

07-1066-CD
Bank of NY vs Virginia Bliss et al

2007-1066-CD
Bank of New York et al vs Virginia Bliss et al

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

157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-1066-CD

CLEARFIELD COUNTY

v.
Plaintiff
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

FILED Atty pd. 85.00
JUL 06 2007 cc Sheriff
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.

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

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

**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

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

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

VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

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

3. On 08/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200413088. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 01/01/2007 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	\$183,312.58
Interest 12/01/2006 through 07/03/2007 (Per Diem \$35.16)	\$7,559.40
Attorney's Fees	\$1,250.00
Cumulative Late Charges 08/06/2004 to 07/03/2007	\$374.82
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$193,246.80
Escrow	
Credit	\$0.00
Deficit	\$108.93
Subtotal	<u>\$108.93</u>
TOTAL	\$193,355.73

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. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. VIRGINIA BLISS; IRS Docket No. 2005-00942; filed 06/30/2005; in the amount of \$14,948.41

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$193,355.73, together with interest from 07/03/2007 at the rate of \$35.16 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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/15

AFFIDAVIT OF SERVICE – CLEARFIELD COUNTY(JMR)

THE BANK OF NEW YORK TRUST COMPANY, N.A.,
AS SUCCESSOR TO JP MORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

RECEIVED
M 110 32/81
SEP 04 2007
LAW
NO
163

Vs.
VIRGINIA E. BLISS
EARL D. BLISS
Defendants

TYPE OF ACTION
XX Mortgage Foreclosure
XX Civil Action
NO. 07-1066-CD
File Number157110

William A. Shaw
Prothonotary/Clerk of Courts

SERVE AT: **48 CEDAR STREET**
HORNELL, NY 14843

SERVED

Served and made known to EARL D. BLISS, Defendant on the 10th day of August, 2007, at
7:39 o'clock, P. M., at 48 Cedar Street, Hornell, NY,
in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s).

Relationship is Wife.

Adult in charge of Defendant's residence who refused to give name/relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s)

Agent or person in charge of Defendant's office or usual place of business.

and officer of said defendant company.

Other: _____

I, Ronald Mall, A Private Process Server and competent adult, being duly sworn according to law, depose and state that I personally handed to Virginia Bliss
a true and correct copy of the Mortgage Foreclosure
issued in the captioned case on the date and at the address indicated above.

Description: Age 70 Height 5'4" Weight 140 Race W Sex F Other _____

Sworn to and subscribed
Before me this 10 day
Of August, 2007
Notary: _____

Served By:

Ronald Mall

On the COMMONWEALTH OF PENNSYLVANIA, 10 day of August, 2007, at _____ o'clock
M. D. S. NOTARY PUBLIC
Declarant NOTICED NOTARY PUBLIC cause:
Joseph J. Saroczy, Notary Public in _____ No Answer _____ Vacant
Other: City of Philadelphia, Philadelphia County _____
MY COMMISSION EXPIRES MAY 23, 2011

NOT SERVED

, 20_____, at _____ o'clock

Sworn to and subscribed
Before me the _____ day
Of _____, 20_____.
Notary: _____

Not Served By: _____

Phelan Hallinan & Schmieg, LLP

Attorneys For Plaintiff

Francis S. Hallinan, Esquire – I.D.#62695

Suite 1400- One Penn Center Plaza at Suburban Station

Philadelphia, PA 19103-1799

(215)563-7000

26

163

AFFIDAVIT OF SERVICE – CLEARFIELD COUNTY (JMR)

THE BANK OF NEW YORK TRUST COMPANY, N.A.,
AS SUCCESSOR TO JP MORGAN CHASE BANK, N.A. AS TRUSTEE

Plaintiff

Vs.
VIRGINIA E. BLISS
EARL D. BLISS
Defendants

TYPE OF ACTION
XX Mortgage Foreclosure

XX Civil Action
NO. 07-1066-CD
File Number**157110**

SERVE AT: **48 CEDAR STREET**
HORNELL, NY 14843

SERVED

Served and made known to VIRGINIA E. BLISS Defendant on the 10th day of August, 2007, at 7:39 o'clock, P. M., at 48 Cedar Street, Hornell, NY,
City 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 residence who refused to give name/relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s)

Agent or person in charge of Defendant's office or usual place of business.
and officer of said defendant company.

Other: _____

I, RONALD MALL, A Private Process Server and competent adult, being duly sworn according to law, depose and state that I personally handed to Virginia E. Bliss
a true and correct copy of the Mortgage Foreclosure,
issued in the captioned case on the date and at the address indicated above.

Description: Age 70 Height 5'4" Weight 140 Race W Sex F Other _____

Sworn to and subscribed

Before me this 10 day

Of August, 2007

Notary:

Served By:

Ronald Mall

On the 10 day of August, 2007, at 7:39 o'clock
P.M., Defendant NOT FOUND,
City of Philadelphia, Philadelphia County:
MY COMMISSION EXPIRES MAY 20, 2011

NOT SERVED

20, at _____ o'clock

No Answer _____ Vacant _____

Other: _____

Sworn to and subscribed

Before me the _____ day

Not Served By:

Of _____, 20 _____. _____

Notary:

Phelan Hallinan & Schmieg, LLP

Attorneys For Plaintiff

Francis S. Hallinan, Esquire – I.D.#62695

Suite 1400- One Penn Center Plaza at Suburban Station

Philadelphia, PA 19103-1799

(215)563-7000

2

26

163

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
ATTY. I.D. NO. 12248
ONE PENN CENTER AT SUBURBAN STATION
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS CIVIL DIVISION

The Bank Of New York Trust Company, N.A. As
Successor To JPMorgan Chase Bank, N.A. As Trustee
Plaintiff

VS.

County: Clearfield
Court No: 07-1066-CD

Virginia E. Bliss
Earl D. Bliss

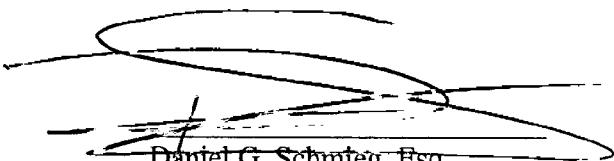
And The United States of America
C/o The United States Attorney for the Western District of PA
633 United States Post Office & Courthouse
Pittsburgh, PA 15219

Defendants

PRAECIPE TO RELEASE PARTY DEFENDANT

To the Prothonotary:

Kindly release The United States of America only as a Party Defendant in the
above captioned matter upon payment of your costs.


