



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 158268

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO. 07-1206-CD

CLEARFIELD COUNTY

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

Defendant

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

FILED <sup>ad \$85.00 Att</sup>  
m/12:27 <sup>No CC</sup>  
JUL 30 2007 <sup>1cc Shff</sup>  
(lm)

William A. Shaw  
Prothonotary/Clerk of Courts

## NOTICE

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

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

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

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

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

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

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

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

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

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

1. Plaintiff is

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

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

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

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

3. On 10/04/2006 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to LONG BEACH MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200617355. 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 04/01/2007 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:

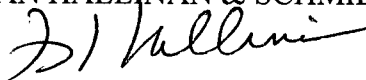
Principal Balance	\$120,349.63
Interest	\$4,537.68
03/01/2007 through 07/26/2007 (Per Diem \$30.66)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$149.46
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Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$126,836.77
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
<b>TOTAL</b>	<b>\$126,836.77</b>

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$126,836.77, together with interest from 07/26/2007 at the rate of \$30.66 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 situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150 feet to the point of beginning.

BEING the same premises that Kathie A. King, single, by deed in lieu of foreclosure dated November 21, 2005, and recorded January 5, 2006, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 200600217, granted and conveyed unto Stearns Bank, N.A., in fee.

Parcel No: 128-A04-000-00128

PROPERTY BEING: 165 FREEDOM ROAD

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing 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: 7-26-07

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

DOCKET # 103041  
NO: 07-1206-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: GMAC MORTGAGE LLC  
vs.  
DEFENDANT: MARK L. LEWIS

**SHERIFF RETURN**

---

NOW, August 03, 2007 AT 12:01 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARK L. LEWIS DEFENDANT AT 165 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PEGGY BOJALAD, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

**FILED**

OCT 02 2007

5/3:16/07 (initials)

William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103041  
NO: 07-1206-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: GMAC MORTGAGE LLC  
vs.  
DEFENDANT: MARK L. LEWIS

**SHERIFF RETURN**

---

NOW, August 02, 2007, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARK L. LEWIS.

NOW, August 08, 2007 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARK L. LEWIS, DEFENDANT. THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103041  
NO: 07-1206-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: GMAC MORTGAGE LLC  
vs.  
DEFENDANT: MARK L. LEWIS

SHERIFF RETURN

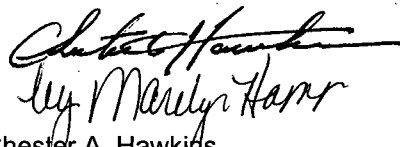
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	615468	20.00
SHERIFF HAWKINS	PHELAN	615468	52.93
JEFFERSON CO.	PHELAN	615484	20.85

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

No. 07-1206 C.D.

Now, August 8, 2007 I return the Notice and Complaint in Mortgage Foreclosure for MARK L. LEWIS, Defendant, to the Clearfield County Sheriff's Office marked "not found; there are no living quarters at the property".

Advance Costs Received:	\$125.00	
My Costs:	18.85	Paid
Prothy:	2.00	
Total Costs:	20.85	
REFUNDED:	\$104.15	

Sworn and subscribed

to before me this

day of

By

gth

2007

My Commission Expires the  
1st Monday, January 2010

So Answers,

*Thomas A. Demko*

Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

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

JUL 30 2007

Attest.

*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  
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(215) 563-7000

158268

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO. 07-1206-CD

CLEARFIELD COUNTY

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

Defendant

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

We hereby certify the  
within to be a true and  
correct copy of the  
original filed of 2007

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SUITE 150  
HORSHAM, PA 19044-0969

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MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

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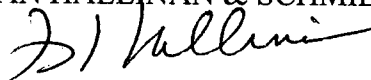
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PHELAN HALLINAN & SCHMIEG, LLP



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 situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

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Parcel No: 128-A04-000-00128

PROPERTY BEING: 165 FREEDOM ROAD

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing 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: 7-26-07

18

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

GMAC MORTGAGE, LLC,  
Plaintiff

vs.

