHERIFF RETURN

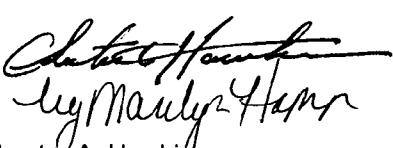
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	526151	20.00
SHERIFF HAWKINS	PHELAN	526151	69.73

Sworn to Before Me This

____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

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 138712

ATTORNEY FOR PLAINTIFF

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Clearfield County Courthouse
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Clearfield, PA 16830
814-765-2641 x 5982

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

*the within
copy*

AUG 14 2006

File #: 138712

Attest.

William L. Hallinan
Prothonotary/
Clerk of Courts

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By: /s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
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Attorney for Plaintiff

DATE: 8/10/04

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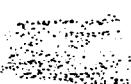
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I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

AUG 14 2006

We hereby certify the within
to be a true and correct copy
of our invoice

Attest.


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TOTAL	\$ 36,075.74

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.

WHEREFORE, PLAINTIFF demands an *in rem* Judgment against the Defendant(s) in the sum of \$ 36,075.74, together with interest from 08/10/2006 at the rate of \$5.61 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 piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479, page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt; thence by land now or formerly of said Jack Weygandt, North 3 degrees 28 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 41 degrees 10 minutes East 50 feet to an iron pin; and South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of R.C. Anderson, Jr. and on line of now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake, Jr., and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield Count as Instrument Number 200218132.

PROPERTY BEING: 804 THUNDERBIRD ROAD

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.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 8/10/04

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

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
Plaintiff

vs.

ERNEST L. BLAKE, JR.

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

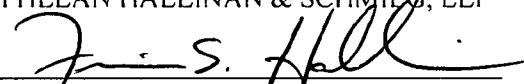
CLEARFIELD COUNTY

No. 06-1294-CD

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP
By: 
FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: October 17, 2006

/jmr, Svc Dept.
File# 138712

FILED

OCT 18 2006

10/14/06 (C) William A. Shaw
Prothonotary/Clerk of Courts

1 CLENT TO HATE
1 REINSTATE COUNSEL
to HATE

Probate Court/Court of Common
Wealths A. Shaw
FILED

OCT 18 2006

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

PHH Mortgage Corporation, f/k/a :
Cendant Mortgage Corporation :
vs. : CIVIL DIVISION
: NO. 06-1294-CD
Ernest L. Blake, Jr. :
:

ORDER

AND NOW, this _____ day of _____, 2006, upon
consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court, it is hereby
ORDERED and DECREED that said Motion is **GRANTED**.

It is further **ORDERED and DECREED** that Plaintiff may obtain service of the
Complaint and all future pleadings on the above captioned Defendant, Ernest L. Blake, Jr., by:

1. First class mail to Ernest L. Blake, Jr. and at the mortgaged premises, 804
Thunderbird Road, DuBois, PA 15801 and last known address, RR1 Box 222,
DuBois, PA 15801, ; and
2. Certified mail to Ernest L. Blake, Jr. and at the mortgaged premises 804
Thunderbird Road, DuBois, PA 15801 and last known address. RR1 Box 222,
DuBois, PA 15801.

BY THE COURT:

J.

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

CA
FILED NO
10/18/2006
OCT 18 2006
6K

William A. Shaw
Prothonotary/Clerk of Courts

Attorney for Plaintiff

PHH Mortgage Corporation, f/k/a
Cendant Mortgage Corporation

COURT OF COMMON PLEAS

vs.
Ernest L. Blake, Jr.

CIVIL DIVISION

CLEARFIELD COUNTY

NO. 06-1294-CD

MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, L.L.P., moves this Honorable Court for an Order directing service of the Complaint upon the above-captioned Defendant, Ernest L. Blake, Jr., by first class mail and certified mail to the last known address, RR1 Box 222, DuBois, PA 15801 and the mortgaged premises, 804 Thunderbird Road, DuBois, PA 15801, and in support thereof avers the following:

1. Plaintiff, by and through its counsel, initiated the above referenced Complaint if Mortgage Foreclosure Action on August 14, 2006. As indicated by the copy of said complaint attached hereto as Exhibit "A".

2. Said complaint was forwarded to the Office of the Sheriff on or about June 8, 2005 for service to be completed on the Defendant, Ernest L. Blake, Jr. and at the mortgaged premises, 804 Thunderbird Road, DuBois, PA 15801 and RR1 Box 222, DuBois, PA 15801. As indicated by the Sheriff's Return of Service attached hereto as Exhibit "B", the Defendant was not home on all occasions therefore the Sheriff could not serve this complaint personally.

3. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results is attached hereto as Exhibit "C".

4. Plaintiff has reviewed its internal records and has not been contacted by the Defendant as of October 17, 2006 to bring loan current.

5. Plaintiff submits that it has made a good faith effort to locate the Defendant but has been unable to do so.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint by first class mail and certified mail.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: October 17, 2006

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 138712

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**ATTORNEY FILE COPY
PLEASE RETURN**

We hereby certify the within
to be a true and correct copy
of our invoice

FILED
APR 14 2006
William A. Shaw
Prothonotary/Clerk of Courts

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 138712

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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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

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

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

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

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

3. On 03/26/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to FIRST COMMONWEALTH BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200305043. By Assignment of Mortgage recorded 07/21/2003 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200312879. Said mortgage was modified as set forth in the modification agreement recorded 04/05/2005, in Mortgage Instrument No: 200504834.
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 04/01/2006 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.

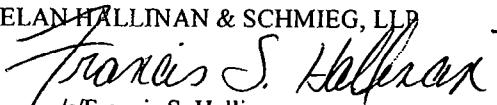
6. The following amounts are due on the mortgage:

Principal Balance	\$32,955.45
Interest	914.43
03/01/2006 through 08/10/2006	
(Per Diem \$5.61)	
Attorney's Fees	1,250.00
Cumulative Late Charges	64.13
03/26/2003 to 08/10/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 35,734.01
Escrow	
Credit	0.00
Deficit	341.73
Subtotal	<u>\$ 341.73</u>
TOTAL	\$ 36,075.74

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 36,075.74, together with interest from 08/10/2006 at the rate of \$5.61 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 piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479, page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt; thence by land now or formerly of said Jack Weygandt, North 3 degrees 28 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 41 degrees 10 minutes East 50 feet to an iron pin; and South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of R.C. Anderson, Jr. and on line of now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake, Jr., and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield Count as Instrument Number 200218132.

PROPERTY BEING: 804 THUNDERBIRD ROAD

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.

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: 8/10/04

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # 101817

**PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE
CORPORATION**

Case # 06-1294-CD

vs.

ERNEST L. BLAKE JR.

COPY

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 22, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ERNEST L. BLAKE JR., DEFENDANT. ATTEMPTED, NOT HOME @ 804 THUNDERBIRD RD., DUBOIS.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # 101817

PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE
CORPORATION

Case # 06-1294-CD

vs.

ERNEST L. BLAKE JR.

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 22, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ERNEST L. BLAKE JR., DEFENDANT. ATTEMPTED, NOT HOME @ RR#1 BOX 222, DUBOIS.

SERVED BY: /

**FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 138712
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: Ernest L. Blake

Property Address: 804 Thunderbird Road, Du Bois, PA 15801
Possible Mailing Address: RR 1 Box 222, Du Bois, PA 15801

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct
Ernest L. Blake - 198-48-4867

B. EMPLOYMENT SEARCH

Ernest L. Blake - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Ernest L. Blake reside(s) at: RR 1 Box 222, Du Bois, PA 15801.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for Ernest L. Blake.

III. INQUIRY OF NEIGHBORS

On 08-02-06 our office made a phone call in an attempt to contact John R. Anderson (814) 371-5344, 658 Thunderbird Road, Du Bois, PA 15801: spoke with an unidentified female who confirmed that Ernest L. Blake does not reside at 804 Thunderbird Road, Du Bois, PA 15801.

On 08-02-06 our office made several phone calls in an attempt to contact Houllion Bernard D. Land Surveyor (814) 375-5155, RR 1 Box 130, Du Bois, PA 15801: answering machine.

On 08-02-06 our office made a phone call in an attempt to contact Lanzoni Seamless Gutters (814) 371-0636, RR 1 Box 188, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subject reside(s) at RR 1 Box 222, Du Bois, PA 15801.

On 08-02-06 our office made several phone calls in an attempt to contact Cooper Farm Market (814) 375-7050, RR 1 Box 305, Du Bois, PA 15801: answering machine.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 08-02-06 we reviewed the National Address database and found the following information:
Ernest L. Blake - RR 1 Box 222, Du Bois, PA 15801.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: RR 1 Box 222, Du Bois, PA 15801.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Ernest L. Blake.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 08-02-06 Vital Records and all public databases have no death record on file for Ernest L. Blake.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Ernest L. Blake residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Ernest L. Blake - 11-1961

B. A.K.A.

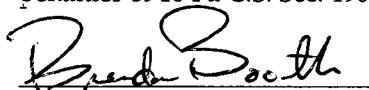
Ernest L. Blake Jr.