Daniel G. Schmieg, Esq.
For Phelan Hallinan & Schmeig
Attorney for Plaintiff

Date: August 30, 2007

RECEIVED
MAY 33 2007
SEP 04 2007
Clerk
William A. Shaw
Prothonotary/Clerk of Courts



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

AUG 08 2007

Michael C. Colville
Assistant U.S. Attorney
Western District of Pennsylvania
633 United States Post Office & Courthouse
Pittsburgh, PA 15219

RE: Bank of New York Trust vs. Virginia E. Bliss and
Earl D. Bliss and the U.S.A.
No. 07-1066-CD

Dear Mr. Colville:

We have searched our Federal Tax Lien database pursuant to your letter dated August 1, 2007. The following is a report of the investigation:

The Federal Tax Lien has been released.

Should questions arise, Carol Kraus, Technical Services Tax Examiner, may be contacted at (412) 395-5212.

Sincerely yours,

Eugene V. Batdorf
Group Manager, Collection Technical Services

FILED
JUL 16 2007

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
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(215) 563-7000 157110

ATTORNEY FOR PLAINTIFF

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CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

TERM

NO. 07-1006-CD

CLEARFIELD COUNTY

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

Defendants

CIVIL ACTION - LAW

COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

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

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VIRGINIA E. BLISS
EARL D. BLISS
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CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
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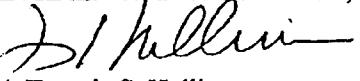
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PHELAN HALLINAN & SCHMIEG, LLP


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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

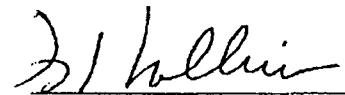
CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/07

3112:30cm
SEP 2 2007 NCC.
William A. Shaw
Prothonotary Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
By: Michele M. Bradford, Esquire,
Attorney ID No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

The Bank of New York Trust Company, NA, as Successor to JP Morgan Chase Bank, NA, as Trustee	:	Court of Common Pleas
9275 Sky Park Court, 3 rd Floor San Diego, CA 92123	:	Clearfield County
Plaintiff	:	
vs.	:	Civil Division
Virginia E. Bliss	:	
Earl D. Bliss	:	No. 07-1066-CD
103 Country Club Circle	:	
Clearfield, PA 16830	:	
Defendants	:	

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on 07/06/07. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".
2. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendants.

3. On 8/28/07, the Sheriff's Office verbally advised counsel for Plaintiff that Virginia E. Bliss and Earl D. Bliss were personally served the Complaint on 8/10/07.
4. On 8/31/07, Plaintiff sent the Defendants a ten day letter notifying them of its intention to file a default judgment.

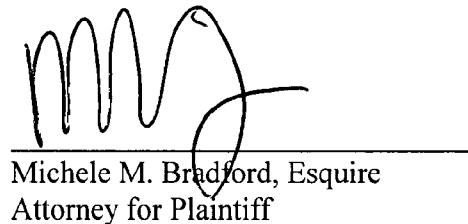
5. To date, the Clearfield County Sheriff's Office has not filed the affidavit of service, which was made on 8/10/07.

6. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the affidavit of service of the Complaint with the Prothonotary. Interest accrues at the rate of \$35.16 per day on this mortgage account. Additionally, the Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense.

7. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of Service.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the affidavit of service of the Complaint with the Prothonotary within seven days.

9/25/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Attorney ID No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

The Bank of New York Trust Company, NA, as Successor to JP Morgan Chase Bank, NA, as Trustee 9275 Sky Park Court, 3 rd Floor San Diego, CA 92123	:	Court of Common Pleas
Plaintiff	:	Clearfield County
vs.	:	Civil Division
Virginia E. Bliss Earl D. Bliss 103 Country Club Circle Clearfield, PA 16830	:	No. 07-1066-CD
Defendants	:	

**BRIEF IN SUPPORT OF MOTION TO DIRECT THE SHERIFF TO FILE
AFFIDAVIT OF SERVICE**

I. PROCEDURAL HISTORY

Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on 07/06/07. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendants. On 8/28/07, the Sheriff's Office verbally advised counsel for Plaintiff that Virginia E. Bliss and Earl D. Bliss were personally served on 8/10/07.

On 8/31/07, Plaintiff sent the Defendants a ten day letter notifying them of its intention to file a default judgment. To date, the Clearfield County Sheriff's Office has not filed the affidavit of service, which was made on 8/10/07. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the affidavit of service of the Complaint with the Prothonotary.

Interest accrues at the rate of \$35.16 per day on this mortgage account. Additionally, the Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of Service.

II. LEGAL ANALYSIS

Pennsylvania Rule of Civil Procedure 400(a) requires that original process within the Commonwealth be made only by the Sheriff. Pa.R.C.P. 405(a) provides as follows:

When service of the original process has been made, the sheriff or other person making service shall make a return of service forthwith. . . .

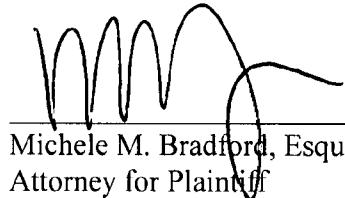
The Plaintiff does not have the ability to use a private process server to serve foreclosure complaints in Clearfield County. The Plaintiff must rely on the Sheriff to do so. In addition, the Sheriff has a duty to file his return of service "forthwith". In the instant case, the Sheriff's Office has not complied with that obligation.

Plaintiff is without an adequate remedy at law and will suffer irreparable harm unless the requested relief is granted. This Court has plenary power to administer equity according to well-settled principals of equity jurisprudence in cases under its jurisdiction. Cheval v. City of Philadelphia, 176 A. 779, 116 Pa. Super. 101 (1935). Moreover, it is well settled that Courts will lean to a liberal exercise of the equity power conferred upon them instead of encouraging technical niceties in the modes of procedure and forms of pleading. Gunnet v. Trout, 380 Pa. 504, 112 A.2d

333 (1955). This is certainly a case where the exercise of this Court's equity powers is appropriate and necessary.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the affidavit of service of the Complaint with the Prothonotary within seven days.

