



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

145504

ATTORNEY FOR PLAINTIFF

ALLIED HOME MORTGAGE CORPORATION  
1 CORPORATE CENTER DRIVE  
SUITE 360  
LAKE ZURICH, IL 60047

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-2081-CD

CLEARFIELD COUNTY

SARA L. MCCrackEN  
927 COOPER AVENUE  
GRASSFLAT, PA 16839

Defendant

FILED <sup>pt \$85.00</sup>  
M 11:30 am <sup>accSAPP</sup>  
DEC 14 2006 <sup>SM</sup>

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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, 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  
2<sup>nd</sup> 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

ALLIED HOME MORTGAGE CORPORATION  
1 CORPORATE CENTER DRIVE  
SUITE 360  
LAKE ZURICH, IL 60047

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

SARA L. MCCRACKEN  
927 COOPER AVENUE  
GRASSFLAT, PA 16839

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


3. On 05/10/2000 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to ALLIED MORTGAGE CAPITAL CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200006520. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 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	\$10,439.28
Interest	583.39
05/01/2006 through 12/13/2006 (Per Diem \$2.57)	
Attorney's Fees	1,250.00
Cumulative Late Charges	31.01
05/11/2000 to 12/13/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 12,853.68
Escrow	
Credit	0.00
Deficit	218.78
Subtotal	<u>\$ 218.78</u>
<b>TOTAL</b>	<b>\$ 13,072.46</b>

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 \$ 13,072.46, together with interest from 12/13/2006 at the rate of \$2.57 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

ALL those certain tracts or pieces of land situate in the Township of Cooper, County of Clearfield and Commonwealth of Pennsylvania, having thereon erected a two story frame dwelling house, barn and other outbuildings bounded and described as follows, to wit:

No. 1: BEGINNING at a post at public road leading from Peale to Pleasant Hill; thence by same North 3 degrees 35 minutes East, 72 feet to a post; thence by land now or late of E.A. Johnson, North 89 degrees 15 minutes East, 100 feet to a post; thence by land now or late of Edgar Shaffer, South 3 degrees 35 minutes West, 72 feet to a post; thence by land now or late of Walter W. Lucas, North 89 degrees 45 minutes West, 100 feet to a post, the place of beginning.

No.2: BEGINNING at a post the northeastern corner of the lot and the intersection of land of E.A. Johnson and alley; thence in a westerly direction 19 feet 6 inches to a post; thence in a southerly direction 75 feet to a post; thence in an easterly direction 19 feet 6 inches to a post; thence in a northerly direction 75 feet to the place of beginning.

BEING the same premises which Helen V. Swanson, by deed dated June 11, 1998 and recorded in the Office of the Recorder of Deeds in and for the County of Clearfield, Pennsylvania, in Record Bk. 1942, pg. 587, granted and conveyed unto George C. Meyers, Jr. and Brenda J. Meyers, his wife, the Grantors herein.

927 COOPER AVENUE

**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.

A handwritten signature in cursive script, appearing to read "F S Hallinan", written over a horizontal line.

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 12/13/06

***PHELAN HALLINAN & SCHMIEG, LLP***

***One Penn Center at Suburban Station***

***1617 John F. Kennedy Boulevard, Suite 1400***

***Philadelphia, PA 19103-1814***

***215-563-7000***

***FAX: 215-563-5534***

**Email: complaints@fedphe.com**

*Representing Lenders in  
Pennsylvania and New Jersey*

December 13, 2006

Office of the Prothonotary  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Re: ALLIED HOME MORTGAGE CORPORATION vs. SARA L. MCCracken

ACTION IN MORTGAGE FORECLOSURE

Dear Sir/Madam:

Enclosed are an original and 2 copies of a Civil Action in Mortgage Foreclosure relative to the above captioned matter for filing with your office. A check for filing has been attached in the amount of \$85.00. The sheriff's office advised our office on 12/13/06 that sheriff's costs total \$100.00 for this file. If there is a concern regarding the costs, please contact Steven Fernandez at PH&S; please do not return the complaint to our office.