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 2nd day of August, 2006.

The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND

VERIFICATION

Daniel G. Schmieg, Esquire, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to make this Affidavit, and that the statements made in the foregoing MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements made are subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: October 17, 2006

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire 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

PHH Mortgage Corporation, : COURT OF COMMON PLEAS
f/k/a Cendant Mortgage :
Corporation :
vs. : CIVIL DIVISION
Ernest L. Blake, Jr. : CLEARFIELD COUNTY
: NO. 06-1294-CD

CERTIFICATION OF SERVICE

I, Daniel G. Schmieg, Esquire, hereby certify that a copy of the foregoing Motion for Service Pursuant to Special Order of Court, Memorandum of Law, Proposed Order and attached exhibits have been sent to the individual as indicated below by first class mail, postage prepaid, on the date listed below.

Ernest L. Blake, Jr.
804 Thunderbird Road
DuBois, PA 15801

RR1 Box 222
DuBois, PA 15801

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 

Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: October 17, 2006

FILED

OCT 18 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

PHH MORTGAGE CORPORATION, f/k/a *
CENDANT MORTGAGE CORPORATION, *
Plaintiff *
vs. * NO. 06-1294-CD
ERNEST L. BLAKE, JR., *
Defendant *

O R D E R

NOW, this 27th day of October, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Ernest L. Blake, Jr.** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the mortgaged premises, 804 Thunderbird Road, DuBois, PA 15801 and Defendant's last known address, RR 1, Box 222, DuBois, PA 15801 and by posting the mortgaged premises known in this herein action as 804 Thunderbird Road, DuBois, PA 15801.

All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified, return receipt requested, and first class mail to Defendant's last known address and the address of the mortgaged premises.

FILED

OCT 31 2006

300
Atty Schmieg
C.R.

William A. Shaw
Prothonotary/Clerk of Courts

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A	:	COURT OF COMMON PLEAS
CENDANT MORTGAGE CORPORATION	:	
Plaintiff	:	CIVIL DIVISION
	:	
vs.	:	CLEARFIELD COUNTY
	:	
ERNEST L. BLAKE, JR.	:	No. 06-1294-CD
Defendant	:	
	:	

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP
By: Francis S. Hallinan
FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: November 10, 2006

/jmr, Svc Dept.
File# 138712

FILED 44y pd.
M 10/4/06 7:00
NOV 14 2006
2 Compl. E
William A. Shaw
Prothonotary/Clerk of Courts
Reinstated to Shff
(610)

FILED

NOV 14 2006

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG LLP
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

PHH Mortgage Corporation, F/K/A Cendant
Mortgage Corporation
Plaintiff

vs.

Ernest L. Blake, Jr.
Defendant

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 06-1294-CD

**AFFIDAVIT OF SERVICE OF COMPLAINT
BY MAIL PURSUANT TO COURT ORDER**

I hereby certify that a true and correct copy of the Civil Action Complaint in Mortgage
Foreclosure in the above captioned matter was sent by regular and certified mail, return receipt
requested, to **Ernest L. Blake, Jr. at 804 Thunderbird road, Du Bois, PA 15801 and RR 1 Box
222, Du Bois, PA 15801** on November 10, 2006, in accordance with the Order of Court dated
October 27, 2006. The undersigned understands that this statement is made subject to the
penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: November 10, 2006


FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

FILED

NOV 15 2006
M 11:30 AM 6K
William A. Shaw
Prothonotary/Clerk of Courts
No. 4/C

7160 3901 9849 6943 5084

TO: ERNEST L. BLAKE, JR.
RR1 BOX 222
DUBOIS, PA 15801

SENDER: JMR

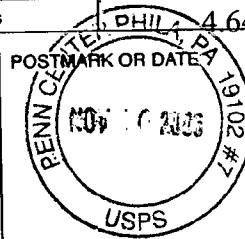
REFERENCE:

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.39
	Certified Fee	2.40
	Return Receipt Fee	1.85
	Restricted Delivery	0.00
Total Postage & Fees		4.64

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



7160 3901 9849 6943 5091

TO: ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

SENDER: JMR

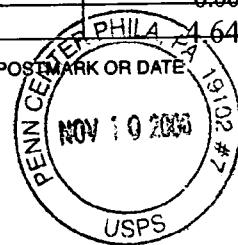
REFERENCE:

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.39
	Certified Fee	2.40
	Return Receipt Fee	1.85
	Restricted Delivery	0.00
Total Postage & Fees		4.64

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



Prothonotary/Clerk of Courts
William A Shaw

NOV 15 2006
FILED

Phelan Hallinan & Schmieg, LLP
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

PHH Mortgage Corporation f/k/a Cendant
Mortgage Corporation

: Court Of Common Pleas

: Civil Division

vs.