9/25/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

EXHIBIT A

FILED
12/4/07
JUL 6 2007

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-1066-CD

CLEARFIELD COUNTY

v.
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

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

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

157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

v.
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

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

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

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

Notice to Defend:
David S. 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

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

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

VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

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

3. On 08/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200413088. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 01/01/2007 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	\$183,312.58
Interest	\$7,559.40
12/01/2006 through 07/03/2007	
(Per Diem \$35.16)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$374.82
08/06/2004 to 07/03/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$193,246.80
Escrow	
Credit	\$0.00
Deficit	\$108.93
Subtotal	<u>\$108.93</u>
TOTAL	\$193,355.73

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. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. VIRGINIA BLISS; IRS Docket No. 2005-00942; filed 06/30/2005; in the amount of \$14,948.41

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$193,355.73, together with interest from 07/03/2007 at the rate of \$35.16 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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan
Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/07

VERIFICATION

Michele M. Bradford, Esquire hereby states that she is the attorney for the Plaintiff in this action, that she is authorized to make this Verification, and that the statements made in the foregoing Motion to Direct Sheriff to file Affidavit of Service and Brief in support thereof 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.

9/25/07
Date

PHELAN HALLINAN & SCHMIEG, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Attorney ID No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

The Bank of New York Trust Company, NA,	:	Court of Common Pleas
as Successor to JP Morgan Chase Bank, NA,	:	
as Trustee	:	
9275 Sky Park Court, 3 rd Floor	:	Clearfield County
San Diego, CA 92123	:	
Plaintiff	:	
	:	Civil Division
vs.	:	
	:	
Virgina E. Bliss	:	No. 07-1066-CD
Earl D. Bliss	:	
103 Country Club Circle	:	
Clearfield, PA 16830	:	
Defendants	:	

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Direct Sheriff to File
Affidavit of Service and Brief in Support thereof were served upon the following interested
parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 S. 2nd Street,
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Virginia E. Bliss
Earl D. Bliss
103 Country Club Circle
Clearfield, PA 16830

Virginia E. Bliss
Earl D. Bliss
48 Cedar Street
Hornell, NY 14843

9/25/17

Date

PHELAN HALLINAN & SCHMIEG, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

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

THE BANK OF NEW YORK TRUST COMPANY,NA, *
as SUCCESSOR TO JP MORGAN CHASE BANK,NA*
as TRUSTEE, *

Plaintiff *

vs. *

VIRGINA E. BLISS
EARL D. BLISS,

Defendants *

NO. 07-1066-CD

ORDER

NOW, this 27th day of September, 2007, the Court noting the difficulties caused relative no Sheriff's Return having yet been filed with the Prothonotary, and in consideration of Pa. R.C.P. 405 (a) and the Plaintiff's Motion to Direct the Sheriff to File Affidavit of Service, it is the ORDER of this Court that the Sheriff cause a Return of Service to be filed with the Prothonotary by no later than 3:30 p.m. on Friday, September 28th, 2007. The Prothonotary shall notify the Court as to the filing of the return.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

01/17/08 2cc Atty Bradford
SEP 27 2007
William A. Shaw HCC Sheriff
Prothonotary/Clerk of Courts (without memo)

12/27/07 A 12/27/07
with Court Clerk/ Clerk of Court

DATE: 9/27/07

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 Other

Special Instructions:

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 4 Services

Sheriff Docket # **102978**

THE BANK OF NEW YORK TRUST COMPANY, N.A.

Case # 07-1066-CD

vs.

VIRGINIA E. BLISS & EARL D. BLISS

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO VIRGINIA E. BLISS, DEFENDANT. MOVED TO NEW YORK, 103 COUNTRY CLUB CIRCLE"VACANT".

SERVED BY: /

0/11.15 cm
SEP 28 2007
wm

William A. Straw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 4 Services

Sheriff Docket #

102978

THE BANK OF NEW YORK TRUST COMPANY, N.A.

Case #

07-1066-CD

vs.

VIRGINIA E. BLISS & EARL D. BLISS

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO EARL BLISS, DEFENDANT. MOVED TO NEW YORK, 103 COUNTRY CLUB CIRCLE"VACANT".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 4 Services

Sheriff Docket # **102978**

THE BANK OF NEW YORK TRUST COMPANY, N.A.

Case # **07-1066-CD**

vs.

VIRGINIA E. BLISS & EARL D. BLISS

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO VIRGINIA E. BLISS, DEFENDANT. MOVED TO NEW YORK.

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 4 Services

Sheriff Docket # **102978**

THE BANK OF NEW YORK TRUST COMPANY, N.A.

Case # 07-1066-CD

VS.

VIRGINIA E. BLISS & EARL D. BLISS

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO EARL BLISS, DEFENDANT. MOVED TO NEW YORK.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102978
NO: 07-1066-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: VIRGINIA E. BLISS & EARL D. BLISS

SHERIFF RETURN

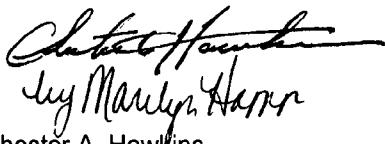
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	609649	40.00
SHERIFF HAWKINS	PHELAN	609649	31.00

Sworn to Before Me This

So Answers,

____ Day of _____ 2007



Chester A. Hawkins
Sheriff

Original
and all copies of this original
statement file under seal.

JUL 06 2007

Attest:

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

157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-1066-C

CLEARFIELD COUNTY

v.
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

NOTICE

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

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

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

Notice to Defend:
David S. 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
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PLAINTIFF WILL OBTAIN AND PROVIDE
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CREDITOR, IF DIFFERENT FROM ABOVE.**

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

1. Plaintiff is

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

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

VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
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who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 08/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200413088. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 01/01/2007 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	\$183,312.58
Interest 12/01/2006 through 07/03/2007 (Per Diem \$35.16)	\$7,559.40
Attorney's Fees	\$1,250.00
Cumulative Late Charges 08/06/2004 to 07/03/2007	\$374.82
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$193,246.80
Escrow	
Credit	\$0.00
Deficit	\$108.93
Subtotal	<u>\$108.93</u>
TOTAL	\$193,355.73

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. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. VIRGINIA BLISS; IRS Docket No. 2005-00942;
filed 06/30/2005; in the amount of \$14,948.41

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$193,355.73, together with interest from 07/03/2007 at the rate of \$35.16 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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/07

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

157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
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COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

VIRGINIA E. BLISS
EARL D. BLISS
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NO. 07-10666-CD

CLEARFIELD COUNTY

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PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

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Attorney for Plaintiff

DATE: 7/3/07

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Attest.

