

07-277-CD
Wells Fargo vs Diana Yale et al

Wells Fargo Fin vs Diana Yale et al
2007-277-CD

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

146636

ATTORNEY FOR PLAINTIFF

WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.
3476 STATEVIEW BLVD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

DIANA YALE
A/K/A DIANA JANE YALE
NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

NO. 07-277-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

FILED Atty pd. 85.00
M112:5844
FEB 23 2007 8 CC Sheriff
JW

William A. Shaw
Prothonotary/Clerk of Court

NOTICE

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

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

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

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

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

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

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

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

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

1. Plaintiff is

WELLS FARGO FINANCIAL PENNSYLVANIA, INC.
3476 STATEVIEW BLVD
FORT MILL, SC 29715

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

DIANA YALE
A/K/A DIANA JANE YALE
NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

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

3. On 02/05/2005 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200502322. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.

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 02/10/2006 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	\$55,040.71
Interest	\$5,026.45
01/10/2006 through 02/20/2007	
(Per Diem \$12.35)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$0.00
02/05/2005 to 02/20/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$61,867.16
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$61,867.16

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. 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.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
11. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$61,867.16, together with interest from 02/20/2007 at the rate of \$12.35 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

DANIEL G. SCHMIEG, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE TOWNSHIP OF HUSTON IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 12/31/2002 AND RECORDED 1/15/2003, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200300626 AND PAGE AND.

ADDRESS: 430 PARRISH RD.: DUBOIS, PA 158014178 TAX MAP OR PARCEL ID NO.: 119-E03-66.

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

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

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 2-20-07

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 Atty pd. 20.00
m7110061
JUN 05 2007 /ccs/Notice
to Def.
William A. Shaw
Prothonotary/Clerk of Courts Statement
to Atty
GK

WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.
3476 STATEVIEW BLVD
FORT MILL, SC 29715

Plaintiff,

v.

DIANA YALE
A/K/A DIANA JANE YALE
NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

Defendant(s).

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-277-CD

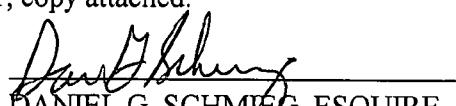
PRAECLPICE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DIANA YALE A/K/A DIANA JANE YALE and NORMAN YALE A/K/A NORMAN H. YALE, 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:

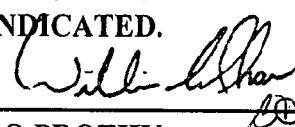
As set forth in the Complaint	\$ 61,867.16
Interest - 02/21/07 to 06/04/07	\$ 1,284.40
TOTAL	<u>\$ 63,151.56</u>

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


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 6/5/07


PRO PROTHY

146636

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

WELLS FARGO FINANCIAL

PENNSYLVANIA, INC.

3476 STATEVIEW BLVD

FORT MILL, SC 29715

:

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

:

CIVIL DIVISION

:

NO. 07-277-CD

v.

DIANA YALE

A/K/A DIANA JANE YALE

NORMAN YALE

A/K/A NORMAN H. YALE

1870 HUNGRY HOLLOW ROAD

DU BOIS, PA 15801-6706

:

Defendant(s).

:

VERIFICATION OF NON-MILITARY SERVICE

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

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

(b) that defendant **DIANA YALE A/K/A DIANA JANE YALE** is over 18 years of age and resides at **1870 HUNGRY HOLLOW ROAD, DU BOIS, PA 15801-6706**.

(c) that defendant **NORMAN YALE A/K/A NORMAN H. YALE** is over 18 years of age, and resides at **1870 HUNGRY HOLLOW ROAD, DU BOIS, PA 15801-6706**.

