

06-1739-CD  
Wells Fargo vs Gene E. McGee

Wells Fargo vs Gene McGee  
2006-1739-CD

MILSTEAD & ASSOCIATES, LLC  
BY: Pina S. Wertzberger, Esquire  
ID No. 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff  
File 5.05504

**Wells Fargo Bank, NA as Trustee  
1100 Corporate Center Drive  
Raleigh, NC 27607,**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**Plaintiff,**

**Vs.**

**Gene E. McGee  
249 Bloomington Avenue  
Curwensville, PA 16833,  
Defendant.**

**No.: 06-1734-CD**

**CIVIL ACTION  
MORTGAGE FORECLOSURE**

**FILED** Atty pd. 85.00  
MJS:59/10/2006 ICC Shff  
OCT 24 2006

William A. Shaw  
Prothonotary/Clerk of Courts

## **NOTICE**

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

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Lawyers Referral and Information Services  
Clearfield County Bar Association  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, NJ 16830  
800-692-7375

\*\*\*\*\*  
**NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT**  
\*\*\*\*\*

- 1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.**
- 2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.**
- 3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.**

MILSTEAD & ASSOCIATES, LLC  
BY:Pina S. Wertzberger, Esquire  
ID No. 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff

**Wells Fargo Bank, NA as Trustee,  
1100 Corporate Center Drive  
Raleigh, NC 27607**

**Plaintiff,**

**Vs.**

**Gene E. McGee  
249 Bloomington Avenue  
Curwensville, PA 16833,  
Defendant.**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.:**

**CIVIL ACTION  
MORTGAGE FORECLOSURE**

**COMPLAINT IN MORTGAGE FORECLOSURE**

1. Plaintiff, Wells Fargo Bank, NA as Trustee (the "Plaintiff"), is a Pennsylvania corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 1100 Corporate Center Drive, Raleigh, NC 27607.
2. Defendant, Gene E. McGee, (the "Defendant"), is an adult individual and is the real owner of the premises hereinafter described.
3. Gene E. McGee, Defendant, resides at 249 Bloomington Avenue, Curwensville, PA 16833.
4. On September 7, 2005, in consideration of a loan in the principal amount of \$58,500.00, the Defendant executed and delivered to Fremont Investment and Loan a note (the "Note") with interest thereon at 10.100 percent per annum, payable as to the principal and interest in equal monthly installments of \$517.71 commencing November 1, 2005.

5. To secure the obligations under the Note, the Defendant executed and delivered to Mortgage Electronic Registration Systems, Inc. as Nominee for Fremont Investment and Loan a

mortgage (the "Mortgage") dated September 7, 2005, recorded on September 7, 2005 in the Department of Records in and for the County of Clearfield under Mortgage Instrument # 200514342, Page . Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 249 Bloomington Avenue, Curwensville, PA 16833. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendant is in default of his/her obligations pursuant to the Note and Mortgage because payments of principal and interest due May 1, 2006, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal .....	\$58,344.76
Accrued but Unpaid Interest from	
4/1/06 to 10/23/06	
@ 10.100% per annum	
(\$16.14 per diem) .....	\$3,324.84
Accrued Late Charges .....	\$155.30
Corporate Advance .....	\$144.05
Title Search Fees .....	\$350.00
Deferred Late Charges.....	\$0.00
Reasonable Attorney's Fees .....	\$1,250.00
TOTAL as of 10/23/2006 .....	\$63,568.95

Plus, the following amounts accrued after October 23, 2006:

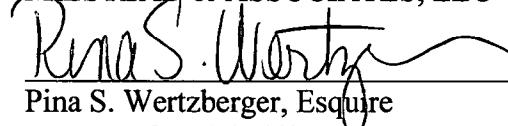
Interest at the Rate of 10.100 per cent per annum (\$16.14 per diem);

Late Charges of \$31.06 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendant at 249 Bloomington Avenue, Curwensville, PA 16833 as well as to address of residences as listed in paragraph 3 of this document on July 5, 2006, the notice pursuant to ' 403-C of Act 91, and the applicable time periods therein have expired. True and correct copies of such notices are attached hereto as Exhibit "B" and made apart hereof.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendant for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$63,568.95, plus the following amounts accruing after October 23, 2006, to the date of judgment: (a) interest of \$16.14 per day, (b) late charges of \$31.06 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

MILSTEAD & ASSOCIATES, LLC



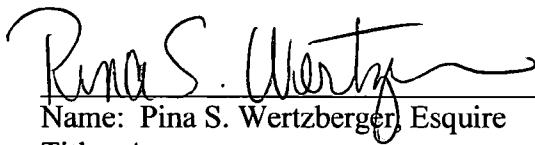
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Pina S. Wertzberger, Esquire

Attorney for Plaintiff

**VERIFICATION**

I, Pina S. Wertzberger, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.