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COURT CLERK

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COMPLAINT IN MORTGAGE FORECLOSURE

WE HEREBY CERTIFY THAT
THE FOREGOING IS A TRUE AND
CORRECT COPY OF THE
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Dated: 11/10/2007

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EARL D. BLISS
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Deficit	\$108.93
Subtotal	<u>\$108.93</u>
TOTAL	\$193,355.73

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. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. VIRGINIA BLISS; IRS Docket No. 2005-00942;
filed 06/30/2005; in the amount of \$14,948.41

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$193,355.73, together with interest from 07/03/2007 at the rate of \$35.16 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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/07

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SL 0-2007

Attest.

John J.
S. Hallinan

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

157110

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-1066-CD

CLEARFIELD COUNTY

Plaintiff
v.
VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230
Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

We hereby certify that
written to be a true and
correct copy of the
foregoing document.

NOTICE

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

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

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

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

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

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

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

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

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

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

1. Plaintiff is

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE
9275 SKY PARK COURT
THIRD FLOOR
SAN DIEGO, CA 92123

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

VIRGINIA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/o The United States Attorney for
the Western District of Pennsylvania, P.O. Box 1805
U.S. Post Office and Courthouse
Pittsburgh, PA 15230

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

3. On 08/06/2004 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200413088. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 01/01/2007 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	\$183,312.58
Interest	\$7,559.40
12/01/2006 through 07/03/2007	
(Per Diem \$35.16)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$374.82
08/06/2004 to 07/03/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$193,246.80
Escrow	
Credit	\$0.00
Deficit	\$108.93
Subtotal	<u>\$108.93</u>
TOTAL	\$193,355.73

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. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. VIRGINIA BLISS; IRS Docket No. 2005-00942;
filed 06/30/2005; in the amount of \$14,948.41

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$193,355.73, together with interest from 07/03/2007 at the rate of \$35.16 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 piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of County Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

PREMISES BEING: 103 COUNTRY CLUB CIRCLE

PARCEL NO: J09-691-00071

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises granted and conveyed unto Earl D. Bliss and Virginia E. Bliss, husband and wife, by Deed of John F. Belmore dated August 13, 1991 and recorded August 16, 1991 in Clearfield County Record Book 1413, Page 565.

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 of 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 its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 7/3/07

E. H. D.

OCT 12 2007

20-30 (✓)

William A. Shaw
Prothonotary/Clerk of Courts

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PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire
Attorney ID No. 69849
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

The Bank of New York Trust Company, NA, as Successor to JP Morgan Chase Bank, NA, as Trustee 9275 Sky Park Court, 3 rd Floor San Diego, CA 92123	:	Court of Common Pleas
	:	
	:	Clearfield County
	:	
Plaintiff	:	
	:	
	:	Civil Division
vs.	:	
	:	
	:	
Virginia E. Bliss	:	No. 07-1066-CD
Earl D. Bliss	:	
103 Country Club Circle	:	
Clearfield, PA 16830	:	
Defendants	:	

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Order granting Motion to Direct Sheriff to File Affidavit of Service were served upon the following interested parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 S. 2nd Street,
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Virginia E. Bliss
Earl D. Bliss
103 Country Club Circle
Clearfield, PA 16830

Virginia E. Bliss
Earl D. Bliss
48 Cedar Street
Hornell, NY 14843

10/10/07

Date

SPHELAN HALLINAN & SCHMIEG, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED
Oct 12 2007
William A. Shaver
Prothonotary/Clerk of Courts

7-109701 NCC
NOV 11, 2007
ES
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

BY: Francis S. Hallinan, Esquire

Identification No. 62695

Attorney For Plaintiff

One Penn Center at Suburban Station

Suite 1400

Philadelphia, PA 19103

(215) 563-7000

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

COURT OF COMMON PLEAS
CIVIL DIVISION

v.

CLEARFIELD COUNTY

VIRGINIA E. BLISS
EARL D. BLISS

NO. 07-1066-CD

THE UNITED STATES OF AMERICA
C/O THE UNITED STATES ATTORNEY FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

PRAECIPE TO SUBSTITUTE VERIFICATION
TO CIVIL ACTION COMPLAINT
IN MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the verification originally filed with the
complaint in the instant matter.

Phelan Hallinan and Schmieg, LLP

By: Francis S. Hallinan
Francis S. Hallinan, Esquire
Lawrence T. Phelan, Esquire
Daniel G. Schmieg, Esquire

Dated: 11/5/07
File #: 157110

PHELAN HALLINAN & SCHMIEG, LLP
BY: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney For Plaintiff

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

COURT OF COMMON PLEAS
CIVIL DIVISION

v.

CLEARFIELD COUNTY

VIRGINA E. BLISS
EARL D. BLISS

NO. 07-1066-CD

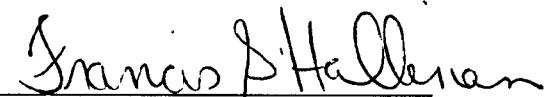
THE UNITED STATES OF AMERICA
C/O THE UNITED STATES ATTORNEY FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Praecipe to Substitute
Verification was sent via first class mail to the following on the date listed below:

VIRGINA E. BLISS
EARL D. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

THE UNITED STATES OF AMERICA
C/O THE UNITED STATES ATTORNEY FOR
THE WESTERN DISTRICT OF PENNSYLVANIA, P.O. BOX 1805
U.S. POST OFFICE AND COURTHOUSE
PITTSBURGH, PA 15230



FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL S. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Dated: 11/5/07

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

(6R)
Atty pd. 20.00
m 12/18/07 ICC Notice
to Def.

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

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
9275 SKY PARK COURT, THIRD FLOOR
SAN DIEGO, CA 92123**

:
:
: **CLEARFIELD COUNTY
COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 07-1066-CD**

Plaintiff,

v.

**EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830**

:
:
:
:
:

Defendant(s).

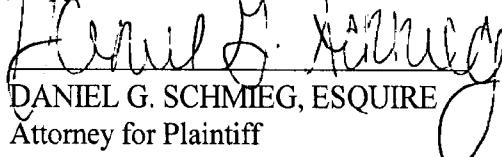
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **EARL D. BLISS and VIRGINIA E. BLISS**, 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:

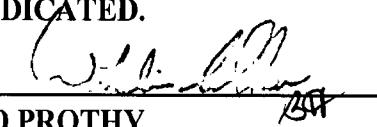
As set forth in the Complaint	\$ 193,355.73
Interest - 07/04/07 - 11/19/07	\$ 4,887.24
TOTAL	<u>\$ 198,242.97</u>

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: 11/28/07


PRO PROTHY

157110

*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

THE BANK OF NEW YORK TRUST COMPANY, N.A. : COURT OF COMMON PLEAS
AS SUCCESSOR TO JP MORGAN CHASE BANK,

N.A., AS TRUSTEE : CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 07-1066-CD

VIRGINIA E. BLISS
EARL D. BLISS

Defendants

FILE COPY

TO: VIRGINIA E. BLISS
48 CEDAR STREET
HORNELL, NY 14843

DATE OF NOTICE: AUGUST 31, 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

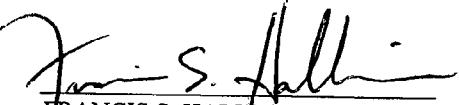
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

THE BANK OF NEW YORK TRUST COMPANY, N.A. : COURT OF COMMON PLEAS
AS SUCCESSOR TO JP MORGAN CHASE BANK,
N.A., AS TRUSTEE

Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
: NO. 07-1066-CD

VIRGINIA E. BLISS
EARL D. BLISS

Defendants

TO: EARL D. BLISS
48 CEDAR STREET
HORNELL, NY 14843

FILED

DATE OF NOTICE: AUGUST 31, 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

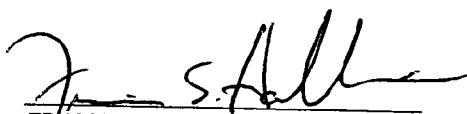
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
9275 SKY PARK COURT, THIRD FLOOR
SAN DIEGO, CA 92123

:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 07-1066-CD

Plaintiff,

v.

EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

:
:
:
:
:
:

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

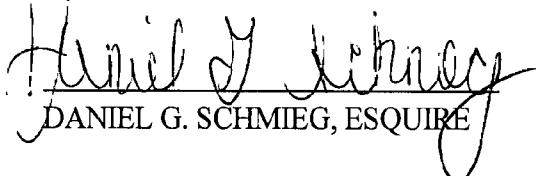
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 EARL D. BLISS is over 18 years of age and resides at 103 COUNTRY CLUB CIRCLE, CLEARFIELD, PA 16830.

(c) that defendant VIRGINIA E. BLISS is over 18 years of age, and resides at 103 COUNTRY CLUB CIRCLE, CLEARFIELD, PA 16830.

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

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

THE BANK OF NEW YORK TRUST :
COMPANY, N.A. AS SUCCESSOR TO :
JPMORGAN CHASE BANK, N.A. AS :
TRUSTEE :
9275 SKY PARK COURT, THIRD FLOOR :
SAN DIEGO, CA 92123 :
: CIVIL DIVISION

COPY

Plaintiff, : NO. 07-1066-CD

v.

EARL D. BLISS :
VIRGINIA E. BLISS :
103 COUNTRY CLUB CIRCLE :
CLEARFIELD, PA 16830 :
:

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on November 28, 2007.

BY William C. Schmieg DEPUTY

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

DANIEL G. SCHMIEG, ESQUIRE

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

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

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

Bank of New York Trust Company, N.A.

JP Morgan Chase Bank, N.A.

Plaintiff(s)

No.: 2007-01066-CD

Real Debt: \$198,242.97

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Virginia E. Bliss

Entry: \$20.00

Earl D. Bliss

Defendant(s)

Instrument: In Rem Judgment

Date of Entry: November 28, 2007

Expires: November 28, 2012

Certified from the record this 28th day of November, 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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

EARL D. BLISS

VIRGINIA E. BLISS

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-1066-CD. Term 20...

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	\$198,242.97
------------	--------------

Interest from 11/20/07 - to Sale

Per diem \$32.59

Add'l Costs

Writ Total

Prothonotary costs	\$ 125.00
--------------------	-----------

\$ 3,773.50

Janet M. Schug
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

157110

Atty pd. 20.00
m 12:33 PM
1CC & 6 warrants
w/prop desc.
to Sheriff
6K

No. .07:1066:CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

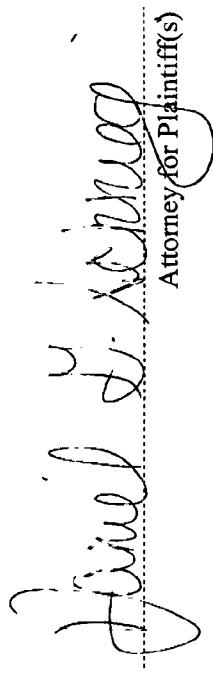
THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

EARL D. BLISS
VIRGINIA E. BLISS

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: EARL D. BLISS
103 COUNTRY CLUB CIRCLE 103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830 CLEARFIELD, PA 16830

VIRGINIA E. BLISS

LEGAL DESCRIPTION

ALL that certain piece or parcel of land together with a house and all other improvements theron, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of Country Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along Lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises conveyed to the Grantor herein by deed dated September 29, 1989, and recorded in Clearfield County Reccrd Volume 1343, Page 165 on May 24, 1990.

TITLE TO SAID PREMISES IS VESTED IN Earl D. Bliss and Virginia E. Bliss, husband and wife, as tenants by the entireties, by Deed from John F. Bellmore, dated 08/13/1991, recorded 08/16/1991, in Deed Book 1413, page 565.

Premises being: 103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

Tax Parcel No. 123-J09-691-71

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

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
9275 SKY PARK COURT, THIRD FLOOR
SAN DIEGO, CA 92123

:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
:
: NO. 07-1066-CD

v.

EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

:
:
:
:
:
:

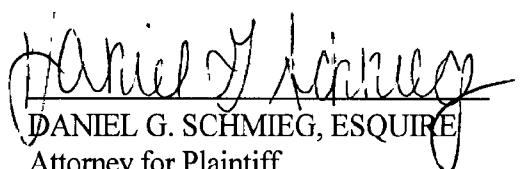
Defendant(s).

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

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
9275 SKY PARK COURT, THIRD FLOOR
SAN DIEGO, CA 92123**

Plaintiff,

v.

**EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830**

Defendant(s).

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

**THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE**, 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 **103 COUNTRY CLUB CIRCLE,
CLEARFIELD, 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.)**

EARL D. BLISS **103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830**

VIRGINIA E. BLISS **103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830**

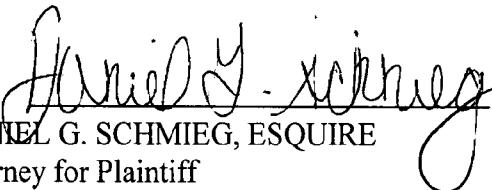
2. Name and address of Defendant(s) in the judgment:

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.

NOVEMBER 19, 2007
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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.)
None

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:

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

**COMMONWEALTH OF
PENNSYLVANIA** **DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division **6th Floor, Strawberry Sq., Dept 28061**
Harrisburg, PA 17128

**Internal Revenue Service
Federated Investors Tower**

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.

NOVEMBER 19, 2007

Date

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-1066-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

EARL D. BLISS

VIRGINIA E. BLISS

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: 103 COUNTRY CLUB CIRCLE, CLEARFIELD, PA 16830
(See Legal Description attached)

Amount Due \$198,242.97

Interest from 11/20/07 - to Sale \$ _____
Per diem \$32.59 Prothonotary costs \$ 125.00
Add'l Costs \$ 3,773.50
Writ Total \$ _____
W. A. M. B.

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

Dated 11/28/07
(SEAL)

157110

No. .07-1066-CD Term 20 ...A.D.

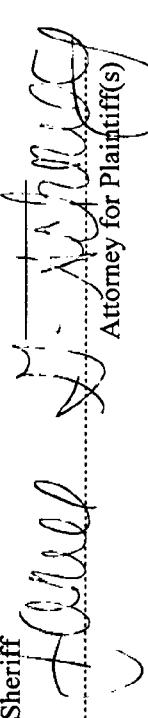
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

EARL D. BLISS
VIRGINIA E. BLISS

WRIT OF EXECUTION
(Mortgage Foreclosure)

Real Debt	\$ 198,242.97
Int. from 11/20/07 -	
To Date of Sale (\$32.59 per diem)	
Costs	
Prothy Pd.	<u>125.00</u>
Sheriff	 Attorney for Plaintiff(s)

Address: EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830
CLEARFIELD, PA 16830
CLEARFIELD, PA 16830
CLEARFIELD, PA 16830

LEGAL DESCRIPTION

ALL that certain piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of Country Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along Lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises conveyed to the Grantor herein by deed dated September 29, 1989, and recorded in Clearfield County Record Volume 1343, Page 165 on May 24, 1990.

TITLE TO SAID PREMISES IS VESTED IN Earl D. Bliss and Virginia E. Bliss, husband and wife, as tenants by the entireties, by Deed from John F. Bellmore, dated 08/13/1991, recorded 08/16/1991, in Deed Book 1413, page 565.

Premises being: 103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

Tax Parcel No. 123-J09-691-71

SALE DATE: **FEBRUARY 1, 2008**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE**

No.: 07-1066-CD

vs.

**EARL D. BLISS
VIRGINIA E. BLISS**

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

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

103 COUNTRY CLUB CIRCLE, CLEARFIELD, PA 16830.

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 G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: January 2, 2008

NOCC
m 10/54/07
IAN
1001
S
William A. Shaw
Prothonotary/Clerk of Courts

157110

7160 3901 9845 3883 6724

7160 3901 9845 3883 6731

TO: Internal Revenue Service
Federated Investors Tower
13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

TO: U.S. Department of Justice, U.S. Attorney,
Western District of PA,
633 US Post Office and Courthouse
Pittsburgh, PA 15219

SENDER: TEAM4 LLD

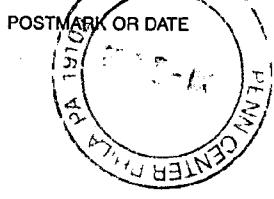
REFERENCE: 157110

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

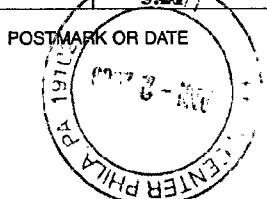


PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.15
	Restricted Delivery	
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

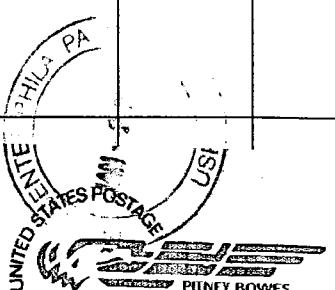


Name and
Address
of Sender

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

157110

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 103 COUNTRY CLUB CIRCLE CLEARFIELD, 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		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 th Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 TH Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105		
7		DEPARTMENT OF THE TREASURY-INTERNAL REVENUE SERVICES PO BOX 24017 FRESNO, CA 93779		
8		BUREAU OF COMPLIANCE P.O. BOX 28046 HARRISBURG, PA 17128-0946		
9		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF REVENUE DEPT. 280946 HARRISBURG, PA 17128-0948		
10		U.S DEPARTMENT OF JUSTICE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF PA 633 US POST OFFICE AND COURTHOUSE PITTSBURGH, PA 15219		



02 1M
0004218010
JAN 02 2008
MAILED FROM ZIP CODE 18103



\$ 03.50⁰
PINNEY BOWES

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20696

NO: 07-1066-CD

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE

VS.