Ernest L. Blake, Jr.

: Clearfield County

: No. 06-1294-CD

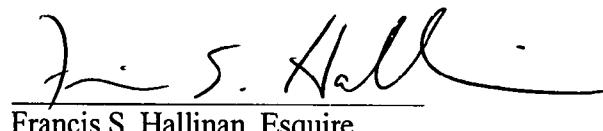
AFFIDAVIT OF SERVICE BY
PUBLICATION IN ACCORDANCE WITH COURT ORDER

I hereby certify that service of the Civil Action Complaint in Mortgage Foreclosure was made in accordance with the Court Order dated October 27, 2006 as indicated below:

By publication as provided by Pa. R.C.P. Rule 430(b)(1)

in The Progress on November 14, 2006 and The Clearfield County Legal Journal on November 17, 2006. Proofs of the said publications are attached hereto.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


Francis S. Hallinan, Esquire

Date: December 18, 2006

Jason Ricco
Service Dept.

FILED
m/jl/wb NO CC
DEC 19 2006
2006

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE OF ACTION
IN MORTGAGE FORECLOSURE
IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION LAW
COURT OF
COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY
NO. 06-1294-CD

PHH Mortgage Corporation,

F/K/A Cendant

Mortgage Corporation

Vs.

Ernest L. Blake, Jr.

NOTICE

TO Ernest L. Blake, Jr.:

You are hereby notified that on August 14, 2006, Plaintiff PHH Mortgage Corporation, F/K/A Cendant Mortgage Corporation filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Clearfield County Pennsylvania, docketed to No. 06-1294-CD. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 804 Thunderbird Road, DuBois, PA 15801 whereupon your property would be sold by the Sheriff of Clearfield County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE 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, Ext. 5982

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

11:14-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 27th day of November, A.D. 2006 before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of November 14, 2006. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison

COMMONWEALTH OF PENNSYLVANIA

Notary Public

Notarial Seal

Clearfield, Pa.

Cheryl J. Robison, Notary Public

Clearfield Boro, Clearfield County

My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

7:00 Regular	6:30 E.B.	6:30 Regular Follows	6:45 P.M.	1:00 P.M., E.B.	1:30 Regular	Doors Open 5:00 P.M.	6:30 P.M.	Doors Open 5:00 P.M.	6:30 P.M.	Doors Open 5:00 P.M.	6:45 P.M.	Bingo 7:00 P.M.	Doors & Kitchen Open 5:00 P.M.	7:00 P.M. Regular
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PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

**SHERIFF'S SALE
OF VALUABLE REAL ESTATE**

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, DECEMBER 1, 2006 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

All that certain lot or piece of ground situate in the Fourth Ward of the Borough of Clearfield, Clearfield County, Pennsylvania, bounded and described as follows:

Beginning at a corner of Woodland Road and an alley; thence in a Northeasterly direction nearly at right angles to said Woodland Road along said alley one hundred (100') feet, more or less, to corner of lot formerly of Robert Stewart, and now or formerly of Ray Hendricks; thence along said Hendricks lot in a Northwesterly direction sixty-eight (68') feet, more or less, to a post; thence by residue of Lot No. 26 in a Southwesterly direction forty (40') feet, more or less, to line of Lot No. 27; thence along line of Lot No. 27 Southeasterly fifteen (15') feet, more or less, to a post; thence by residue of Lot No. 27 in a Southwesterly direction sixty (60') feet, more or less, to post in line of Woodland Road; thence by said Woodland Road Southeasterly sixty (60')

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW

PHH Mortgage Corporation, F/K/A
Cendant Mortgage Corporation Vs. Ernest L.
Blake, Jr.

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY
NO. 06-1294-CD

NOTICE

TO Ernest L. Blake, Jr.:
You are hereby notified that on August
14, 2006, Plaintiff, PHH Mortgage
Corporation, F/K/A Cendant Mortgage
Corporation, filed a Mortgage Foreclosure
Complaint endorsed with a Notice to Defend,
against you in the Court of Common Pleas
of Clearfield County Pennsylvania, docketed
to No. 06-1294-CD. Wherein Plaintiff seeks
to foreclose on the mortgage secured on
your property located at 804 Thunderbird
Road, DuBois, PA 15801 whereupon your
property would be sold by the Sheriff of
Clearfield County.

You are hereby notified to plead to the
above referenced Complaint on or before 20
days from the date of this publication or a
Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a
written appearance personally or by attorney
and file your defenses or objections in
writing with the court. You are warned that
if you fail to do so the case may proceed
without you and a judgment may be entered
against you without further notice for the
relief requested by the plaintiff. You may
lose money or property or other rights
important to you.