MARK L. LEWIS,  
Defendant

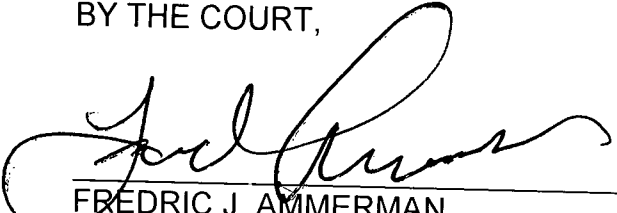
\*  
\*  
\*  
\*  
\*

NO. 07-1206-CD

ORDER

NOW, this 28<sup>th</sup> 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 ~~Monday~~ <sup>Wednesday</sup>, October 3<sup>rd</sup>, 2007. The Prothonotary shall notify the Court as to the filing of the return.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

FILED

0191064  
OCT 02 2007

William A. Shaw  
Prothonotary/Clerk of Courts

2cc Atty Bradford  
ICC Sheriff  
without memo

(GK)



**FILED**

OCT 02 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 10/16/07

☒ You are responsible for serving all appropriate parties.

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

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

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

\_\_\_\_ Special Instructions:

GMAC Mortgage, LLC	:	Court of Common Pleas
500 Enterprise Road, Suite 150	:	
Horsham, PA 19044-0969	:	
Plaintiff	:	Clearfield County
	:	
vs.	:	
	:	Civil Division
Mark L. Lewis	:	
165 Freedom Road	:	
DuBois, PA 15801-0000	:	No. 07-1206-CD
Defendant	:	

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2007, a Rule is entered upon the Defendant and/or the Sheriff of Clearfield County to show cause why an Order should not be entered granting Plaintiff's Motion to Direct Sheriff to File Affidavit of Service.

**J.**

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

GMAC Mortgage, LLC	:	Court of Common Pleas
500 Enterprise Road, Suite 150	:	
Horsham, PA 19044-0969	:	
Plaintiff	:	Clearfield County
	:	
vs.	:	
	:	Civil Division
Mark L. Lewis	:	
165 Freedom Road	:	
DuBois, PA 15801-0000	:	No. 07-1206-CD
Defendant	:	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, upon consideration of Plaintiff's Motion to Direct Sheriff to File Affidavit of Service, and any response thereto, it is hereby:

ORDERED and DECREED that the Sheriff of Clearfield County is hereby directed to complete and file an Affidavit of Service of the foreclosure Complaint within seven days of the date of this Order.

BY THE COURT:

\_\_\_\_\_  
J.

FILED *no cc*  
SEP 28 2007 *(6)*

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

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

ATTORNEY FOR PLAINTIFF

One Penn Center at Suburban Station

1617 J.F.K. Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC Mortgage, LLC

500 Enterprise Road, Suite 150

Horsham, PA 19044-0969

Plaintiff

Court of Common Pleas

Clearfield County

vs.

Civil Division

Mark L. Lewis

165 Freedom Road

DuBois, PA 15801-0000

Defendant

No. 07-1206-CD

**MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE**

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on 07/30/07. 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 Defendant.

3. On 9/11/07, the Sheriff's Office verbally advised counsel for Plaintiff that Mark L. Lewis was personally served with the Complaint on 08/03/07.

1. On 09/11/07, Plaintiff sent the Defendant a ten day letter notifying him of its intention to file a default judgment.

2. To date, the Clearfield County Sheriff's Office has not filed the affidavit of service, which was made on 08/03/07.

3. 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 \$30.66 per day on this mortgage account.

4. 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.

Date

9/26/07

  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

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

ATTORNEY FOR PLAINTIFF

One Penn Center at Suburban Station

1617 J.F.K. Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC Mortgage, LLC

500 Enterprise Road, Suite 150

Horsham, PA 19044-0969

Plaintiff

vs.

Mark L. Lewis

165 Freedom Road

DuBois, PA 15801-0000

Defendant

Court of Common Pleas

Clearfield County

Civil Division

No. 07-1206-CD

**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 07/30/07. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendant. On 9/11/07, the Sheriff's Office verbally advised counsel for Plaintiff that the Complaint was personally served on 08/03/07.

On 09/11/07, Plaintiff sent the Defendant a ten day letter notifying him 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 08/03/07. 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 \$30.66 per day on this mortgage account. 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.

9/26/07  
Date

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



## **EXHIBIT A**

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

JUL 30 2007

Attest.