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



DANIEL G. SCHMIEG, ESQUIRE

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

ATTORNEY FOR PLAINTIFF

WELLS FARGO FINANCIAL PENNSYLVANIA, INC. : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
DIANA YALE A/K/A DIANA JANE YALE : NO. 07-277-CD
NORMAN YALE A/K/A NORMAN H. YALE
Defendants

TO: DIANA YALE A/K/A DIANA JANE YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

FILE COPY

DATE OF NOTICE: MARCH 23, 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

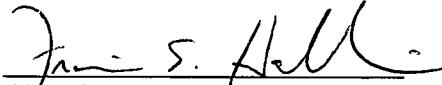
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

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

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

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

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


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

WELLS FARGO FINANCIAL PENNSYLVANIA, INC. : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
DIANA YALE A/K/A DIANA JANE YALE : NO. 07-277-CD
NORMAN YALE A/K/A NORMAN H. YALE
Defendants

TO: NORMAN YALE A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

FILE COPY

DATE OF NOTICE: MARCH 23, 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 THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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

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

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

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


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

WELLS FARGO FINANCIAL :
PENNSYLVANIA, INC. :
3476 STATEVIEW BLVD :
FORT MILL, SC 29715 :
Plaintiff, :
v. :
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-277-CD

DIANA YALE :
A/K/A DIANA JANE YALE :
NORMAN YALE :
A/K/A NORMAN H. YALE :
1870 HUNGRY HOLLOW ROAD :
DU BOIS, PA 15801-6706 :
:

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on June 5, 2007

BY William Shanahan DEPUTY

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

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

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

COPY

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

COPY

Wells Fargo Financial Pennsylvania, Inc.
Plaintiff(s)

No.: 2007-00277-CD

Real Debt: \$63,151.56

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Diana Yale
Norman Yale
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: June 5, 2007

Expires: June 5, 2012

Certified from the record this 5th day of June, 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.FINANCIAL
PENNSYLVANIA, INC.

vs.

DIANA.YALE
A/K/A.DIANA.JANE.YALE

NORMAN.YALE
A/K/A.NORMAN.H.YALE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-277-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	\$63,151.56
Interest from 06/04/07 to Sale	\$ _____.
Per diem \$10.38	
Prothonotary costs	\$25.00
Add'l Costs	\$3,420.93

David A. Shaw
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

146636

FILED Atty pd.
3/11/2007 20.00
JUN 05 2007
ICCP/lewnits
William A. Shaw
Prothonotary/Clerk of Courts
W/ prep. desc
to Sheriff
(GR)

No. 07-277-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
WELLS FARGO FINANCIAL PENNSYLVANIA,
INC.

FILED

JUN 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

vs.

ccos

DIANA YALE A/K/A DIANA JANE YALE
NORMAN YALE A/K/A NORMAN H. YALE

PRAECEIPE FOR WRIT OF EXECUTION

(Mortgage Foreclosure)

Filed:


William A. Shaw
Attorney for Plaintiff(s)

Address: DIANA YALE
A/K/A DIANA JANE YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706
NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF HOUSTON, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING IN THE CENTER OF TOWNSHIP ROAD NO. 408, 202.5 FEET, MORE OR LESS, FROM THE SOUTHEAST CORNER OF KENNETH FLANDERS LAND;

THENCE ALONG LOT TO BE CONVEYED TO FRANCIS JOHNSON, SOUTH 47 DEGREES 05 MINUTES EAST 141.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, SOUTH 40 DEGREES 20 MINUTES WEST 157.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, NORTH 41 DEGREES 45 MINUTES WEST 155.0 FEET;

THENCE ALONG CENTER OF TOWNSHIP ROAD NO. 408, NORTH 44 DEGREES 55 MINUTES EAST 142.5 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.44 ACRE.

TITLE TO SAID PREMISES IS VESTED IN Norman Yale and Diana Yale, husband and wife, by Deed from Michael S. Courson, a single man, dated 12/31/2002, recorded 01/15/2003, in Deed Mortgage Inst# 200300626.

Premises being: 430 PARRISH ROAD
DU BOIS, PA 15801

Tax Parcel No. 119046883

WELLS FARGO FINANCIAL	:	
PENNSYLVANIA, INC.	:	
3476 STATEVIEW BLVD	:	CLEARFIELD COUNTY
FORT MILL, SC 29715	:	COURT OF COMMON PLEAS
Plaintiff,	:	CIVIL DIVISION
v.	:	NO. 07-277-CD
DIANA YALE	:	
A/K/A DIANA JANE YALE	:	
NORMAN YALE	:	
A/K/A NORMAN H. YALE	:	
1870 HUNGRY HOLLOW ROAD	:	
DU BOIS, PA 15801-6706	:	

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

WELLS FARGO FINANCIAL PENNSYLVANIA, INC., Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **430 PARRISH ROAD, DU BOIS, PA 15801**.