Please file the complaint and return your receipt to us in the enclosed stamped, self-addressed envelope, together with a time-stamped copy of the first page of the Complaint.

I would also appreciate your taking the additional copies of the Complaint, the check for service, and the enclosed service sheet(s) to the Office of the Sheriff for service on the defendant(s).

Thank you for your cooperation.

Very truly yours,



PHELAN HALLINAN & SCHMIEG, LLP  
COMPLAINT DEPARTMENT

File #: 145504



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

DOCKET # 102248  
NO: 06-2081-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: ALLIED HOME MORTGAGE CORPORATION  
vs.  
DEFENDANT: SARA L. MCCRACKEN

**SHERIFF RETURN**

---

NOW, December 20, 2006 AT 10:00 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON SARA L. MCCRACKEN DEFENDANT AT 107 MEADOWLARK ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SARA MCCRACKEN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF. 927 COOPER AVE., GRASSFLAT, PA. "EMPTY".

SERVED BY: DEHAVEN /

**FILED**  
07/3:00 PM  
MAR 13 2007  
(initials)

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 102248  
NO: 06-2081-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: ALLIED HOME MORTGAGE CORPORATION  
vs.  
DEFENDANT: SARA L. MCCRACKEN

**SHERIFF RETURN**

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SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102248  
NO: 06-2081-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: ALLIED HOME MORTGAGE CORPORATION  
vs.  
DEFENDANT: SARA L. MCCracken

SHERIFF RETURN

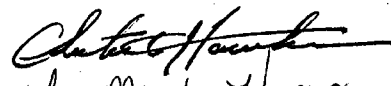
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	558577	20.00
SHERIFF HAWKINS	PHELAN	558577	55.15

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

**FILED** *Att'y pd. 20.00*  
*3/11/2007*  
**MAR 30 2007** *ICC Notice to*  
*Def.*

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

**ALLIED HOME MORTGAGE  
CORPORATION**

**1 CORPORATE CENTER DRIVE SUITE 360  
LAKE ZURICH, IL 60047**

**Plaintiff,**

**v.**

**SARA L. MCCRACKEN**

**107 MEADOW LARK ROAD**

**MORRISDALE, PA 16850**

**Defendant(s).**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 06-2081-CD**

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

**TO THE OFFICE OF THE PROTHONOTARY:**

Kindly enter an in rem judgment in favor of the Plaintiff and against **SARA L. MCCRACKEN**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 13,072.46
Interest - 12/14/06 - 03/29/07	\$272.42
<b>TOTAL</b>	<b><u>\$ 13,344.88</u></b>

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

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

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

**DATE:** 3/30/07

*William A. Shaw*  
PRO PROTHY



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

COPY

Allied Home Mortgage Corporation  
Plaintiff(s)

No.: 2006-02081-CD

Real Debt: \$13,344.88

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Sara L. McCracken  
Defendant(s)

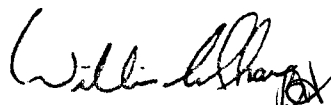
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: March 30, 2007

Expires: March 30, 2012

Certified from the record this 30th 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**

ALLIED HOME MORTGAGE  
CORPORATION

vs.

SARA L. MCCracken

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..06-2081..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

\$13,344.88

Interest from MARCH 29, 2007 to Sale  
Per diem \$2.19

\$\_\_\_\_\_.

Add'l Costs

\$ 3,235.00

**Prothonotary costs** 125.00

*Daniel Y. Schweg*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

145504

**FILED** Att'y pd. 20.00  
MAR 30 2007 11:37 AM  
ICC @ Lewitts  
w/prop descr.  
William A. Shaw  
Prothonotary/Clerk of Courts to Sheriff

(60)

No. 06-2081-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ALLIED HOME MORTGAGE CORPORATION

vs.