*William L. Brown*  
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

158268

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-1206-CD

CLEARFIELD COUNTY

Plaintiff

v.

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

Defendant

**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 filed of 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

158268

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO.

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

CLEARFIELD COUNTY

Defendant

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

## NOTICE

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

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

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

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

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

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

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

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

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

---

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

1. Plaintiff is

GMAC MORTGAGE, LLC  
500 ENTERPRISE ROAD  
SUITE 150  
HORSHAM, PA 19044-0969

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

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

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

3. On 10/04/2006 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to LONG BEACH MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200617355. 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 04/01/2007 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	\$120,349.63
Interest	\$4,537.68
03/01/2007 through 07/26/2007 (Per Diem \$30.66)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$149.46
10/04/2006 to 07/26/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$126,836.77
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
<b>TOTAL</b>	<b>\$126,836.77</b>

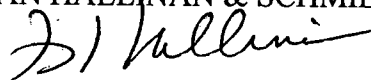
7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's 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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$126,836.77, together with interest from 07/26/2007 at the rate of \$30.66 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 situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150 feet to the point of beginning.

BEING the same premises that Kathie A. King, single, by deed in lieu of foreclosure dated November 21, 2005, and recorded January 5, 2006, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 200600217, granted and conveyed unto Stearns Bank, N.A., in fee.

Parcel No: 128-A04-000-00128

PROPERTY BEING: 165 FREEDOM ROAD

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing 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

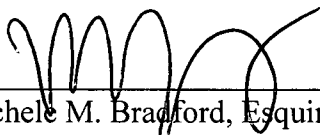
DATE: 7-26-07

**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.

PHELAN HALLINAN & SCHMIEG, LLP

9/26/07  
Date

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

PHELAN HALLINAN & SCHMIEG, LLP

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

ATTORNEY FOR PLAINTIFF

One Penn Center at Suburban Station

1617 J.F.K. Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC Mortgage, LLC

500 Enterprise Road, Suite 150

Horsham, PA 19044-0969

Plaintiff

vs.

Mark L. Lewis

165 Freedom Road

DuBois, PA 15801-0000

Defendant

Court of Common Pleas

Clearfield County

Civil Division

No. 07-1206-CD

### **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:

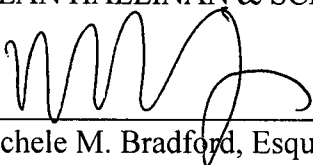
Chester A. Hawkins  
Sheriff of Clearfield County  
230 East Market Street  
Clearfield, Pennsylvania 16830

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

Mark L. Lewis  
165 Freedom Road  
DuBois, PA 15801-0000

9/26/07  
Date

PHELAN HALLINAN & SCHMIEG, LLP

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

FILED

OCT 12 2007

W/12:25/W  
William A. Shaw  
Prothonotary/Clerk of Courts

1 Clear to Affy

PHELAN HALLINAN & SCHMIEG, LLP

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

ATTORNEY FOR PLAINTIFF

One Penn Center at Suburban Station

1617 J.F.K. Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC Mortgage, LLC

500 Enterprise Road, Suite 150

Horsham, PA 19044-0969

Plaintiff

Court of Common Pleas

Clearfield County

vs.

Civil Division

Mark L. Lewis

165 Freedom Road

DuBois, PA 15801-0000

Defendant

No. 07-1206-CD

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the Order granting Plaintiff's 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 South 2<sup>nd</sup> Street  
PO Box 130  
Clearfield, PA 16830-2347  
(Sheriff's Solicitor)

Mark L. Lewis  
165 Freedom Road  
DuBois, PA 15801-0000

10/10/07

Date

PHILAN HALLINAN & SCHMIEG, LLP

A handwritten signature in black ink, consisting of several loops and a final flourish, positioned above a horizontal line.