YOU SHOULD TAKE THIS NOTICE 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 PER-
SONS 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

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

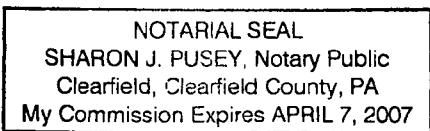
On this 17th day of November AD 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 17, 2006, Vol. 18 No. 46. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J Pusey
Notary Public
My Commission Expires



Full Spectrum Legal Services

FILED

DEC 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A :
CENDANT MORTGAGE CORPORATION :
3000 LEADENHALL ROAD : CLEARFIELD COUNTY
MOUNT LAUREL, NJ 08054 : COURT OF COMMON PLEAS
:
Plaintiff, : CIVIL DIVISION
v. : NO. 06-1294-CD
ERNEST L. BLAKE, JR. :
804 THUNDERBIRD ROAD :
DU BOIS, PA 15801 :
:
Defendant(s). :
:

Notice is given that a Judgment in the above captioned matter has been entered against you
on Dec. 29, 2006.

BY  DEPUTY

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


DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS
MORTGAGE CORPORATION

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

ERNEST L. BLAKE, JR. : NO. 06-1294-CD
Defendants

TO: ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DU BOIS, PA 15801

DATE OF NOTICE: DECEMBER 8, 2006

FILE COPY

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

IMPORTANT NOTICE

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

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

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

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

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


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS

Plaintiff,

: CIVIL DIVISION

v.

: NO. 06-1294-CD

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DU BOIS, PA 15801

:
:
:
:
:
:
:
:

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 **ERNEST L. BLAKE, JR.** is over 18 years of age and resides at **804 THUNDERBIRD ROAD, DU BOIS, PA 15801**.

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

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

PHH MORTGAGE CORPORATION,
F/K/A CENDANT MORTGAGE
CORPORATION

vs.

ERNEST L. BLAKE, JR.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-1294-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 \$36,861.14

Interest from DECEMBER 28, 2006 to Sale \$ _____.
Per diem \$6.06

Prothonotary costs 139.00

Daniel N. Schmiega
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

138712

FILED 100-6wnts
1/12/2007 w/prop. descr.
JAN 05 2007 to Sheriff
William A. Shaw
Prothonotary/Clerk of Courts Atty pd. 20.00

FILED
JAN 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

No. 06-1294-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION

vs.

ERNEST L. BLAKE, JR.

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Daniel H. Schmitz
Attorney for Plaintiff(s)

Address: ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479 page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt, thence by land now or formerly of said Jack Weygandt, North 3 degrees 38 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield County as Instrument Number 200218132.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Ernest L. Blake, Jr., a single man, by Deed from Ernest L. Blake, Jr. and Rhonda L. Zimmerman, As Joint Tenants With The Right of Survivorship, dated 10/03/2002, recorded 11/07/2002, in Deed Mortgage Inst# 200218132.

Premises being: 804 THUNDERBIRD ROAD
DU BOIS, PA 15801

Tax Parcel No. A04-000-062.3

PHH MORTGAGE CORPORATION, F/K/A	:	
CENDANT MORTGAGE CORPORATION	:	
3000 LEADENHALL ROAD	:	CLEARFIELD COUNTY
MOUNT LAUREL, NJ 08054	:	COURT OF COMMON PLEAS
Plaintiff,	:	CIVIL DIVISION
v.		
		NO. 06-1294-CD
ERNEST L. BLAKE, JR.	:	
804 THUNDERBIRD ROAD	:	
DU BOIS, PA 15801	:	
Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, 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 **804 THUNDERBIRD ROAD, DU BOIS, PA 15801**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
ERNEST L. BLAKE, JR.	804 THUNDERBIRD ROAD DU BOIS, PA 15801

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

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

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

DECEMBER 28, 2006
Date

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

PHH MORTGAGE CORPORATION, F/K/A	:	
CENDANT MORTGAGE CORPORATION	:	
3000 LEADENHALL ROAD	:	CLEARFIELD COUNTY
MOUNT LAUREL, NJ 08054	:	COURT OF COMMON PLEAS
 Plaintiff,	:	 CIVIL DIVISION
 v.	:	 NO. 06-1294-CD
 ERNEST L. BLAKE, JR.	:	
804 THUNDERBIRD ROAD	:	
DU BOIS, PA 15801	:	
 Defendant(s).	:	 :

AFFIDAVIT PURSUANT TO RULE 3129

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, 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 **804 THUNDERBIRD ROAD, DU BOIS, PA 15801**.