SARA L. MCCracken

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

*Donald L. Schweg*  
Attorney for Plaintiff(s)

Address: SARA L. MCCracken  
107 MEADOW LARK ROAD  
MORRISDALE, PA 16850

William A. Shaw  
Prothonotary/Clerk of Courts

MAR 30 2007

FILED



### DESCRIPTION

ALL those certain tracts or pieces of land situate in the Township of Cooper, County of Clearfield and Commonwealth of Pennsylvania, having thereon erected a two story frame dwelling house, barn and other outbuildings bounded and described as follows, to wit:

No. 1: BEGINNING at a post at public road leading from Peale to Pleasant Hill; thence by same North 3 degrees 35 minutes East, 72 feet to a post; thence by land now or late of E.A. Johnson, North 89 degrees 15 minutes East, 100 feet to a post; thence by land now or late of Edgar Shaffer, South 3 degrees 35 minutes West, 72 feet to a post; thence by land now or late of Walter W. Lucas, North 89 degrees 45 minutes West, 100 feet to a post, the place of beginning.

No.2: BEGINNING at a post the northeastern corner of the lot and the intersection of land of E.A. Johnson and alley; thence in a westerly direction 19 feet 6 inches to a post; thence in a southerly direction 75 feet to a post; thence in an easterly direction 19 feet 6 inches to a post; thence in a northerly direction 75 feet to the place of beginning.

BEING the same premises which Helen V. Swanson, by deed dated June 11, 1998 and recorded in the Office of the Recorder of Deeds in and for the County of Clearfield, Pennsylvania, in Record Bk. 1942, pg. 587, granted and conveyed unto George C. Meyers, Jr. and Brenda J. Meyers, his wife, the Grantors herein.

PARCEL IDENTIFICATION NO: T08-599-00009

CONTROL #: 110022934

Premises: Cooper Avenue, Grassflat, PA 16830  
Cooper Township  
Clearfield County  
Pennsylvania

### RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Sara L. McCracken, by Deed from George C. Meyers, Jr. and Brenda J. Meyers, husband and wife, dated 03/28/2000, recorded 05/12/2000, in Deed Mortgage Inst# 200006519.

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

ALLIED HOME MORTGAGE  
CORPORATION  
1 CORPORATE CENTER DRIVE SUITE 360  
LAKE ZURICH, IL 60047

Plaintiff,

v.

SARA L. MCCRACKEN  
107 MEADOW LARK ROAD  
MORRISDALE, PA 16850

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2081-CD

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No.1)**

**ALLIED HOME MORTGAGE CORPORATION**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **927 COOPER AVENUE, GRASSFLAT, PA 16830**.

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

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

SARA L. MCCRACKEN	107 MEADOW LARK ROAD MORRISDALE, PA 16850
-------------------	--


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.

MARCH 29, 2007  
Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**BENEFICIAL  
CONSUMER  
DISCOUNT COMPANY  
D/B/A BENEFICIAL  
MORTGAGE CO. OF**

**PENNSYLVANIA**

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

NAME

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

None

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

NAME

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

None

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

NAME

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

**TENANT/OCCUPANT**

**927 COOPER AVENUE  
GRASSFLAT, PA 16830**

**DOMESTIC  
RELATIONS  
CLEARFIELD  
COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

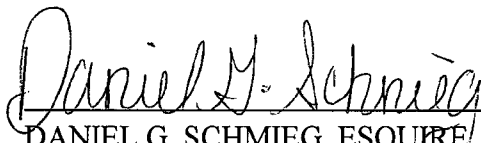
**COMMONWEALTH  
OF PENNSYLVANIA**

**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.

MARCH 29, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

COPY

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

ALLIED HOME MORTGAGE  
CORPORATION

vs.

SARA L. MCCracken

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. .... Term 20

No. 06-2081-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: 927 COOPER AVENUE, GRASSFLAT, PA 16830  
(See Legal Description attached)

Amount Due \$13,344.88

Interest from MARCH 29, 2007 to Sale \$-----  
per diem \$2.19

Total \$-----

Add'l Costs \$ 3,235.00

**Prothonotary costs**

125.00

*William L. Shantz*  
\_\_\_\_\_  
(Clerk) Office of the Prothy Support, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 3/30/07  
(SEAL)

No. 06-2081-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ALLIED HOME MORTGAGE CORPORATION

vs.