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

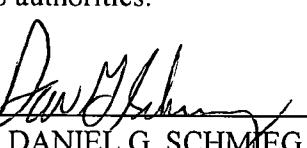
NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
DIANA YALE A/K/A DIANA JANE YALE	1870 HUNGRY HOLLOW ROAD DU BOIS, PA 15801-6706
NORMAN YALE A/K/A NORMAN H. YALE	1870 HUNGRY HOLLOW ROAD DU BOIS, PA 15801-6706

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.

06/04/07
Date


 DANIEL G. SCHMIEG, ESQUIRE
 Attorney for Plaintiff

WELLS FARGO FINANCIAL	:	
PENNSYLVANIA, INC.	:	
3476 STATEVIEW BLVD	:	CLEARFIELD COUNTY
FORT MILL, SC 29715	:	COURT OF COMMON PLEAS
 Plaintiff,	:	 CIVIL DIVISION
 v.	:	
DIANA YALE	:	NO. 07-277-CD
A/K/A DIANA JANE YALE	:	
NORMAN YALE	:	
A/K/A NORMAN H. YALE	:	
1870 HUNGRY HOLLOW ROAD	:	
DU BOIS, PA 15801-6706	:	
 Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129

WELLS FARGO FINANCIAL PENNSYLVANIA, INC., Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **430 PARRISH ROAD, DU BOIS, PA 15801**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

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

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

WELLS FARGO	3201 NORTH 4 TH AVENUE
FINANCIAL BANK	SIOUX FALL, SD 57104

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

430 PARRISH ROAD
DU BOIS, PA 15801

DOMESTIC
RELATIONS
CLEARFIELD
COUNTY

CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830

COMMONWEALTH
OF PENNSYLVANIA

DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105

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

06/04/07

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO FINANCIAL

PENNSYLVANIA, INC.

3476 STATEVIEW BLVD

FORT MILL, SC 29715

:

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

Plaintiff,

:

CIVIL DIVISION

v.

DIANA YALE

:

A/K/A DIANA JANE YALE

:

NORMAN YALE

:

A/K/A NORMAN H. YALE

:

1870 HUNGRY HOLLOW ROAD

:

DU BOIS, PA 15801-6706

:

Defendant(s).

:

CERTIFICATION

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

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

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



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

COPY

WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.

vs.

DIANA YALE
A/K/A DIANA JANE YALE
NORMAN YALE
A/K/A NORMAN H. YALE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-277-CD Term 20 Q5
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 430 PARRISH ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due	\$63,151.56
Interest from 06/04/07 to Sale per diem \$10.38	\$-----
Add'l Costs	\$3,420.93
Total	\$----- <i>125.00 Prothonotary costs</i>

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

Dated 6/15/07
(SEAL)

146636

No. 07-277-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
WELLS FARGO FINANCIAL PENNSYLVANIA,
INC.

vs.

DIANA YALE A/K/A DIANA JANE YALE
NORMAN YALE A/K/A NORMAN H. YALE

WRIT OF EXECUTION (Mortgage Foreclosure)	
<hr/>	

	Costs
Real Debt	\$63,151.56
Int. from 06/04/07 To Date of Sale (\$10.38 per diem)	<hr/>
Costs	—
Prothy Pd.	125.00
Sheriff	 _____ Attorney for Plaintiff(s)

Address: DIANA YALE
A/K/A DIANA JANE YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF HOUSTON, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING IN THE CENTER OF TOWNSHIP ROAD NO. 408, 202.5 FEET, MORE OR LESS, FROM THE SOUTHEAST CORNER OF KENNETH FLANDERS LAND;

THENCE ALONG LOT TO BE CONVEYED TO FRANCIS JOHNSON, SOUTH 47 DEGREES 05 MINUTES EAST 141.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, SOUTH 40 DEGREES 20 MINUTES WEST 157.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, NORTH 41 DEGREES 45 MINUTES WEST 155.0 FEET;

THENCE ALONG CENTER OF TOWNSHIP ROAD NO. 408, NORTH 44 DEGREES 55 MINUTES EAST 142.5 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.44 ACRE.