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.)
-------------	--

PA DEPT. OF REVENUE BUREAU OF COMPLIANCE CLEARANCE SUPPORT SECTION	ATTN: SHERIFF SALES DEPT. 281230 HARRISBURG, PA 17128-1230
---	---

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.)
-------------	--

PENNSYLVANIA HOUSING FINANCE AGENCY	2101 NORTH FRONT STREET HARRISBURG, PA 17105-5530
--	--

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.)
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

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	804 THUNDERBIRD ROAD DU BOIS, PA 15801
DOMESTIC RELATIONS CLEARFIELD COUNTY	CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830
COMMONWEALTH OF PENNSYLVANIA	DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105

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

DECEMBER 28, 2006
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A

CENDANT MORTGAGE CORPORATION

3000 LEADENHALL ROAD

MOUNT LAUREL, NJ 08054

:

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

:

CIVIL DIVISION

v.

:

NO. 06-1294-CD

ERNEST L. BLAKE, JR.

804 THUNDERBIRD ROAD

DU BOIS, PA 15801

:

:

:

:

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
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

PHH MORTGAGE CORPORATION,
F/K/A CENDANT MORTGAGE
CORPORATION

vs.

ERNEST L. BLAKE, JR.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 06-1294-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: 804 THUNDERBIRD ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due \$36,861.14

Interest from DECEMBER 28, 2006 to Sale \$-----
per diem \$6.06

Total: \$

Prothonotary costs 139.00

Dated 15/12/2007
(SEAL)

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

No. 06:1294:CD Term 20 05.A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION

vs.

ERNEST L. BLAKE, JR.

WRIT OF EXECUTION (Mortgage Foreclosure)	
Costs	
Real Debt	\$36,861.14
Int. from DECEMBER 28, 2006 To Date of Sale (\$6.06 per diem)	
Costs	
Prothy Pd.	<u>139.00</u>
Sheriff	
	<i>Daniel M. Schmied</i>
	Attorney for Plaintiff(s)

Address: ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479 page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt, thence by land now or formerly of said Jack Weygandt, North 3 degrees 38 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield County as Instrument Number 200218132.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Ernest L. Blake, Jr., a single man, by Deed from Ernest L. Blake, Jr. and Rhonda L. Zimmerman, As Joint Tenants With The Right of Survivorship, dated 10/03/2002, recorded 11/07/2002, in Deed Mortgage Inst# 200218132.

Premises being: 804 THUNDERBIRD ROAD
DU BOIS, PA 15801

Tax Parcel No. A04-000-062.3

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102145
NO: 06-1294-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.
VS.
DEFENDANT: ERNEST L. BLAKE JR.

SHERIFF RETURN

NOW, November 17, 2006 AT 2:55 PM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 804 THUNDERBIRD ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: NEVLING / COUDRIET

FILED

02/20/07

FEB 14 2007

W.A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102145
NO: 06-1294-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: PHH MORTGAGE CORPORATION f/k/a CENDANT MORTGAGE CORP.
vs.
DEFENDANT: ERNEST L. BLAKE JR.

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	550829	10.00
SHERIFF HAWKINS	PHELAN	550829	25.91

Sworn to Before Me This

____ Day of _____ 2007

So Answers,



My Manly Hand

Chester A. Hawkins
Sheriff

CO Y

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

PHH MORTGAGE CORPORATION, f/k/a *
CENDANT MORTGAGE CORPORATION, *
Plaintiff *
vs. * NO. 06-1294-CD
ERNEST L. BLAKE, JR., *
Defendant *

ORDER

NOW, this 27th day of October, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Ernest L. Blake, Jr.** by publication one time in The Courier Express (DuBois) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the mortgaged premises, 804 Thunderbird Road, DuBois, PA 15801 and Defendant's last known address, RR 1, Box 222, DuBois, PA 15801 and by posting the mortgaged premises known in this herein action as 804 Thunderbird Road, DuBois, PA 15801.

All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified, return receipt requested, and first class mail to Defendant's last known address and the address of the mortgaged premises.

BY THE COURT,

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

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN
President Judge

OCT 31 2006

Attest.

William L. Ammerman
Prothonotary/
Clerk of Courts

COPY

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

138712

1114106 Document
Reinstated/Reissued to Sheriff/Attorney
for service
Will A. Shaw
Deputy Prothonotary

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
Attest.
PLEASE RETURN

Will A. Shaw
Prothonotary, Clerk of Cour

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

FILED BY
AUG 14 2006
William A. Shaw
Prothonotary/Clerk of Courts

ATTORNEY FILE COPY
PLEASE RETURN

Oct. 18, 2006 Document
Reinstated/Reissued to Sheriff/Attorney
for service
Will A. Shaw

Deputy Prothonotary

We hereby certify the within
to be a true and correct copy
of our invoice

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

138712

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

Plaintiff

v.