SARA L. MCCracken

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt                      \$13,344.88

Int. from MARCH 29, 2007

To Date of Sale (\$2.19 per diem)

Costs

Prothy Pd.

125.00

Sheriff

*Daniel D. Schrey*

Attorney for Plaintiff(s)

Address: SARA L. MCCracken  
107 MEADOW LARK ROAD  
MORRISDALE, PA 16850

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CONTROL #: 110022934

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Cooper Township  
Clearfield County  
Pennsylvania

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UA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Allied Home Mortgage Corporation

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Sara L. McCracken

: No. 06-2081-CD

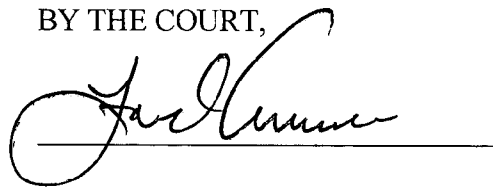
Defendant

RULE

AND NOW, this 15 day of May 2007, a Rule is entered upon the Defendant to show cause why an Order should not be entered granting Plaintiff's Motion to Reassess Damages.

Rule Returnable on the 8<sup>th</sup> day of June 2007, at 2:00 in the Clearfield County Courthouse, Clearfield, Pennsylvania. Courtroom #1  
p.m.

BY THE COURT,



J.

FILED

MAY 15 2007

145504

William A. Shaw  
Prothonotary/Clerk of Courts

ice  
Amy Bradford  
GPO

William A. Shaw  
Prothonotary/Clerk of Courts

MAY 15 2007

FILED

DATE: 5/15/07

☒ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

\_\_\_\_ Plaintiff(s) \_\_\_\_ Plaintiff(s) Attorney \_\_\_\_ Other

\_\_\_\_ Defendant(s) \_\_\_\_ Defendant(s) Attorney

\_\_\_\_ Special Instructions:

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

Allied Home Mortgage Corporation	:	Court of Common Pleas
Plaintiff	:	Civil Division
vs.	:	Clearfield County
Sara L. McCracken	:	No. 06-2081-CD
Defendant		

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2007 the Prothonotary is ORDERED to amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$10,439.28
Interest Through 06/01/07	1,017.77
Per Diem \$1.07	
Late Charges	28.50
Legal fees	1,675.00
Cost of Suit and Title	1,277.50
Sheriff's Sale Costs	0.00
Property Inspections	0.00
Appraisal/Brokers Price Opinion	0.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00

Suspense/Misc. Credits	0.00
Escrow Deficit	<u>969.52</u>

<b>TOTAL</b>	<b>\$15,407.57</b>
--------------	--------------------

Plus interest from 06/01/07 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

---

J.

145504

LA

FILED  
MAY 14 2007  
NO CC  
GR

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Allied Home Mortgage Corporation

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Sara L. McCracken

: No. 06-2081-CD

Defendant

**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on December 14, 2006, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on March 30, 2007 in the amount of \$13,344.88. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. The Property is listed for Sheriff's Sale on June 1, 2007. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

5. Additional sums have been incurred or expended on Defendant's behalf since the Complaint was filed and Defendant has been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$10,439.28
Interest Through 06/01/07	1,017.77
Per Diem \$1.07	
Late Charges	28.50
Legal fees	1,675.00
Cost of Suit and Title	1,277.50
Sheriff's Sale Costs	0.00
Property Inspections	0.00
Appraisal/Brokers Price Opinion	0.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>969.52</u>
<b>TOTAL</b>	<b>\$15,407.57</b>

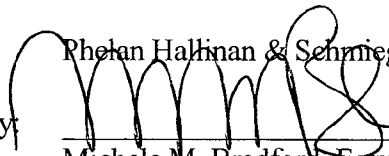
6. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendant.

8. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as is addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 5/3/07

By  Phelan Hallinan & Schmieg, LLP  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

# **Exhibit “A”**



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

145504

ATTORNEY FOR PLAINTIFF

ALLIED HOME MORTGAGE CORPORATION  
1 CORPORATE CENTER DRIVE  
SUITE 360  
LAKE ZURICH, IL 60047

Plaintiff

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-2081-CD

CLEARFIELD COUNTY

SARA L. MCCrackEN  
927 COOPER AVENUE  
GRASSFLAT, PA 16839

Defendant

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

ATTORNEY FILE COPY  
PLEASE RETURN

DEC 14 2006

Attest.