Michele M. Bradford, Esquire  
Attorney for Plaintiff



PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

**FILED** *Atty pd. 20.00*  
*11:29 AM*  
**NOV 28 2007** *ICCA Notice to Def.*

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

**GMAC MORTGAGE, LLC**  
**500 ENTERPRISE ROAD, SUITE 150**  
**HORSHAM, PA 19044-0969**

**Plaintiff,**

**v.**

**MARK L. LEWIS**  
**165 FREEDOM ROAD**  
**DUBOIS, PA 15801**

**Defendant(s).**

**CLEARFIELD COUNTY**  
**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 07-1206-CD**

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

**TO THE OFFICE OF THE PROTHONOTARY:**

Kindly enter an in rem judgment in favor of the Plaintiff and against **MARK L. LEWIS**, 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	\$ 126,836.77
Interest - 07/27/07 - 11/15/07	\$ 3,433.92
<b>TOTAL</b>	<b><u>\$ 130,270.69</u></b>

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

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

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

**DATE:** 11/28/07

*William A. Shaw*  
PRO PROTHY

158268

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

GMAC MORTGAGE, LLC  
Plaintiff

: COURT OF COMMON PLEAS

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

MARK L. LEWIS

Defendants

: NO. 07-1206-CD

TO: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

**FILE COPY**

DATE OF NOTICE: SEPTEMBER 11, 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


*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 07-1206-CD**

BY William J. [Signature] DEPUTY  
Bd

  
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

COPY

GMAC Mortgage, LLC  
Plaintiff(s)

No.: 2007-01206-CD

Real Debt: \$130,270.69

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Mark L. Lewis  
Defendant(s)

Entry: \$20.00

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**

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-1206-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

\$130,270.69

Interest from 11/16/07 - to Sale

Per diem \$21.41

Add'l Costs

Writ Total

**Prothonotary costs** \$ 125.00

\$3,560.00

\$

*James J. Lehn*  
\_\_\_\_\_  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

158268

**FILED** *Atty pd. 20.00*  
*m/11:52/81*  
NOV 28 2007 *ICC & 6 wnts*  
*w/prop desc.*  
William A. Shaw  
Prothonotary/Clerk of Courts *to Sheriff*  
(6K)

No. 07-1206-CD..... Term 20.05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

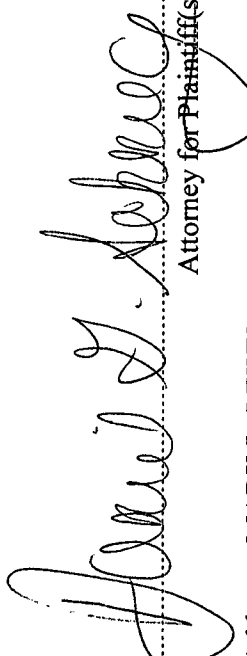
GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

  
Attorney for Plaintiff(s)

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801

## LEGAL DESCRIPTION

ALL THAT CERTAIN lot or piece of ground, Hereditaments and Appurtenances, SITUATE in the Township of Nether Providence, County of Delaware and State of Pennsylvania, described according to a Plan of Property for Baird and Bird, made by Damon and Foster, Civil Engineers, Sharon Hill, Pennsylvania, dated August 22, 1963 and last revised November 20, 1963, as follows, to wit:


BEGINNING at a point on the Northeasterly side of Beechwood Road (40 feet wide), which point is measured the (9) following courses and distances from the intersection of the Southwesterly side of East Parkridge Drive (51 feet wide at this point) with the center line of Beatty Road; (1) from said point of intersection and along the said side of Beechwood Road, South 37 degrees, 28 minutes 56 seconds East 540 feet to a point; thence (2) North 52 degrees 31 minutes 4 seconds East 1 foot to a point on the said side of East Parkridge Drive (50 feet wide at this point); thence (3) extending along same, South 37 degrees 28 minutes 56 seconds East 85 feet to a point of curve; thence (4) on a Southeastwardly line curving to the right having a radius of 500 feet, the arc distance of 43.62 feet to a point of tangent; thence (5) South 32 degrees 29 minutes East 311.90 feet to a point of curve; thence (6) on a line curving to the left having a radius of 350 feet, the arc distance of 141.55 feet to a point; thence (7) leaving said East Parkridge Drive, South 34 degrees 20 minutes 42 seconds West 221.13 feet to appoint; thence (8) South 38 degrees 40 minutes East 26.60 feet to a point; and thence (9) South 51 degrees 20 minutes West 29.26 feet to a point and place of beginning, thence from said point of beginning and along the Northeasterly side of Beechwood Road and crossing the bed of a certain 20 feet wide proposed driveway easement Northeastwardly along the arc of a circle curving to the right having a radius of 90 feet, the arc distance of 106.12 feet to a point, thence leaving said Beechwood Road and extending North 51 degrees 20 minutes East 33.16 feet to a point, thence extending South 38 degrees 40 minutes East crossing the bed of a stream, 100.37 feet to a point; thence extending North 15 degrees 32 minutes 25 seconds East 190.39 feet to a point; thence extending North 88 degrees 19 minutes 26 seconds West 112.53 feet to a point; thence extending North 55 degrees 29 minutes 18 seconds West 24 feet to a point; thence extending South 43 degrees 44 minutes 52 seconds West 64.64 feet to appoint; thence extending South 51 degrees 20 minutes West 29.26 feet to the first mentioned point and place of beginning.