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Name: Pina S. Wertzberger, Esquire  
Title: Attorney

## **Legal Description - Exhibit 'A'**

**ALL** that certain lot or piece of ground situate in the borough of Curwensville, Clearfield County, Pennsylvania, bounded and described as follows:

**BEGINNING** at a post and corner of property of James McLaughlin on Bloomington Avenue; thence along said Bloomington Avenue, West one hundred (100) feet to a post and corner of property of James Bunnell; thence along line of property of James Bunnell South a distance of one hundred thirty-five (35) feet more or less to a post on an alley; thence along said alley East a distance of one hundred (100) feet to a post and corner of property of James McLaughlin; thence along line of property of James McLaughlin North a distance of one hundred thirty-five (135) feet more or less to a post on Bloomington Avenue and place of beginning.

Being identified in the Clearfield County Mapping and Assessment Office as Map No. 6.2-109-296-00008.

**BEING** the same premises as were conveyed to Gene E. McGee, an adult individual, by Deed of Gerald L. Sample a/k/a Gerald Lee Sample, Individually and Gerald L. Sample, as Surviving Trustee under a Declaration of Trust dated April 17, 1996 for and on behalf of the Alverda E. Sample Revocable Trust, dated September 7, 2005 and entered for record in the Recorder's Office of Clearfield County to Instrument No. 200514341.

**EXHIBIT A**

**HOMEQ SERVICING**

DF785

July 5, 2006

✓

||||||||||||||||||  
GENE E MCGEE

249 BLOOMINGTON AVE  
CURWENSVILLE, PA 16833

HOMEOWNERS NAME(S):

GENE E MCGEE

PROPERTY ADDRESS:

249 BLOOMINGTON AVE

LOAN ACCOUNT NUMBER:

CURWENSVILLE, PA 16833

CURRENT LENDER/SERVICER:

0324663624

HomEq Servicing Corporation

# ACT 91 NOTICE

## TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER EMERGENCY MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This notice explains how the program works.

To see if HEMAP can help you, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the counseling agency.

The name, address, and phone number of Consumer Credit Counseling Agencies serving your county are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397 (Persons with impaired hearing can call 717-780-1869)

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICAION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION IMMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**HomEq Servicing Corporation is a debt collector. HomEq is attempting to collect a debt  
and any information obtained will be used for that purpose.**

**THIS NOTICE CONTINUES ON THE NEXT PAGE**

## HOMEOWNER~~E~~EMERGENCY MORTGAGE ASSISTANCE PROGRAM

**YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.**

**IF YOU COMPLY WITH THE PROVISION OF THE HOMEOWNER~~E~~ EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT") YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:**

- YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,
- YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

### **TEMPORARY STAY OF FORECLOSURE**

Under the Act, you are entitled to a temporary stay of the foreclosure on your mortgage for thirty (30) days from the date of this notice. During that time you must arrange for and attend a "face-to-face" meeting with one of the consumer counseling agencies listed at the end of this notice. THIS MEETING MUST OCCUR WITHIN THE NEXT THIRTY (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT" EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.

### **CONSUMER CREDIT COUNSELING AGENCIES**

If you attend a face-to-face meeting with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take further action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer counseling agencies for the county in which your property is located are set forth at the end of this notice. It is necessary to schedule only one face-to-face meeting. Advise this lender/servicer immediately only your intentions.

### **APPLICATION FOR MORTGAGE ASSISTANCE**

Your mortgage is in default for the reasons set forth later in this notice (see the following pages for specific information about the nature of your default). If you have tried and are unable to resolve this problem with the lender/servicer, you have the right to apply for financial assistance from the Homeowner~~E~~ Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner~~E~~ Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a completed application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

### **AGENCY ACTION**

Available funds for emergency mortgage assistance are very limited. Funds will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency (The Agency) has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Agency of its decision on your application.