*David S. Meholick*  
Prothonotary/  
Clerk of Courts

**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  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record

ATTORNEY FILE COPY  
PLEASE RETURN

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

145504

ALLIED HOME MORTGAGE CORPORATION  
1 CORPORATE CENTER DRIVE  
SUITE 360  
LAKE ZURICH, IL 60047

Plaintiff

v.

SARA L. MCCRACKEN  
927 COOPER AVENUE  
GRASSFLAT, PA 16839

Defendant

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

**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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2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

We hereby certify the  
to be a true and  
copy of the  
original filed of record

**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

ALLIED HOME MORTGAGE CORPORATION  
1 CORPORATE CENTER DRIVE  
SUITE 360  
LAKE ZURICH, IL 60047

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

SARA L. MCCracken  
927 COOPER AVENUE  
GRASSFLAT, PA 16839

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

3. On 05/10/2000 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to ALLIED MORTGAGE CAPITAL CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200006520. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 06/01/2006 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	\$10,439.28
Interest	583.39
05/01/2006 through 12/13/2006 (Per Diem \$2.57)	
Attorney's Fees	1,250.00
Cumulative Late Charges	31.01
05/11/2000 to 12/13/2006	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 12,853.68
Escrow	
Credit	0.00
Deficit	218.78
Subtotal	\$ 218.78

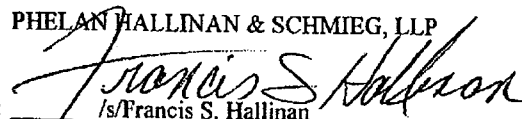
**TOTAL** \$ 13,072.46

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 \$ 13,072.46, together with interest from 12/13/2006 at the rate of \$2.57 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

ALL those certain tracts or pieces of land situate in the Township of Cooper, County of Clearfield and Commonwealth of Pennsylvania, having thereon erected a two story frame dwelling house, barn and other outbuildings bounded and described as follows, to wit:

No. 1: BEGINNING at a post at public road leading from Peale to Pleasant Hill; thence by same North 3 degrees 35 minutes East, 72 feet to a post; thence by land now or late of E.A. Johnson, North 89 degrees 15 minutes East, 100 feet to a post; thence by land now or late of Edgar Shaffer, South 3 degrees 35 minutes West, 72 feet to a post; thence by land now or late of Walter W. Lucas, North 89 degrees 45 minutes West, 100 feet to a post, the place of beginning.

No.2: BEGINNING at a post the northeastern corner of the lot and the intersection of land of E.A. Johnson and alley; thence in a westerly direction 19 feet 6 inches to a post; thence in a southerly direction 75 feet to a post; thence in an easterly direction 19 feet 6 inches to a post; thence in a northerly direction 75 feet to the place of beginning.

BEING the same premises which Helen V. Swanson, by deed dated June 11, 1998 and recorded in the Office of the Recorder of Deeds in and for the County of Clearfield, Pennsylvania, in Record Bk. 1942, pg. 587, granted and conveyed unto George C. Meyers, Jr. and Brenda J. Meyers, his wife, the Grantors herein.

927 COOPER AVENUE

## **Exhibit “B”**

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

ATTORNEY FILE COPY  
PLEASE RETURN

ALLIED HOME MORTGAGE  
CORPORATION

1 CORPORATE CENTER DRIVE SUITE 360  
LAKE ZURICH, IL 60047

Plaintiff,

v.

SARA L. MCCRACKEN  
107 MEADOW LARK ROAD  
MORRISDALE, PA 16850

Defendant(s).