TITLE TO SAID PREMISES IS VESTED IN Norman Yale and Diana Yale, husband and wife, by Deed from Michael S. Courson, a single man, dated 12/31/2002, recorded 01/15/2003, in Deed Mortgage Inst# 200300626.

Premises being: 430 PARRISH ROAD
DU BOIS, PA 15801

Tax Parcel No. 119046883

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 1 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NORMAN YALE aka NORMAN H. YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER IN LAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED

MAY 25 2007

09:45 AM

William A. Shaw
Prothonotary/Clerk of Courts

NO CERT.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 2 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DIANA YALE aka DIANA JANE YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO. 07-277-CD
SERVICE # 3 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NORMAN YALE aka NORMAN H. YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER IN LAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 4 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DIANA YALE aka DIANA JANE YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 5 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NORMAN YALE aka NORMAN H. YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER IN LAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 6 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DIANA YALE aka DIANA JANE YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO. 07-277-CD
SERVICE # 7 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON NORMAN YALE aka NORMAN H. YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER IN LAW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICE # 8 OF 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

NOW, February 28, 2007 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DIANA YALE aka DIANE JANE YALE DEFENDANT AT 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEWELL LOGAN, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102479
NO: 07-277-CD
SERVICES 8
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

VS.

DEFENDANT: DIANA YALE aka DIANA JANE YALE, NORMAN YALE aka NORMAN H. YALE

SHERIFF RETURN

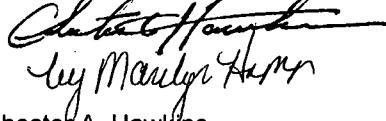
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	575770	80.00
SHERIFF HAWKINS	PHELAN	575770	20.00
SHERIFF HAWKINS	"	598734	58.43

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


Chester A. Hawkins
Sheriff

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

ATTORNEY FOR

WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.
Plaintiff

vs.
DIANA YALE A/K/A DIANA JANE YALE
NORMAN YALE A/K/A NORMAN H. YALE
Defendants

: COURT OF COMMON PLEAS
: :
: CIVIL DIVISION
: :
: CLEARFIELD COUNTY
: :
: No. 07-277-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 Schmiege*
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: July 31, 2007

PAW.
PHS # 146636

FILED NO
M 10:51 AM
AUG 01 2007
2007
Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.

DEFENDANT(S) DIANA YALE
A/K/A DIANA JANE YALE
NORMAN YALE
A/K/A NORMAN H. YALE

Please serve upon: DIANA YALE A/K/A DIANA JANE YALE

SERVE AT: 1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

SERVED

Served and made known to Diana Jane Yale, Defendant, on the 29th day of June,
2007 at 5:30, o'clock P.m., at 1870 Hungry Hollow Road, DuBois,

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: _____

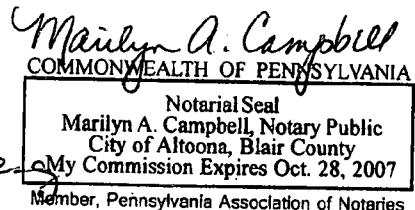
Description: Age 58 Height 5'8" Weight 180 Race W Sex F Other

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 2nd day
of July, 2007

Notary:

By: Thomas Holmberg



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

AFFIDAVIT OF SERVICE

PLAINTIFF	WELLS FARGO FINANCIAL PENNSYLVANIA, INC.	CLEARFIELD County No. 07-277-CD Our File #: 146636
DEFENDANT(S)	DIANA YALE A/K/A DIANA JANE YALE NORMAN YALE A/K/A NORMAN H. YALE	Type of Action - Notice of Sheriff's Sale
Please serve upon:	NORMAN YALE A/K/A NORMAN H. YALE	Sale Date: September 7, 2007 @ 10:00AM
SERVE AT:	1870 HUNGRY HOLLOW ROAD DU BOIS, PA 15801-6706	SERVED