***THIS NOTICE CONTINUES ON THE NEXT PAGE***

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

**If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.**

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date)**

**NATURE OF THE DEFAULT**

The MORTGAGE debt secured by your property located at:

249 BLOOMINGTON AVE CURWENSVILLE, PA 16833

IS SERIOUSLY IN DEFAULT because:

1. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

a) Number of Payments Delinquent:	3
b) Delinquent Amount Due:	\$1,553.13
c) Late Charges:	\$62.12
d) Recoverable Corporate Advances:	\$8.80
e) Other Charges and Advances:	\$0.0
f) Less funds in Suspense:	\$0.00
g) <b>Total amount past due as of (due date):</b>	<b>\$1,624.05</b>

2. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION: (Do not use if not applicable)

**HOW TO CURE THE DEFAULT** You may cure this default within THIRTY (30) days from the date of this letter **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER/SERVICER, WHICH IS \$1,624.05 PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES (and other charges) WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cashier check, certified check, or money order made payable to HomEq and sent to:

Regular Mail  
HomEq Servicing Corporation  
P. O. Box 70829 Charlotte, NC 28272 - 0829

Overnight  
Attn: Cash Central NC 4726  
1100 Corporate Center Drive  
Raleigh, NC 27607-5066

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this notice:  
(Do not use if not applicable)

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**THIS NOTICE CONTINUES ON THE NEXT PAGE**

**IF YOU DO NOT CURE THE DEFAULT**

If you do not cure the default within THIRTY (30) days of the date of this notice, the lender/servicer intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the opportunity to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS OF THE DATE OF THIS LETTER, HomEq Servicing Corporation also intends to instruct its attorneys to start a legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON**

The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender/servicer refers your case to its attorneys, but you cure the delinquency before the attorney begins legal proceedings against you, you will still be required to pay the reasonable attorneys fees actually incurred up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorneyfees actually incurred by the servicer even if they are over \$50.00. Any attorneyfees will be added to the amount you owe the lender/servicer, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorneys' fees.

**OTHER LENDER/SERVICER REMEDIES**

The lender/servicer may also sue you personally for the unpaid principal balance and all other sums due under the Mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE**

If you have not cured the default within the THIRTY (30) day period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the SheriffSale. You may do so by paying the total amount then past due plus any late charges, other charges then due, reasonable attorneys' fees and costs connected with the foreclosure sale and any other costs connected with the SheriffSale as specified in writing by the lender/servicer and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE**

It is estimated that the earliest date that such Sheriff'sale of the mortgaged property could be held would be approximately five (5) months from the date of this notice. A notice of the actual date of the SheriffSale will be sent to you before the sale. The amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender/servicer.

**HOW TO CONTACT THE LENDER/SERVICER BY TELEPHONE OR MAIL:**

Name of Lender/Servicer	HomEq Servicing Corporation
Contact Name	PA Housing Response Specialist
Address	4837 Watt Avenue, North Highlands, CA 95660-5170
Telephone Number:	Attn: PA Housing Response Team 1-800-795-5125
FAX Number	(916) 339-6940 for use by local counsel or agency to notify HomEq that the homeowner met with the agency.

**EFFECT OF SHERIFF'S SALE**

You should realize that a Sheriff'sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff'sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender/servicer at any time.

**ASSUMPTION OF MORTGAGE**

You may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt.

**THIS NOTICE CONTINUES ON THE NEXT PAGE**

**YOU MAY ALSO HAVE THE RIGHT**

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT, OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT;
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF;
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THE RIGHT TO CURE YOUR DEFAULTS ANY MORE THAN THREE TIMES IN A CALENDAR YEAR;)
- TO ASSERT THE NON-EXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS;
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER/SERVICER; AND/OR
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY ARE ATTACHED TO THIS LETTER

If you received a discharge of the account through the Bankruptcy Court and if your account has not been reaffirmed, the acceleration and sale will not result in your being held personally liable for the debt and this letter is not an attempt to collect a personal debt. However, failure to pay the delinquent balance is necessary to avoid foreclosure.

You are notified that this default, and any other legal action that may occur as a result thereof, may be reported by HomEq to one or more credit reporting agencies.

Please take appropriate action with respect to the important matters discussed herein.