DEFENDANT: EARL D. BLISS AND VIRGINIA E. BLISS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/28/2007

LEVY TAKEN 12/10/2007 @ 2:15 PM

POSTED 12/10/2007 @ 2:14 PM

SALE HELD 3/7/2008

SOLD TO THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 3/25/2008

DATE DEED FILED 3/25/2008

PROPERTY ADDRESS 103 COUNTRY CLUB CIRCLE CLEARFIELD, PA 16830

12/10/07 \$1.00 plus \$5.00
12/10/07 2:15pm (JM)
MAR 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

@ SERVED EARL D. BLISS

DEPUTIES UNABLE TO SERVE EARL D. BLISS, DEFENDANT AT 103 COUNTRY CLUB CIRCLE, CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA THE RESIDENCE WAS VACANT.

@ SERVED VIRGINIA E. BLISS

DEPUTIES UNABLE TO SERVE VIRGINIA E. BLISS, DEFENDANT, AT 103 COUNTRY CLUB CIRCLE, CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA THE RESIDENCE WAS VACANT.

12/17/2007 @ SERVED EARL D. BLISS

SERVED EARL D. BLISS, DEFENDANT, BY CERT AND REG. MAIL TO 48 CEDAR STREET, HORNELL, NY 14843 CERT
#7006081000145074395. SIGNED FOR BY VIRGINIA BLISS

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

12/17/2007 @ SERVED VIRGINIA E. BLISS

SWERVED VIRGINIA E. BLISS, 48 CEDAR STREET, HORNELL, NY 14843, CERT #7006081000145074401, SIGNED FOR BY VIRGINIA BLISS

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

@ SERVED

NOW JANUARY 31, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED
FOR FEBRUARY 1, 2008 TO MARCH 7, 2008.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20696
NO: 07-1066-CD

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE

vs.

DEFENDANT: EARL D. BLISS AND VIRGINIA E. BLISS

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$238.07

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

____ Day of _____ 2006

So Answers,


By Cynthia Bitter Aughenbaugh
Chester A. Hawkins
Sheriff

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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-1066-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

EARL D. BLISS

VIRGINIA E. BLISS

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: 103 COUNTRY CLUB CIRCLE, CLEARFIELD, PA 16830
(See Legal Description attached)

Amount Due \$198,242.97

Interest from 11/20/07 - to Sale \$ _____
Per diem \$32.59
Add'l Costs \$ 3,773.50
Writ Total \$ _____

Prothonotary costs \$ 125.00
\$ 3,773.50

W. H. H. B.

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

Dated 11/28/07
(SEAL)

157110

Received this writ this 28th day
of November A.D. 2007
At 3:00 A.M./P.M.

C. Carter G. Hockensmith
Sheriff by Cynthia Butler

No. .07-1066-CD..... Term 20 ...A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

EARL D. BLISS
VIRGINIA E. BLISS

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

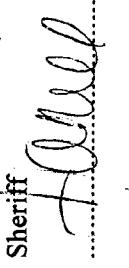
Real Debt \$ 198,242.97

Int. from 11/20/07 -
To Date of Sale (\$32.59 per diem)

Costs

Prothy Pd. 125.00

Sheriff


Attorney for Plaintiff(s)

Address: EARL D. BLISS
VIRGINIA E. BLISS
103 COUNTRY CLUB CIRCLE 103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830 CLEARFIELD, PA 16830

LEGAL DESCRIPTION

ALL that certain piece or parcel of land together with a house and all other improvements thereon, situate in the LongMeadow Subdivision of Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a steel pin corner common with Lot 102 and on the Southern right-of-way of Country Club Road Extension; thence along Lot 102, South 24 degrees, 40 minutes East, 154.75 feet to a steel pin corner common with Lot 102 and on the Northern line of Lot 9; thence along Lot 9, South 67 degrees, 12 minutes and 35 seconds West, 80.01 feet to a steel pin corner common with Lot 104; thence along Lot 104 North 24 degrees, 40 minutes West, 152.14 feet to a steel pin corner on the Southern right-of-way line of Country Club Road Extension; thence along said right-of-way North 65 degrees, 20 minutes East, 80.00 feet to a steel pin corner and place of beginning.

CONTAINING 0.28 acres and being known as Lot 103 in the said LongMeadow subdivision (Northwest parcel).

BEING the same premises conveyed to the Grantor herein by deed dated September 29, 1989, and recorded in Clearfield County Record Volume 1343, Page 165 on May 24, 1990.

TITLE TO SAID PREMISES IS VESTED IN Earl D. Bliss and Virginia E. Bliss, husband and wife, as tenants by the entireties, by Deed from John F. Bellmore, dated 08/13/1991, recorded 08/16/1991, in Deed Book 1413, page 565.

Premises being: 103 COUNTRY CLUB CIRCLE
CLEARFIELD, PA 16830

Tax Parcel No. 123-J09-691-71

REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

NAME EARL D. BLISS NO. 07-1066-CD

NOW, March 25, 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 March 07, 2008, I exposed the within described real estate of Earl D. Bliss And Virginia E. Bliss to public venue or outcry at which time and place I sold the same to THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR	15.00	DEBT-AMOUNT DUE	198,242.97
SERVICE	15.00	INTEREST @ 32.5900 %	3,519.72
MILEAGE	2.00	FROM 11/20/2007 TO 03/07/2008	
LEVY	15.00		
MILEAGE	2.00	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	18.07	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	40.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT	1.00	TOTAL DEBT AND INTEREST	\$201,802.69
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	404.26
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	1,272.72
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$238.07	LIEN SEARCH	200.00
DEED COSTS:		ACKNOWLEDGEMENT	5.00
ACKNOWLEDGEMENT	5.00	DEED COSTS	29.00
REGISTER & RECORDER	29.00	SHERIFF COSTS	238.07
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	180.00
TOTAL DEED COSTS	\$29.00	PROTHONOTARY	125.00
		MORTGAGE SEARCH	80.00
		MUNICIPAL LIEN	
		TOTAL COSTS	\$2,534.05

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

SENDER: COMPLETE THIS SECTION**COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

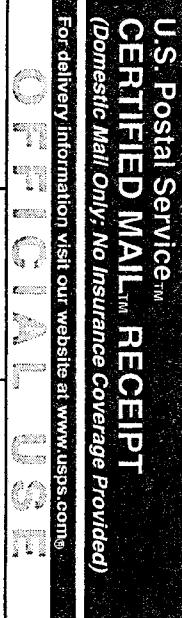
EARL D. BLISS
48 CEDAR STREET
HORNELL, NY 14843