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

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

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION
3000 LEADENHALL ROAD
MOUNT LAUREL, NJ 08054

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

ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DUBOIS, PA 15801

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

3. On 03/26/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to FIRST COMMONWEALTH BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200305043. By Assignment of Mortgage recorded 07/21/2003 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200312879. Said mortgage was modified as set forth in the modification agreement recorded 04/05/2005, in Mortgage Instrument No: 200504834.
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 04/01/2006 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.

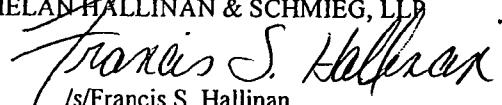
6. The following amounts are due on the mortgage:

Principal Balance	\$32,955.45
Interest	914.43
03/01/2006 through 08/10/2006	
(Per Diem \$5.61)	
Attorney's Fees	1,250.00
Cumulative Late Charges	64.13
03/26/2003 to 08/10/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 35,734.01
Escrow	
Credit	0.00
Deficit	341.73
Subtotal	<u>\$ 341.73</u>
TOTAL	\$ 36,075.74

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 36,075.74, together with interest from 08/10/2006 at the rate of \$5.61 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 piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479, page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt; thence by land now or formerly of said Jack Weygandt, North 3 degrees 28 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 41 degrees 10 minutes East 50 feet to an iron pin; and South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of R.C. Anderson, Jr. and on line of now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake, Jr., and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield Count as Instrument Number 200218132.

PROPERTY BEING: 804 THUNDERBIRD ROAD

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.

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: 8/10/04

FILED

FEB 20 2007

ml 1:55/4
William A. Shaw
Prothonotary/Clerk of Courts

1 cent to

Attm

PHELAN HALLINAN & SCHMIEG, LLP
BY: FRANCIS S. HALLINAN, ESQUIRE
Identification No. 62695
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH Mortgage Corporation, f/k/a
Cendant Mortgage Corporation

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Ernest L. Blake, Jr.

Defendant(s)

: No. 06-1294-CD

PRAECIPE

TO THE PROTHONOTARY:

Please mark the above referenced case Discontinued and Ended without prejudice.

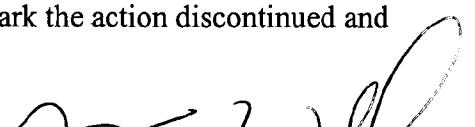
Please mark the above referenced case Settled, Discontinued and Ended.

Please mark Judgments satisfied and the Action settled, discontinued and ended.

Please Vacate the judgment entered and mark the action discontinued and ended without prejudice.

Please withdraw the complaint and mark the action discontinued and ended without prejudice.

Date: 2/8/07



Francis S. Hallinan, Esquire
Attorney for Plaintiff

PHS # 138712

FILED
FEB 20 2007
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20496
NO: 06-1294-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION
vs.
DEFENDANT: ERNEST L. BLAKE, JR.

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 01/05/2007

LEVY TAKEN 01/15/2007 @ 10:40 AM

POSTED 01/15/2007 @ 10:40 AM

SALE HELD

SOLD TO

WRIT RETURNED 09/17/2007

DATE DEED FILED **NOT SOLD**

DETAILS

01/18/2007 @ SERVED ERNEST L. BLAKE, JR.

SERVED ERNEST L. BLAKE, JR, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 804 THUNDERBIRD ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA CERT #70060810000145072919. RETURNED UNCLAIMED 2/6/07.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY.

01/18/2007 @ SERVED ERNEST L. BLAKE, JR.

SERVED ERNEST L. BLAKE, JR, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO RR 1, BOX 222, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA. CERT #70060810000145072926. RETURNED UNCLAIMED 2/6/07.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY.

@ SERVED

NOW FEBRUARY 20, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR APRIL 13, 2007. A SUM OF \$42,781.90 WAS RECEIVED IN CONSIDERATION FOR THE STAY.

FILED
01208-SL
SEP 17 2007
WMA

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20496
NO: 06-1294-CD

PLAINTIFF: PHH MORTGAGE CORPORATION , F/K/A CENDANT MORTGAGE CORPORATION
vs.

DEFENDANT: ERNEST L. BLAKE, JR.