Sincerely,

HomEq Servicing Corporation

# **Homeowners' Emergency Assistance Program**

## **CLEARFIELD COUNTY**

**Effective 8/18/2005 at 10:05:07 AM**  
**CCCS of Northeastern PA**

202 W. Hamilton Avenue  
State College, PA 16801  
(814) 238-3668

**CCCS of Western PA**  
219-A College Park Plaza  
Johnstown, PA 15904  
1 (888) 511-2227

**CCCS of Western PA, Inc.**  
Royal Remax Plaza  
917 A Logan Boulevard  
Altoona, PA 16602  
1 (888) 511-2227

**Indiana Co. Community Action Program**  
827 Water Street  
Box 187  
Indiana, PA 15701  
(724) 465-2657

**Keystone Economic Development Corp.**  
1954 Mary Grace Lane  
Johnstown, PA 15901  
(814) 535-6556

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102062  
NO. 06-1739-CD  
SERVICE # 1 OF 1  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, NA  
vs.  
DEFENDANT: GENE E. MCGEE

FILED  
01/31/2007  
FEB 02 2007  
US

William A. Shaw  
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, November 01, 2006 AT 2:35 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON GENE E. MCGEE DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2nd ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GENE E. MCGEE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	28446	10.00
SHERIFF HAWKINS	MILSTEAD	28446	24.34

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

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

MILSTEAD & ASSOCIATES, LLC  
BY: PINA S. WERTZBERGER, ESQUIRE  
Attorney ID# 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Wells Fargo Bank, N.A., as Trustee  
1100 Corporate Center Drive  
Raleigh, NC 27607,  
Plaintiff,

Ys.

**Gene E. McGee  
249 Bloomington Avenue  
Curwensville, PA 16833**

**Defendant.**

Attorneys for Plaintiff

## **PRAEICE FOR *IN REM* JUDGMENT FOR FAILURE TO ANSWER AND ASSESSMENT OF DAMAGES**

## TO THE PROTHONOTARY:

Kindly enter Judgment in favor of Plaintiff and against **Gene E. McGee**, Defendant for failure to file an Answer on Plaintiff's Complaint within 20 days from service thereof and for Foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$63,568.95
Interest – 10/24/06 to 3/16/07	2,324.16
Late Charges	155.30
Additional Corporate Advances	669.50
Additional Escrow Advances	1,834.00
<b>TOTAL</b>	<b>\$68,551.91</b>

I hereby certify that (1) the addresses of the Plaintiff and Defendants are as shown above and (2) that notice has been given in accordance with Rule 237A, copy attached.

Pina S. Wertzberger, Esquire  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: March 22, 2007

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PROTHONOTARY

{00037361}

FILED Atty pd. 20.00  
m/11/07 Rec'd ICC Notice  
MAR 22 2007 for Daf

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

61

MILSTEAD & ASSOCIATES, LLC  
BY: Pina S. Wertzberger, Esquire  
ID No. 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff

**Wells Fargo Bank, NA as Trustee,**

**Plaintiff,**

**Vs.**

**Gene E. McGee,  
Defendant(s).**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 06-1739-CD**

**TO: Gene E. McGee  
249 Bloomington Avenue  
Curwensville, PA 16833**

**DATE OF NOTICE: February 9, 2007**

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 claims set forth against you. Unless you act within ten (10) days from the date of this notice, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this 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.

LAWYERS REFERRAL AND INFORMATION SERVICES  
CLEARFIELD COUNTY BAR ASSOCIATION  
CLEARFIELD COUNTY COURTHOUSE  
230 E. MARKET STREET  
CLEARFIELD, NJ 16830  
800-692-7375

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Pina S. Wertzberger, Esquire # 77274

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Wells Fargo Bank, NA

Vs.

No. 2006-01739-CD

Gene E. McGee

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$68,551.91 on March 22, 2007.