2. Article Number <i>(Transfer from service label)</i>	7006 0810 0001 4507 4395
PS Form 3811, February 2004	Domestic Return Receipt
102505-02-M-1540	

A. Signature <i>Earl D. Bliss</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
B. Received by (Printed Name) <i>V. T. Bliss</i>	C. Date of Delivery <i>12-17-07</i>
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If YES, enter delivery address below: <i>115 C 1/1001</i>	

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com



4395	4507	4507	4507	4507	4507	4507	4507	4507	4507	4507	4507
0810	0810	0810	0810	0810	0810	0810	0810	0810	0810	0810	0810
0001	0001	0001	0001	0001	0001	0001	0001	0001	0001	0001	0001
7006	7006	7006	7006	7006	7006	7006	7006	7006	7006	7006	7006
U.S. POSTAL SERVICE											
CLEARFIELD, PA 17222											
Postmark Date 14 Home 2007											
Total Postage & Fees \$ 5.38											

Sent to

EARL D. BLISS

Street, Apt. No.: 48 CEDAR STREET
a P.O. Box No.: HORNELL, NY 14843
City, State, Zip No.: 14843

PS Form 3810, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION**COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VIRGINIA E. BLISS
48 CEDAR STREET
HORNELL, NY 14843

A. Signature X <i>Virginia Bliss</i>	<input type="checkbox"/> Agent
<input checked="" type="checkbox"/> Addressee	
B. Received by (Printed Name) <i>Virginia Bliss</i>	C. Date of Delivery <i>12-12-07</i>
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

If YES, enter delivery address below:

 No**2. Article Number***(Transfer from service label)***7006 0810 0001 4507 4401**

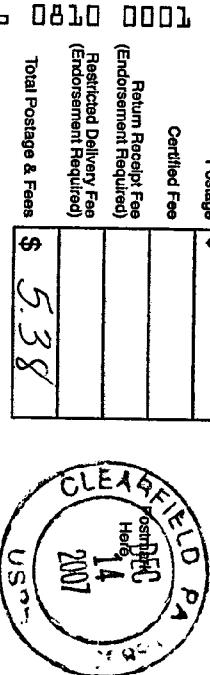
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**For delivery information visit our website at www.usps.com

4507	4401	0001	0810	7006
Postage	\$			
Certified Fee				
Return Receipt Fee (Endorsement Required)				
Restricted Delivery Fee (Endorsement Required)				
Total Postage & Fees	\$ 5.38			



7006	0810	0001	4401	4507
Sent to				
Street, Apt. No.; VIRGINIA E. BLISS				
or P.O. Box No. 48 CEDAR STREET				
City, State, ZIP+4 HORNELL, NY 14843				

PS Form 3800, June 2002

See Reverse for Instructions

Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-5534

Stephen Ames, Ext.1244
Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

January 31, 2008

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE v.
VIRGINIA E. BLISS, EARL D. BLISS
Court No. 07-1066-CD

Dear Sir/Madam:

Please Postpone the Sheriff's Sale of the above referenced property, which is
scheduled for February 1, 2008 due to the following: Service Of Nos.

The Property is to be relisted for the March 7, 2008 Sheriff's Sale.

Thank you for your correspondence in this matter.

Very Truly Yours,
CHRISTINE SCHOFFLER for
Phelan Hallinan & Schmieg, LLP

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

THE BANK OF NEW YORK TRUST : COURT OF COMMON PLEAS
COMPANY, NA AS SUCCESSOR TO :
JPMORGAN CHASE BANK, NA AS : CIVIL DIVISION
TRUSTEE :
Plaintiff : CLEARFIELD COUNTY

vs.

EARL D. BLISS :
VIRGINIA E. BLISS : No. 07-1066-CD
Defendants :
: :
: :

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, ESQUIRE
Attorneys for Plaintiff

Date: January 29, 2008

PAW.
PHS # 157110

7/12/2008 NO CC


AFFIDAVIT OF SERVICE

PLAINTIFF	THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE	CLEARFIELD County No. 07-1066-CD Our File #: 157110
DEFENDANT(S)	EARL D. BLISS VIRGINIA E. BLISS	Type of Action - Notice of Sheriff's Sale
Please serve upon:	EARL D. BLISS	Sale Date: FEBRUARY 1, 2008
SERVE AT:	48 CEDAR STREET HORNELL, NY 14843	SERVED

Served and made known to EARL D. BLISS, Defendant, on the 14th day of JANUARY, 2008, at 8:10, o'clock A.m., at 48 CEDAR STREET, HORNELL,

Commonwealth of New York, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is WIFE.
 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: _____

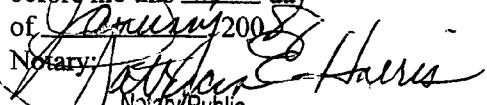
Description: Age 70s Height 5'4" Weight 140 Race W Sex F Other

I, Ronald Mall, 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 14th day
of January 2008

Notary:


Notary Public

State of New Jersey On the 14th day of January, 2008, at _____ o'clock A.m., Defendant NOT FOUND because:

Commission Expires June 16, 2008 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 _____, 2008.

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

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AFFIDAVIT OF SERVICE

PLAINTIFF	THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE	CLEARFIELD County No. 07-1066-CD Our File #: 157110
DEFENDANT(S)	EARL D. BLISS VIRGINIA E. BLISS	Type of Action - Notice of Sheriff's Sale
Please serve upon:	VIRGINIA E. BLISS	Sale Date: FEBRUARY 1, 2008
SERVE AT:	48 CEDAR STREET HORNELL, NY 14843	SERVED

Served and made known to VIRGINIA E. BLISS, Defendant, on the 14th day of JANUARY, 2008, at 8:10, o'clock A.m., at 48 CEDAR STREET, HORNELL

Commonwealth of New York, 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 70s Height 5'4" Weight 140 Race W Sex F Other

I, Ronald Moll, 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 14th day

of January, 2008

Notary:

State of New Jersey

On the 14th day of January, 2008, at _____, at _____ o'clock A.m., Defendant NOT FOUND because:

Commission Expires June 16, 2008

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 _____, 2008

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

By:

355