Served and made known to Norman H. Hale, Defendant, on the 29th day of June,
2007 at 5:36, o'clock P.m., at 1870 Hungry Hollow Road, Dubois,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is wife / Diana
 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 58 Height 5'8" 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 2nd day
of July, 2007
Notary:

By: Thomas Holmes

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:

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**

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO FINANCIAL PENNSYLVANIA, INC. : CLEARFIELD COUNTY
Plaintiff, : COURT OF COMMON PLEAS
v. :
: CIVIL DIVISION
DIANA YALE A/K/A DIANA JANE YALE :
NORMAN YALE A/K/A NORMAN H. YALE : NO. 07-277-CD
Defendant(s) :

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 430 PARRISH ROAD, DU BOIS, PA 15801.

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 Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. 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 G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: August 1, 2007

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

146636

FILED
MHR: 10/01/2007 NO CC
AUG 02 2007 LM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20596
NO: 07-277-CD

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

vs.

DEFENDANT: DIANA YALE A/K/A DIANA JANE YALE AND NORMAN YALE A/K/A NORMAN H. YALE

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 6/5/2007

LEVY TAKEN 6/15/2007 @ 1:19 PM

POSTED 6/15/2007 @ 1:19 PM

SALE HELD 10/5/2007

SOLD TO WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

SOLD FOR AMOUNT \$20,000.00 PLUS COSTS

WRIT RETURNED 1/4/2008

DATE DEED FILED 1/4/2008

PROPERTY ADDRESS 430 PARRISH ROAD DUBOIS , PA 15801

SERVICES

6/19/2007 @ 10:38 AM SERVED DIANA YALE A/K/A DIANA JANE YALE

SERVED DIANA YALE A/K/A DIANA JANE YALE, DEFENDANT, AT HER RESIDENCE 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DIANA YALE A/K/A DIANA JANE YALE

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.

6/19/2007 @ 10:38 AM SERVED NORMAN YALE A/K/A NORMAN H. YALE

SERVED NORMAN YALE A/K/A NORMAN H. YALE, DEFENDANT, AT HER RESIDENCE 1870 HUNGRY HOLLOW ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DIANA YALE A/K/A DIANA JANE YALE, WIFE/CO-DEFENDANT

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

@ SERVED

NOW, SEPTEMBER 7, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 7, 2007 TO OCTOBER 5, 2007.

FILED
01/23/08
JAN 04 2008
JS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20596
NO: 07-277-CD

PLAINTIFF: WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

vs.

DEFENDANT: DIANA YALE A/K/A DIANA JANE YALE AND NORMAN YALE A/K/A NORMAN H. YALE

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$658.01

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2006

Chester A. Hawkins
By: Cynthia Beller - Deputy
Chester A. Hawkins
Sheriff

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

WELLS FARGO FINANCIAL
PENNSYLVANIA, INC.

vs.

DIANA YALE
A/K/A DIANA JANE YALE

NORMAN YALE
A/K/A NORMAN H. YALE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-277-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: 430 PARRISH ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due	\$63,151.56
Interest from 06/04/07 to Sale per diem \$10.38	\$-----
Add'l Costs	\$3,420.93
Total	<i>125.00</i> \$----- Prothonotary costs

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

Dated 6/5/07
(SEAL)

146636

Received this writ this 5th day
of JUNE A.D. 2007
At 8:00 A.M./P.M.

Chester A. Henshaw
Sheriff by Christie Butler-Clephenbach

No. 07-277-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
WELLS FARGO FINANCIAL PENNSYLVANIA,
INC.

vs.