William A. Shaw

Prothonotary



\_\_\_\_\_  
William A. Shaw

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

Prothonotary

To: Gene E. McGee

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<b>Wells Fargo Bank, N.A., as Trustee,</b>	<b>:</b>	<b>COURT OF COMMON PLEAS</b>
		<b>CLEARFIELD COUNTY</b>
<b>Plaintiff,</b>	<b>:</b>	
	<b>:</b>	
<b>Vs.</b>	<b>:</b>	<b>No.: 06-1739-CD</b>
	<b>:</b>	
<b>Gene E. McGee</b>	<b>:</b>	
	<b>:</b>	
<b>Defendant.</b>	<b>:</b>	

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**NOTICE PURSUANT TO RULE 236**

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

**MORTGAGE FORECLOSURE JUDGMENT BY DEFAULT**

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

PINA S. WERTZBERGER, ESQUIRE #77274  
MILSTEAD & ASSOCIATES, LLC  
856/482-1400

Notice Pursuant To Fair Debt Collection Practices Act  
This is an attempt to collect a debt and any information obtained will be used for that purpose.

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

C  
O  
P  
Y

Wells Fargo Bank, NA  
Plaintiff(s)

No.: 2006-01739-CD

Real Debt: \$68,551.91

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Gene E. McGee  
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: March 22, 2007

Expires: March 22, 2012

Certified from the record this 22nd day of March, 2007.



\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

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

**Wells Fargo Bank, N.A., as Trustee**  
**Plaintiff**

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

Vs.

NO.: 06-1739-CD

**Gene E. McGee**  
**Defendant(s)**

To the Prothonotary:

Issue Writ of Execution in the above matter:

AMOUNT DUE	\$68,551.91
INTEREST	
From 3/17/07 to Date of	\$
Sale at \$11.27 per diem	
(Costs to be added)	\$
TOTAL DUE:	\$
<b>Prothonotary costs</b>	<b>125.00</b>

Date: March 16, 2007

  
Pina S. Wertzberger, Esquire  
Attorney for Plaintiff  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400  
Attorney ID No.: 77274

Note: Please furnish description of Property.

{00156518}

**FILED** ccs 6 w/prop. descr.  
MARCH 22 2007 to Sheriff  
Atty Ad. 20.00

William A. Shaw  
Prothonotary/Clerk of Courts  
(6K)

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

Beginning at a post and corner of property now or formerly of James McLaughlin on Bloomington Avenue; thence along said Bloomington Avenue, West one hundred (100) feet to a post and corner of property now or formerly of James Bunnell; thence along line of property now or formerly of James Bunnell South a distance of one hundred thirty-five (135) feet more or less to a post on an alley; thence along said alley East a distance of one hundred (100) feet to a post and corner of property now or formerly of James McLaughlin; thence along line of property now or formerly of James McLaughlin North a distance of one hundred thirty-five (135) feet more or less to a post on Bloomington Avenue and place of beginning.

**Being known as 249 Bloomington Avenue, Curwensville, PA 16833  
Tax Parcel Number: 6-2-19-296-8**

SEIZED, taken in execution to be sold as the property of Gene E. McGee, at the suit of Wells Fargo Bank, N.A., as Trustee.

Judgment No. 06-1739-CD.

MILSTEAD & ASSOCIATES, LLC  
BY: PINA S. WERTZBERGER, ESQUIRE  
Attorney ID# 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

**Wells Fargo Bank, N.A., as Trustee  
1100 Corporate Center Drive  
Raleigh, NC 27607,  
Plaintiff,**

Vs.

**Gene E. McGee  
249 Bloomington Avenue  
Curwensville, PA 16833**

**Defendant.**

Attorneys for Plaintiff

: **COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**  
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**No.: 06-1739-CD**

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**VERIFICATION OF NON-MILITARY SERVICE**

Pina S. Wertzberger, Esquire, hereby verifies that she is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, she has knowledge of the following facts, to wit:

1. that the defendants are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldier' and Sailors' Civil Relief Act of Congress of 1940, as amended.
2. defendant, **Gene E. McGee** is over 18 years of age and resides at **249 Bloomington Avenue, Curwensville, PA 16833**.