BEING Folio #34-00-00193-02

TITLE TO SAID PREMISES IS VESTED IN CATHERINE L. QUINN, THEIR HEIRS AND ASSIGNS, BY DEED FROM ROBERT C. MILLER DATED 9/21/2005, RECORDED 9/21/2005 IN DEED BOOK 3602, PAGE 653.

PREMISES BEING: 708 A BEECHWOOD ROAD, MEDIA, PA 19063  
PREMISES BEING FOLIO NO. 34-00-00193-02



  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

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

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

TENANT/OCCUPANT 165 FREEDOM ROAD  
DUBOIS, PA 15801

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

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

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

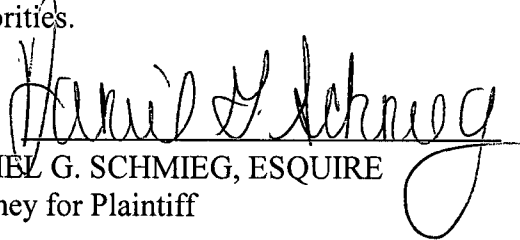
Internal Revenue Service 13<sup>TH</sup> Floor, Suite 1300  
Federated Investors Tower 1001 Liberty Avenue  
Pittsburgh, PA 15222

Department of Public Welfare P.O. Box 8486  
TPL Casualty Unit Willow Oak Building  
Estate Recovery Program Harrisburg, PA 17105

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

NOVEMBER 15, 2007

Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

COPY

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. .... Term 20

No. 07-1206-CD ..... Term 20

No. .... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801  
(See Legal Description attached)

Amount Due \$130,270.69

Interest from 11/16/07 - to Sale

\$ \_\_\_\_\_

Per diem \$21.41

Add'l Costs

\$3,560.00

Writ Total

Prothonotary costs \$

125.00

*William L. Hargrett*

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

Dated 11/28/07  
(SEAL)

158268

No. 07-1206-CD..... Term 20 .....A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Real Debt \$ 130,270.69

Int. from 11/16/07 -  
To Date of Sale (\$21.41 per diem)

Costs

Prothy Pd.

125.00

Sheriff

Attorney for Plaintiff(s)

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801

## LEGAL DESCRIPTION

ALL THAT CERTAIN lot or piece of ground, Hereditaments and Appurtenances, SITUATE in the Township of Nether Providence, County of Delaware and State of Pennsylvania, described according to a Plan of Property for Baird and Bird, made by Damon and Foster, Civil Engineers, Sharon Hill, Pennsylvania, dated August 22, 1963 and last revised November 20, 1963, as follows, to wit:

BEGINNING at a point on the Northeasterly side of Beechwood Road (40 feet wide), which point is measured the (9) following courses and distances from the intersection of the Southwesterly side of East Parkridge Drive (51 feet wide at this point) with the center line of Beatty Road; (1) from said point of intersection and along the said side of Beechwood Road, South 37 degrees, 28 minutes 56 seconds East 540 feet to a point; thence (2) North 52 degrees 31 minutes 4 seconds East 1 foot to a point on the said side of East Parkridge Drive (50 feet wide at this point); thence (3) extending along same, South 37 degrees 28 minutes 56 seconds East 85 feet to a point of curve; thence (4) on a Southeastwardly line curving to the right having a radius of 500 feet, the arc distance of 43.62 feet to a point of tangent; thence (5) South 32 degrees 29 minutes East 311.90 feet to a point of curve; thence (6) on a line curving to the left having a radius of 350 feet, the arc distance of 141.55 feet to a point; thence (7) leaving said East Parkridge Drive, South 34 degrees 20 minutes 42 seconds West 221.13 feet to appoint; thence (8) South 38 degrees 40 minutes East 26.60 feet to a point; and thence (9) South 51 degrees 20 minutes West 29.26 feet to a point and place of beginning, thence from said point of beginning and along the Northeasterly side of Beechwood Road and crossing the bed of a certain 20 feet wide proposed driveway easement Northeastwardly along the arc of a circle curving to the right having a radius of 90 feet, the arc distance of 106.12 feet to a point, thence leaving said Beechwood Road and extending North 51 degrees 20 minutes East 33.16 feet to a point, thence extending South 38 degrees 40 minutes East crossing the bed of a stream, 100.37 feet to a point; thence extending North 15 degrees 32 minutes 25 seconds East 190.39 feet to a point; thence extending North 88 degrees 19 minutes 26 seconds West 112.53 feet to a point; thence extending North 55 degrees 29 minutes 18 seconds West 24 feet to a point; thence extending South 43 degrees 44 minutes 52 seconds West 64.64 feet to appoint; thence extending South 51 degrees 20 minutes West 29.26 feet to the first mentioned point and place of beginning.

BEING Folio #34-00-00193-02

TITLE TO SAID PREMISES IS VESTED IN CATHERINE L. QUINN, THEIR HEIRS AND ASSIGNS, BY DEED FROM ROBERT C. MILLER DATED 9/21/2005, RECORDED 9/21/2005 IN DEED BOOK 3602, PAGE 653.

PREMISES BEING: 708 A BEECHWOOD ROAD, MEDIA, PA 19063  
PREMISES BEING FOLIO NO. 34-00-00193-02

PHELAN HALLINAN & SCHMIEG, LLP  
BY: DANIEL G. SCHMIEG, ESQUIRE  
ATTORNEY I.D. NO. 62205  
ONE PENN CENTER AT SUBURBAN  
STATION, SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

---

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO: 07-1206-CD

**GMAC MORTGAGE, LLC**

v.

**MARK L. LEWIS**

**CLEARFIELD COUNTY**


**Praecepte to Substitute Legal Description  
Attached to Writ of Execution  
NUNC PRO TUNC**

TO THE PROTHONOTARY:

Kindly substitute the attached legal description for the legal description originally filed with the writ of execution in the instant matter.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DATE: January 7, 2008

**FILED** *no cc*  
*m/10:53*  
JAN 10 2008  
  
William A. Shaw  
Prothonotary/Clerk of Courts



### **LEGAL DESCRIPTION**

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

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150.00 feet to the point of beginning.

BEING the same premises which were conveyed to the within named Grantor by Deed of Kathie A. King, single, dated November 21, 2005, and recorded in the Office of Recorder of Deeds of Clearfield County, Pennsylvania, at Instrument No. 200600217.

BEING known as Lot Number 22 in the Liberty Hills Plat of Lots and CONTAINING 16,032 square feet.

TITLE TO SAID PREMISES IS VESTED IN Mark L. Lewis, by Deed from Stearns Bank, N.A., A National Banking, dated 08/11/2006, recorded 10/16/2006, in Deed Mortgage Inst# 200617354.

Premises being: 165 FREEDOM ROAD  
DUBOIS, PA 15801

Tax Parcel No. 128-A04-000-00128

SALE DATE: FEBRUARY 8, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

GMAC MORTGAGE, LLC

No.: 07-1206-CD

vs.

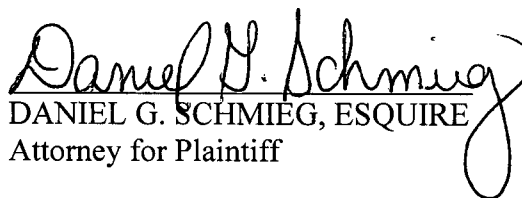
MARK L. LEWIS

**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 Praecipe for the Writ of Execution was filed the following information concerning the real property located at:


**165 FREEDOM ROAD, DUBOIS, PA 15801.**


As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the 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 7, 2008