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 06-2081-CD

FILED

MAR 30 2007

William A. Shaw  
Prothonotary/Clerk of Courts

ATTORNEY FILE COPY  
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PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against SARA L. MCCRACKEN, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 13,072.46
Interest - 12/14/06 - 03/29/07	\$272.42
TOTAL	<u>\$13,344.88</u>

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

ATTORNEY FILE COPY  
PLEASE RETURN

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

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 3/30/07

PRO PROTHY

145504

ATTORNEY FILE COPY  
PLEASE RETURN



**VERIFICATION**

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_

5/3/07

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

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire

Atty. I.D. No. 69849

One Penn Center, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Allied Home Mortgage Corporation  
Plaintiff

: Court of Common Pleas

: Civil Division

vs.

: Clearfield County

Sara L. McCracken

: No. 06-2081-CD

Defendant

**CERTIFICATION OF SERVICE**

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages,  
and Brief in Support thereof, were sent to the following individual on the date indicated below.

Sara L. McCracken  
927 Cooper Avenue  
Grassflat, PA 16839

Sara L. McCracken  
107 Meadow Lark Road  
Morrisdale, PA 16850

DATE: 5/3/07

Phelan Hallinan & Schmieg, LLP

By: 

Michele M. Bradford, Esquire  
Attorney for Plaintiff

SALE DATE: June 1, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**ALLIED HOME MORTGAGE  
CORPORATION**

**No.: 06-2081-CD**

**vs.**

**SARA L. MCCracken**

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


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

**CLEARFIELD, CLEARFIELD.**

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

  
DANIEL SCHMIEG, ESQUIRE  
Attorney for Plaintiff

May 18, 2007

**FILED** <sup>no cc</sup>  
m/12:57/24  
MAY 21 2007  
  
William A. Shaw  
Prothonotary/Clerk of Courts

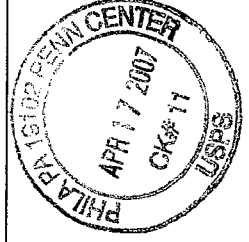
CQS

Name and  
Address  
of Sender

↑  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 927 COOPER AVENUE GRASSFLAT, PA 16830		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE P.O. BOX 66889 ST. LOUIS, MO 63166		
5		BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA 90 BEAVER DRIVE SUITE 122 C DUBOIS, PA 15801		
6		<b>Re: SARA L. MCCracken AXA 145504 TEAM 4</b>		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	
			The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.	

UNITED STATES POSTAGE  
\$01.550  
PRIMEY BOWES  
APR 17 2007  
0004218010  
MAILED FROM ZIP CODE 19103



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

ALLIED HOME MORTGAGE  
CORPORATION  
Plaintiff

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

vs.  
SARA L. MCCracken  
Defendants

: No. 06-2081-CD

:  
:  
:

**PRAECIPE TO FILE AFFIDAVIT OF SERVICE**

TO THE PROTHONOTARY:

Kindly file the attached Affidavits of Service with reference to the above captioned  
matter.

PHELAN HALLINAN & SCHMIEG, LLP

By: Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

Date: May 30, 2007

PAW.  
PHS # 145504

**FILED**  
m/10:2/07  
MAY 31 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

# AFFIDAVIT OF SERVICE

PLAINTIFF ALLIED HOME MORTGAGE CORPORATION CLEARFIELD County  
No. 06-2081-CD  
Our File #: 145504  
DEFENDANT(S) SARA L. MCCRACKEN  
Please serve upon: SARA L. MCCRACKEN  
Type of Action  
- Notice of Sheriff's Sale  
SERVE AT: 107 MEADOW LARK ROAD  
MORRISDALE, PA 16850  
Sale Date: June 1, 2007

## SERVED

Served and made known to Sara L. McCracken, Defendant, on the 2<sup>nd</sup> day of May, 2007, at 4:22 o'clock P.m., at 107 meadow lark Road, Morrisdale, PA

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age 45 Height 5'7" Weight 180 Race W Sex F Other \_\_\_\_\_

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

Sworn to and subscribed  
before me this 7<sup>th</sup> day  
of MAY, 2007  
Notary:

By: Thomas Holmberg

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

## NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_m., Defendant NOT FOUND because:

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

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_

Notary:

By:

Attorney for Plaintiff

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

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Allied Home Mortgage Corporation

Plaintiff

vs.