Pina S. Wertzberger, Esquire

**MILSTEAD & ASSOCIATES, LLC**

By: Pina S. Wertzberger, Esquire

Attorney ID# 77274

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

Attorney for Plaintiff

---

**Wells Fargo Bank, N.A., as Trustee**

**Plaintiff**

**vs.**

**Gene E. McGee**

**Defendant(s)**

**: COURT OF COMMON PLEAS**

**: CLEARFIELD COUNTY**

**:**

**: No.: 06-1739-CD**

**:**

**: AFFIDAVIT PURSUANT**

**: TO RULE 3129.1**

**:**

**:**

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**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF CLEARFIELD**

**Wells Fargo Bank, N.A., as Trustee**, Plaintiff in the above entitled cause of action, sets forth as of the date the praecipe for writ of execution was filed the following information concerning the real property located at 249 Bloomington Avenue, Curwensville, PA 16833:

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

Gene E. McGee

249 Bloomington Avenue

Curwensville, PA 16833

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

Same as above

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

Kova Dickinson

8788 Douglas Road

Olanta, PA 16863

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

Wells Fargo Bank, N.A., as Trustee  
(Plaintiff herein)  
1100 Corporate Center Drive  
Raleigh, NC 27607

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

None Known

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:

None Known

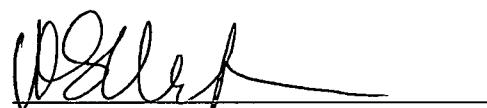
7. Name and address of every person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Tenant/Occupant  
249 Bloomington Avenue  
Curwensville, PA 16833

Department of Domestic Relations  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830

Commonwealth of Pennsylvania  
Department of Welfare  
P.O. Box 2675  
Harrisburg, PA 17105

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



Pina S. Wertzberger, Esquire  
Attorney for Plaintiff

Date: March 16, 2007

**MILSTEAD & ASSOCIATES, LLC**

By: Pina S. Wertzberger, Esquire

Attorney ID# 77274

Woodland Falls Corporate Park

220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002

(856) 482-1400

Attorney for Plaintiff

---

**Wells Fargo Bank, N.A., as Trustee**  
**Plaintiff**

**vs.**

**Gene E. McGee**

**Defendant(s)**

**: COURT OF COMMON PLEAS**

**: CLEARFIELD COUNTY**

**:**

**: No.: 06-1739-CD**

**:**

**:**

**: CERTIFICATION**

**:**

**:**

**CERTIFICATION**

Pina S. Wertzberger, Esquire, hereby verifies that she is 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. Section 4904 relating to unsworn falsification to authorities.



Pina S. Wertzberger, Esquire  
Attorney for Plaintiff

Date: March 16, 2007

{00156518}

Wells Fargo Bank, N.A., as Trustee  
Plaintiff

Vs.

Gene E. McGee  
Defendant(s)

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WRIT OF EXECUTION  
(Mortgage Foreclosure)

NO.: 06-1739-CD

COPY

WRIT OF EXECUTION (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

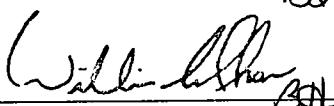
TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and cost in the above matter you are directed to levy upon and sell the following described property:

249 Bloomington Avenue, Curwensville, PA 16833  
(see legal description attached)

AMOUNT DUE	\$68,551.91
INTEREST	
From 3/17/07 to Date of	\$
Sale at \$11.27 per diem	
 TOTAL DUE:	\$
Plus costs per endorsement	
hereon      Prothonotary costs	132.00

Dated: 3/22/07

  
\_\_\_\_\_  
Prothonotary

(SEAL)

By: \_\_\_\_\_  
Deputy

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

Beginning at a post and corner of property now or formerly of James McLaughlin on Bloomington Avenue; thence along said Bloomington Avenue, West one hundred (100) feet to a post and corner of property now or formerly of James Bunnell; thence along line of property now or formerly of James Bunnell South a distance of one hundred thirty-five (135) feet more or less to a post on an alley; thence along said alley East a distance of one hundred (100) feet to a post and corner of property now or formerly of James McLaughlin; thence along line of property now or formerly of James McLaughlin North a distance of one hundred thirty-five (135) feet more or less to a post on Bloomington Avenue and place of beginning.

**Being known as 249 Bloomington Avenue, Curwensville, PA 16833  
Tax Parcel Number: 6-2-19-296-8**

SEIZED, taken in execution to be sold as the property of Gene E. McGee, at the suit of Wells Fargo Bank, N.A., as Trustee.

Judgment No. 06-1739-CD.

MILSTEAD & ASSOCIATES, LLC  
BY: Pina S. Wertzberger, Esquire  
ID No. 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400  
Attorney for Plaintiff

Wells Fargo Bank, NA as Trustee,

Plaintiff,

Vs.