DIANA YALE A/K/A DIANA JANE YALE
NORMAN YALE A/K/A NORMAN H. YALE

W^RIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$63,151.56

Int. from 06/04/07
To Date of Sale (\$10.38 per diem)

Costs _____

Prothy Pd. 125.00

Sheriff DuBois, PA

Attorney for Plaintiff(s)

Address: DIANA YALE
A/K/A DIANA JANE YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

NORMAN YALE
A/K/A NORMAN H. YALE
1870 HUNGRY HOLLOW ROAD
DU BOIS, PA 15801-6706

LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF HOUSTON, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING IN THE CENTER OF TOWNSHIP ROAD NO. 408, 202.5 FEET, MORE OR LESS, FROM THE SOUTHEAST CORNER OF KENNETH FLANDERS LAND;

THENCE ALONG LOT TO BE CONVEYED TO FRANCIS JOHNSON, SOUTH 47 DEGREES 05 MINUTES EAST 141.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, SOUTH 40 DEGREES 20 MINUTES WEST 157.0 FEET;

THENCE BY RESIDUE OF RAYMOND PARRISH LAND OR C. E. HOYT ESTATE, NORTH 41 DEGREES 45 MINUTES WEST 155.0 FEET;

THENCE ALONG CENTER OF TOWNSHIP ROAD NO. 408, NORTH 44 DEGREES 55 MINUTES EAST 142.5 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.44 ACRE.

TITLE TO SAID PREMISES IS VESTED IN Norman Yale and Diana Yale, husband and wife, by Deed from Michael S. Courson, a single man, dated 12/31/2002, recorded 01/15/2003, in Deed Mortgage Inst# 200300626.

Premises being: 430 PARRISH ROAD
DU BOIS, PA 15801

Tax Parcel No. 119046883

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME DIANA YALE A/K/A DIANA JANE YALE NO. 07-277-CD

NOW, January 04, 2008, 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 October 05, 2007, I exposed the within described real estate of Diana Yale A/K/A Diana Jane Yale And Norman Yale A/K/A Norman H. Yale to public venue or outcry at which time and place I sold the same to WELLS FARGO FINANCIAL PENNSYLVANIA, INC. he/she being the highest bidder, for the sum of \$20,000.00 plus costs and making the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	15.00	DEBT-AMOUNT DUE	63,151.56
MILEAGE	15.00	INTEREST @ 10.3800 %	1,276.74
LEVY	18.43	FROM 06/04/2007 TO 10/05/2007	
MILEAGE	15.00	PROTH SATISFACTION	
POSTING	18.43	LATE CHARGES AND FEES	
CSDS	15.00	COST OF SUIT-TO BE ADDED	
COMMISSION	10.00	FORECLOSURE FEES	
POSTAGE	400.00	ATTORNEY COMMISSION	
HANDBILLS	6.15	REFUND OF ADVANCE	
DISTRIBUTION	15.00	REFUND OF SURCHARGE	40.00
ADVERTISING	25.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED	15.00	PROPERTY INSPECTIONS	
ADD'L POSTING	30.00	INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT	20,000.00	TOTAL DEBT AND INTEREST	\$64,468.30
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	1,366.95
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	639.15
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$658.01	LIEN SEARCH	200.00
		ACKNOWLEDGEMENT	5.00
		DEED COSTS	29.50
		SHERIFF COSTS	658.01
		LEGAL JOURNAL COSTS	144.00
DEED COSTS:		PROTHONOTARY	125.00
ACKNOWLEDGEMENT	5.00	MORTGAGE SEARCH	80.00
REGISTER & RECORDER	29.50	MUNICIPAL LIEN	
TRANSFER TAX 2%	0.00		
TOTAL DEED COSTS	\$29.50	TOTAL COSTS	\$3,247.61

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

CHESTER A. HAWKINS, Sheriff

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

Christine Schoffler
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

September 7, 2007

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

ATTENTION: CINDY (814) 765-5915

Re: **WELLS FARGO FINANCIAL PENNSYLVANIA, INC. v. DIANA YALE**
A/K/A DIANA JANE YALE and NORMAN YALE A/K/A NORMAN H. YALE
No. 07-277-CD
430 PARRISH ROAD, DU BOIS, PA 15801

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for September 7, 2007.

The property is to be relisted for the October 5, 2007 Sheriff's Sale.

Very truly yours,
CQS
Christine Schoffler
VIA TELECOPY (814) 765-5915