Sara L. McCracken

Defendant

ATTORNEY FOR PLAINTIFF

: Court of Common Pleas

: Civil Division

: Clearfield County

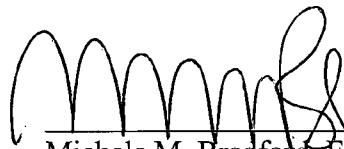
: No. 06-2081-CD

**PRAECIPE**

**TO THE PROTHONOTARY:**

Plaintiff hereby withdraws its Motion to Reassess Damages, filed on May 14, 2007 in the above referenced action.

6/4/07  
Date

  
\_\_\_\_\_  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

**FILED** *no cc*  
*m/11:0030*  
JUN 05 2007 *(CR)*

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

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ATTORNEY FOR PLAINTIFF

Allied Home Mortgage Corporation

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Sara L. McCracken

: No. 06-2081-CD

Defendant

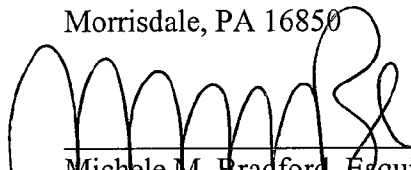
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Plaintiff's Praecipe to withdraw its Motion to Reassess Damages was served upon the following interested parties on the date indicated below.

Sara L. McCracken  
927 Cooper Avenue  
Grassflat, PA 16839

Sara L. McCracken  
107 Meadow Lark Road  
Morrisdale, PA 16850

6/4/07  
Date

  
Michele M. Bradford, Esquire  
Attorney for Plaintiff



**PHELAN HALLINAN & SCHMIEG, LLP**

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Phone: 215-563-7000

Fax: 215-563-3459

michele.bradford@fedphe.com

Michele M. Bradford, Esquire

Representing Lenders in  
Pennsylvania & New Jersey

June 4, 2007

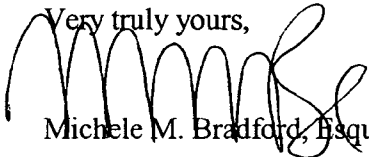
Court Administration  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 15853

RE: Allied Home Mortgage Corporation vs. Sara L. McCracken  
Clearfield County CCP, No. 05-2081-CD

Dear Sir or Madam:

Please be advised that our client no longer wishes to proceed with the motion. A Praecipe to Withdraw Motion to Reassess Damages has been sent for filing. Kindly cancel the rule returnable scheduled for June 8, 2007 at 2:00 p.m.

Very truly yours,



Michele M. Bradford, Esquire

cc: Sara L. McCracken  
Judge Ammerman

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

DOCKET # 20565  
NO: 06-2081-CD

PLAINTIFF: ALLIED HOME MORTGAGE CORPORATION  
vs.  
DEFENDANT: SARA L. MCCRACKEN

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 03/30/2007

LEVY TAKEN 04/19/2007 @ 9:35 AM

POSTED 04/19/2007 @ 9:37 AM

SALE HELD 06/01/2007

SOLD TO FANNIE MAE

SOLD FOR AMOUNT \$10,000.00 PLUS COSTS

WRIT RETURNED 06/14/2007

DATE DEED FILED 06/14/2007

PROPERTY ADDRESS 927 COOPER AVENUE GRASSFLAT , PA 16830

**SERVICES**

04/19/2007 @ 9:37 AM SERVED SARA L. MCCRACKEN

SERVED SARA L. MCCRACKEN, DEFENDANT, AT HER RESIDENCE 107 MEADOW LARK ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SARA L. MCCRACKEN

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

**FILED**  
06/13/07 5:57 PM  
JUN 14 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20565  
NO: 06-2081-CD

PLAINTIFF: ALLIED HOME MORTGAGE CORPORATION  
vs.  
DEFENDANT: SARA L. MCCRACKEN

Execution REAL ESTATE

SHERIFF RETURN

---


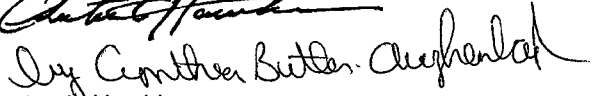
SHERIFF HAWKINS \$431.24

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

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

So Answers,

  
  
Chester A. Hawkins  
Sheriff

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

ALLIED HOME MORTGAGE  
CORPORATION

vs.