Gene E. McGee,

Defendant.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**NO.: 06-1739-CD**

**AFFIDAVIT PURSUANT TO  
Pa.R.C.P. 3129.2**

SS:

I, Pina S. Wertzberger, Esquire, being duly sworn according to law upon my oath, depose and say,

1. On April 18, 2007, a copy of the Notice of Sheriff's Sale of Real Property was served on the defendant by certified mail, returned receipt requested. A copy of the signed certified card is attached hereto and made a part hereof as Exhibit "A".

2. On April 19, 2007, a notice of Sheriff's Sale was served upon lien holders of record and interested parties by ordinary mail. A copy of the certificate of mailing is attached hereto and made a part hereof as Exhibit "B".

  
Pina S. Wertzberger, Esq.  
Attorney ID No. 77274  
Milstead and Associates, LLC

Dated: April 30, 2007

FILED  
MAY 10 2007  
NOCC  
W.A. Shaw  
Prothonotary/Clerk of Courts

## 2. Article Number



7160 3901 9849 9190 8303

3. Service Type **CERTIFIED MAIL**4. Restricted Delivery? (Extra Fee)  Yes

## 1. Article Addressed to:

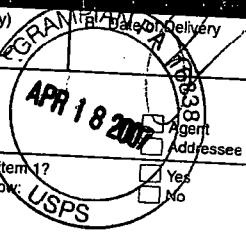
Gene E. McGee  
 249 Bloomington Avenue  
 Curwensville, PA 16833

## COMPLETE THIS SECTION ON DELIVERY

## A. Received by (Please Print Clearly)

Gene E. McGee

## C. Signature

D. Is delivery address different from item 1?  
If YES, enter delivery address below:
 Yes
 
 No
 

## Reference Information

5.05504

GMW

MILSTEAD & ASSOCIATES, LLC Woodland Falls Corporate Park 220 Lake Drive East, Suite 301 Cherry Hill, NJ 08002			<input checked="" type="checkbox"/> Certificate Mailing <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified Mail			<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance								
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender If C.O.D.	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks	
1	Tenant/Occupant	249 Bloomington Avenue Curwenville, PA 16833												
2	Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675	Harrisburg, PA 17105												
3	Department of Domestic Relations Clearfield County Courthouse 230 E. Market Street	Clearfield, PA 16830												
4	Kova Dickinson	8788 Douglas Road Olanta, PA 16863												
5														
6														
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9														
10														
Total Number of Pieces Listed by Sender			POSTMASTER, PER (Name of receiving employee)			The full declaration of value is required on all registered mail. The maximum indemnity payable on documents under Express Mail document record is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery services also includes special handling service.								
4			06-6-065504			FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL (00014118)								



MAILED FROM ZIP CODE 08002  
0002388662 APR 19 2007  
02 1P PTNEY BOWERS  
UNITED STATES POSTAGE  
\$01.20

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20558  
NO: 06-1739-CD

PLAINTIFF: WELLS FARGO BANK, N.A., AS TRUSTEE  
vs.  
DEFENDANT: GENE E. MCGEE

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 03/22/2007

LEVY TAKEN 04/05/2007 @ 11:12 AM

POSTED 04/05/2007 @ 11:12 AM

SALE HELD 06/01/2007

SOLD TO WELLS FARGO BANK, N.A., AS TRUSTEE

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 10/23/2007

DATE DEED FILED 10/23/2007

PROPERTY ADDRESS 249 BLOOMINGTON AVENUE CURWENSVILLE , PA 16833

**SERVICES**

@ SERVED GENE E MCGEE

NOW, APRIL 18, 2007 ATTY OFFICE SERVED GENE E. MCGEE, DEFENDANT, BY CERTIFIED MAIL. NOW, MAY 31, 2007 RECEIVED INDEMNIFICATION OF SHERIFF TO PROCEED WITH SHERIFF SALE.

FILED  
04-03-07  
OCT 23 2007  
W.A. Shaw  
UF

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20558  
NO: 06-1739-CD

PLAINTIFF: WELLS FARGO BANK, N.A., AS TRUSTEE

vs.

DEFENDANT: GENE E. MCGEE

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$197.32

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2007

*Chester A. Hawkins*  
By Cynthia Bitter-Asperoff  
Chester A. Hawkins  
Sheriff

Wells Fargo Bank, N.A., as Trustee  
Plaintiff

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA

Vs.