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$1,050.09

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

Chester Hawkins
by Amherst Butler-Deppenfeld
Chester A. Hawkins
Sheriff

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

PHH MORTGAGE CORPORATION,
F/K/A CENDANT MORTGAGE
CORPORATION

vs.

ERNEST L. BLAKE, JR.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 06-1294-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: 804 THUNDERBIRD ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due	\$36,861.14
Interest from DECEMBER 28, 2006 to Sale per diem \$6.06	\$-----
Total	\$-----

Prothonotary costs 139.00

Willie Blair

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

Dated 1/5/2007
(SEAL)

Received January 5, 2007 @ 3:00 P.M.
Chester A. Hawkins
by Cynthia Butler Aughenbaugh

No. 06-1294-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A
CENDANT MORTGAGE CORPORATION

vs.

ERNEST L. BLAKE, JR.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	
Real Debt	\$36,861.14
Int. from DECEMBER 28, 2006	
To Date of Sale (\$6.06 per diem)	
Costs	
Prothy Pd.	<u>139.00</u>
Sheriff	

Daniel H. Schmiede

Attorney for Plaintiff(s)

Address: ERNEST L. BLAKE, JR.
804 THUNDERBIRD ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate, lying and being the Sandy Township, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

BEGINNING at an iron pin at the Southwest corner of land now or formerly of E. Marie Jones as conveyed to her by James Nelson in Deed Book 479 page 52, said iron pin being on line of land now or formerly of Mitchell and being also the corner of land now or formerly of Jack Weygandt, thence by land now or formerly of said Jack Weygandt, North 3 degrees 38 minutes East 269.9 feet to a point in the center line of old State Highway from Reynoldsville to DuBois; thence by the center line of old State Highway in a Northeasterly direction of 162.1 feet, more or less, to the Northwest corner of land now or formerly of R.C. Anderson, Jr.; thence by the said land now or formerly of R.C. Anderson, Jr. the following courses and distances: South 32 degrees 09 minutes East 115.8 feet to an iron pin; South 32 degrees 09 minutes East 127.3 feet to an iron pin; North 76 degrees 24 minutes East 58.2 feet to an iron pin; South 11 degrees 00 minutes East 135.9 feet more or less to an iron pin at the Southwest corner of land now or formerly of Mitchell; thence by line now or formerly of said Mitchell, North 86 degrees 42 minutes West 394.02 feet more or less to an iron pin and place of beginning.

BEING the same premises which became vested in the Mortgagor herein by Deed of Ernest L. Blake and Rhonda L. Zimmerman, dated October 3, 2002 and recorded in Clearfield County as Instrument Number 200218132.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Ernest L. Blake, Jr., a single man, by Deed from Ernest L. Blake, Jr. and Rhonda L. Zimmerman, As Joint Tenants With The Right of Survivorship, dated 10/03/2002, recorded 11/07/2002, in Deed Mortgage Inst# 200218132.

Premises being: 804 THUNDERBIRD ROAD
DU BOIS, PA 15801

Tax Parcel No. A04-000-062.3

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ERNEST L. BLAKE, JR. NO. 06-1294-CD

NOW, September 17, 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 April 13, 2007, I exposed the within described real estate of Ernest L. Blake, Jr. 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 \$42,781.90 and made the following appropriations, viz:

SHERIFF COSTS:		PLAINTIFF COSTS, DEBT AND INTEREST:	
RDR	15.00	DEBT-AMOUNT DUE	
SERVICE	15.00	INTEREST @	0.00
MILEAGE		FROM TO 04/13/2007	
LEVY	15.00	ATTORNEY FEES	
MILEAGE	18.43	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	855.64	FORECLOSURE FEES	
POSTAGE	11.02	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING	15.00	INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID/SETTLEMENT AMOUNT	42,781.90	TOTAL DEBT AND INTEREST	\$20.00
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	0.00
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$1,050.09	LIEN SEARCH	
		ACKNOWLEDGEMENT	
DEED COSTS:		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	1,050.09
REGISTER & RECORDER		LEGAL JOURNAL COSTS	0.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	139.00
TOTAL DEED COSTS	\$0.00	MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$1,189.09

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

CHESTER A. HAWKINS, Sheriff

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Christine.Schoffler@fedphe.com

CHRISTINE SCHOFFLER
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

February 20, 2007

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

ATTENTION: CINDY (814) 765-5915

Re: **PHI MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION**
v. ERNEST L. BLAKE, JR.
No. 06-1294-CD
804 THUNDERBIRD ROAD, DU BOIS, PA 15801

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for **APRIL 13, 2007**. Return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

The sum of **\$42,781.90** was received in consideration for the stay.

Very truly yours,


Christine Schoffler

VIA TELECPY (814) 765-5915