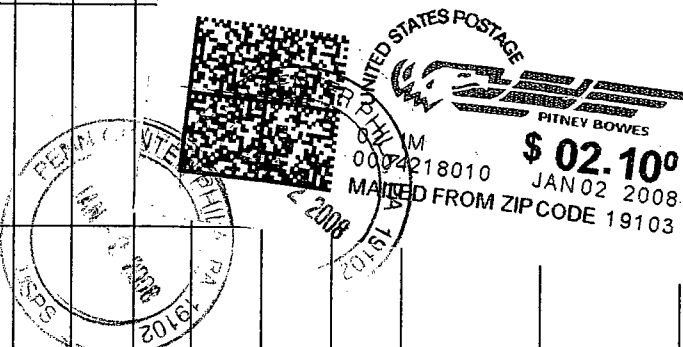
158268

**FILED** *no cc*  
*m/10:52/01*  
**JAN 10 2008**  
  
William A. Shaw  
Prothonotary/Clerk of Courts

**Name and Address of Sender** 

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

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 165 FREEDOM ROAD DUBOIS, PA 15801		
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 <sup>th</sup> Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 <sup>TH</sup> Floor, Suite 1300, 1001 Liberty Avenue Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Will Oak Building, Harrisburg, PA 17105		
7				
8				
9				
10				
11				
12		<b>Re: MARK L. LEWIS</b> <b>158268 TEAM 4</b> <b>LLD</b>		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20695  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC  
vs.  
DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/28/2007

LEVY TAKEN 12/21/2007 @ 12:46 PM

POSTED 12/21/2007 @ 12:46 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 7/31/2008

DATE DEED FILED **NOT SOLD**

**FILED**  
03:38 PM  
JUL 31 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

1/25/2008 @ 11:06 AM SERVED MARK L. LEWIS

SERVED MARK L. LEWIS, DEFENDANT, AT HIS RESIDENCE 165 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PEGGY BOJALAND, GIRLFRIEND/ADULT AT RESIDENCE

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

@ SERVED

NOW, JANUARY 31, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR FEBRUARY 1, 2008 TO APRIL 4, 2008.

@ SERVED

NOW, APRIL 1, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR APRIL 4 TO JUNE 6, 2008.

@ SERVED

NOW, JUNE 2, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR JUNE 6, 2008; DUE TO LOSS MITIGATION.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20695  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC

vs.

DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE


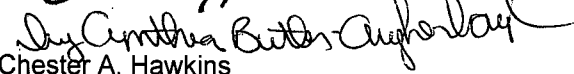
SHERIFF RETURN

---

SHERIFF HAWKINS \$280.28

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
  
Chester A. Hawkins  
Sheriff

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

**GMAC MORTGAGE, LLC**

**vs.**

**MARK L. LEWIS**

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. .... Term 20

No. 07-1206-CD ..... Term 20

No. .... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801  
(See Legal Description attached)

Amount Due

\$ 130,270.69

Interest from 11/16/07 - to Sale

\$ \_\_\_\_\_

Per diem \$21.41

Add'l Costs

\$3,560.00

Writ Total

Prothonotary costs \$

125.00

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

Dated 11/28/07  
(SEAL)

158268

Received this writ this 28<sup>th</sup> day  
of November A.D. 2007  
At 2:00 A.M./P.M.

Charles A. Hankins  
Sheriff Dry Cynthia Butler-Cleghorn

No. 07-1206-CD..... Term 20 .....A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs  
Real Debt \$ 130,270.69

Int. from 11/16/07 -  
To Date of Sale (\$21.41 per diem)

Costs

Prothy Pd. 125.00

Sheriff  
*James J. Johnson*  
Attorney for Plaintiff(s)

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801

Received this \_\_\_\_\_ day of \_\_\_\_\_  
M. C. A. \_\_\_\_\_  
M. C. A. \_\_\_\_\_

ALL THAT CERTAIN piece or parcel of land situate in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150 feet to the point of beginning.

BEING the same premises that Kathie A. King, single, by deed in lieu of foreclosure dated November 21, 2005, and recorded January 5, 2006, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 200600217, granted and conveyed unto Stearns Bank, N.A., in fee.