Gene E. McGee  
Defendant(s)

WRIT OF EXECUTION  
(Mortgage Foreclosure)

NO.: 06-1739-CD

WRIT OF EXECUTION (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and cost in the above matter you are directed to levy upon and sell the following described property:

249 Bloomington Avenue, Curwensville, PA 16833  
(see legal description attached)

AMOUNT DUE INTEREST	\$68,551.91
From 3/17/07 to Date of Sale at \$11.27 per diem	\$
 TOTAL DUE: Plus costs per endorsement hereon      Prothonotary costs	\$ 132.00

Dated: 3/22/07

  
\_\_\_\_\_  
Prothonotary

(SEAL)

By: \_\_\_\_\_  
Deputy

{00156518}      Received March 22, 2007 @ 2:00 P.M.  
Crescent A. Hauseis  
by Cynthia Butler - Deputy

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

Beginning at a post and corner of property now or formerly of James McLaughlin on Bloomington Avenue; thence along said Bloomington Avenue, West one hundred (100) feet to a post and corner of property now or formerly of James Bunnell; thence along line of property now or formerly of James Bunnell South a distance of one hundred thirty-five (135) feet more or less to a post on an alley; thence along said alley East a distance of one hundred (100) feet to a post and corner of property now or formerly of James McLaughlin; thence along line of property now or formerly of James McLaughlin North a distance of one hundred thirty-five (135) feet more or less to a post on Bloomington Avenue and place of beginning.

**Being known as 249 Bloomington Avenue, Curwensville, PA 16833  
Tax Parcel Number: 6-2-19-296-8**

SEIZED, taken in execution to be sold as the property of Gene E. McGee, at the suit of Wells Fargo Bank, N.A., as Trustee.

Judgment No. 06-1739-CD.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME GENE E MCGEE

NO. 06-1739-CD

IOW, October 23, 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, me and place of sale at the Court House in Clearfield on June 01, 2007, I exposed the within described real estate of Gene E. McGee to public venue or outcry at which time and place I sold the same to WELLS FARGO BANK, N.A., AS TRUSTEE he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	15.00	DEBT-AMOUNT DUE	68,551.91
MILEAGE	15.00	INTEREST @ 11.2700 %	890.33
LEVY	5.82	FROM 03/14/2007 TO 06/01/2007	
MILEAGE	5.82	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	4.68	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	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT	1.00	TOTAL DEBT AND INTEREST	\$69,462.24
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	262.42
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$197.32</b>	LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	5.00
		DEED COSTS	28.50
		SHERIFF COSTS	197.32
		LEGAL JOURNAL COSTS	144.00
ACKNOWLEDGEMENT	5.00	PROTHONOTARY	132.00
REGISTER & RECORDER	28.50	MORTGAGE SEARCH	40.00
TRANSFER TAX 2%	0.00	MUNICIPAL LIEN	218.45
<b>TOTAL DEED COSTS</b>	<b>\$28.50</b>	<b>TOTAL COSTS</b>	<b>\$1,127.69</b>

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

MILSTEAD & ASSOCIATES, LLC  
BY: Pina S. Wertzberger, Esquire  
ID No. 77274  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400  
Attorney for Plaintiff

Wells Fargo Bank, NA, as Trustee,

Plaintiff,

Vs.

Gene E. McGee,

Defendant.

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

No.: 06-1739-CD

INDEMNIFICATION OF SHERIFF

INDEMNIFICATION OF SHERIFF  
I, Pina S. Wertzberger, Esquire, of 220 Lake Drive East, Cherry Hill, NJ 08002 being duly sworn according to law do hereby depose and say that I am the Attorney for Wells Fargo Bank, NA as Trustee in connection with mortgage foreclosure filed in the Sheriff's Office of Clearfield County against Gene E. McGee which is scheduled for Sheriff's Sale on June 1, 2007 and that I am authorized to make this indemnification on behalf of Milstead & Associates, LLC.

I further depose and say that Milstead & Associates, LLC agrees to indemnify and save harmless the Sheriff of Clearfield County against any and all actions, claims, demands, losses, damages, costs and expenses whatsoever that may result from proceeding with the Sheriff's Sale by Wells Fargo Bank, NA as Trustee against Gene E. McGee in reliance by the Sheriff of Clearfield County on this indemnification.



Pina S. Wertzberger, Esquire  
Attorney ID77274