SARA L. MCCracken

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. .... Term 20

No. 06-2081-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: 927 COOPER AVENUE, GRASSFLAT, PA 16830  
(See Legal Description attached)

Amount Due \$13,344.88

Interest from MARCH 29, 2007 to Sale \$-----  
per diem \$2.19

Total \$-----

Add'l Costs \$ 3,235.00

Prothonotary costs 125.00

*William L. Hays*

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

Dated 3/30/07  
(SEAL)

Received March 30, 2007 @ 3:00 PM.  
Chesta A. Wambles  
By Cynthia Butler-Deffenbacher

145504

No. 06-2081-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ALLIED HOME MORTGAGE CORPORATION

vs.

SARA L. MCCracken

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt                      \$13,344.88

Int. from MARCH 29, 2007  
To Date of Sale (\$2.19 per diem)

Costs

Prothy Pd.                      125.00

Sheriff

*Janet L. Schweg*

Attorney for Plaintiff(s)

Address: SARA L. MCCracken  
107 MEADOW LARK ROAD  
MORRISDALE, PA 16850

### **DESCRIPTION**

ALL those certain tracts or pieces of land situate in the Township of Cooper, County of Clearfield and Commonwealth of Pennsylvania, having thereon erected a two story frame dwelling house, barn and other outbuildings bounded and described as follows, to wit:

No. 1: BEGINNING at a post at public road leading from Peale to Pleasant Hill; thence by same North 3 degrees 35 minutes East, 72 feet to a post; thence by land now or late of E.A. Johnson, North 89 degrees 15 minutes East, 100 feet to a post; thence by land now or late of Edgar Shaffer, South 3 degrees 35 minutes West, 72 feet to a post; thence by land now or late of Walter W. Lucas, North 89 degrees 45 minutes West, 100 feet to a post, the place of beginning.

No.2: BEGINNING at a post the northeastern corner of the lot and the intersection of land of E.A. Johnson and alley; thence in a westerly direction 19 feet 6 inches to a post; thence in a southerly direction 75 feet to a post; thence in an easterly direction 19 feet 6 inches to a post; thence in a northerly direction 75 feet to the place of beginning.

BEING the same premises which Helen V. Swanson, by deed dated June 11, 1998 and recorded in the Office of the Recorder of Deeds in and for the County of Clearfield, Pennsylvania, in Record Bk. 1942, pg. 587, granted and conveyed unto George C. Meyers, Jr. and Brenda J. Meyers, his wife, the Grantors herein.

PARCEL IDENTIFICATION NO: T08-599-00009

CONTROL #: 110022934

Premises: Cooper Avenue, Grassflat, PA 16830  
Cooper Township  
Clearfield County  
Pennsylvania

### **RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Sara L. McCracken, by Deed from George C. Meyers, Jr. and Brenda J. Meyers, husband and wife, dated 03/28/2000, recorded 05/12/2000, in Deed Mortgage Inst# 200006519.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME SARA L. MCCrackEN

NO. 06-2081-CD

NOW, June 14, 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 June 01, 2007, I exposed the within described real estate of Sara L. Mccracken to public venue or outcry at which time and place I sold the same to FANNIE MAE he/she being the highest bidder, for the sum of \$10,000.00 and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	12.61
LEVY	15.00
MILEAGE	21.34
POSTING	15.00
CSDS	10.00
COMMISSION	200.00
POSTAGE	4.68
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	12.61
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	10,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
	5.00
BILLING/PHONE/FAX	
CONTINUED SALES	
MISCELLANEOUS	200.00
<b>TOTAL SHERIFF COSTS</b>	<b>\$631.24</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$28.50</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	13,344.88
INTEREST @	0.00
FROM TO 06/01/2007	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	3,235.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$16,599.88</b>

**COSTS:**

ADVERTISING	425.14
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	631.24
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$1,534.88</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