Parcel No: 128-A04-000-00128

Premises being: 165 Freedom Road, DuBois, PA



**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME MARK L. LEWIS

NO. 07-1206-CD

NOW, July 31, 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 June 06, 2008, I exposed the within described real estate of Mark L. Lewis to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	18.43
LEVY	15.00
MILEAGE	18.43
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.56
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	36.86
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	40.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$280.28</b>

**DEED COSTS:**

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

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	130,270.69
INTEREST @ 21.4100	4,346.23
FROM 11/16/2007 TO 06/06/2008	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

<b>TOTAL DEBT AND INTEREST</b>	<b>\$134,636.92</b>
--------------------------------	---------------------

**COSTS:**

ADVERTISING	1,252.89
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	280.28
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	

<b>TOTAL COSTS</b>	<b>\$2,082.17</b>
--------------------	-------------------

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

CHESTER A. HAWKINS, Sheriff

01/31/2008 09:44 PM  
01/31/2008

**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 Amos, 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: GMAC MORTGAGE, LLC v.  
MARK L. LEWIS  
Court No. 07-1206-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 April 4, 2008 Sheriff's Sale.

Thank you for your correspondence in this matters.

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

**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) 563-7009**

Stephen Ames, Ext. 1244  
Foreclosure Manager

Representing Lenders in  
Pennsylvania and New Jersey

April 1, 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: GMAC MORTGAGE, LLC v.  
MARK L. LEWIS  
165 FREEDOM ROAD DUBOIS, PA 15801-0000  
Court No. 07-1206-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for April 4, 2008 due to the following: Loss Mitigation.

The Property is to be relisted for the June 6, 2008 Sheriff's Sale.

Thank you for your correspondence in this matters.

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

**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) 563-7009**

Representing Lenders in  
Pennsylvania and New Jersey

Foreclosure Manager

June 2, 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: GMAC MORTGAGE, LLC v.  
MARK L. LEWIS  
165 FREEDOM ROAD DUBOIS, PA 15801-0000  
Court No. 07-1206-CD

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for June 6, 2008 due to the following: Loss Mitigation.

Please be advised that no funds were reported to be received.

You are hereby directed to immediately discontinue the advertising of the sale and processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as possible..

Thank you for your correspondence in this matters.

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

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

GMAC.MORTGAGE,LLC

vs.

MARK.L.LEWIS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-1206-CD

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

Interest from 11/16/2007 to Sale

Per diem \$21.41

Add'l Costs

Writ Total

Prothonotary costs \$130,270.69  
145.00

\$ \_\_\_\_\_

\$6,696.00

\$



DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Note: Please attach description of Property.

158268

**FILED**

MAR 20 2009

William A. Shaw  
Prothonotary/Clerk of Courts

Atty pd. 20.00

ICC & Lewis  
w/ prop. desc.  
to Sheriff

60

No. 07-1206-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

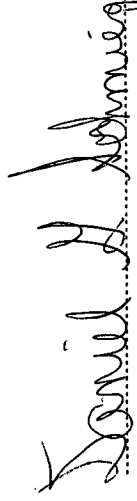
vs.

MARK L. LEWIS

\_\_\_\_\_

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

**FILED**

**MAR 20 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

**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**

**GMAC MORTGAGE, LLC**  
**500 ENTERPRISE DRIVE SUITE 150**  
**HORSHAM, PA 19044-0969**

**Plaintiff,**

**v.**

**MARK L. LEWIS**  
**165 FREEDOM ROAD**  
**DUBOIS, PA 15801-0000**

**Defendant(s).**


**:**  
**:**  
**:** **CLEARFIELD COUNTY**  
**:** **COURT OF COMMON PLEAS**  
**:**  
**:** **CIVIL DIVISION**  
**:**  
**:** **NO. 07-1206-CD**  
**:**  
**:**  
**:**  
**:**


**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.A. §4904 relating to unsworn falsification to authorities.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff



**GMAC MORTGAGE, LLC**  
**500 ENTERPRISE DRIVE SUITE 150**  
**HORSHAM, PA 19044-0969**

**Plaintiff,**

**v.**

**MARK L. LEWIS**  
**165 FREEDOM ROAD**  
**DUBOIS, PA 15801-0000**

**Defendant(s).**

**:**  
**:**  
**:** **CLEARFIELD COUNTY**  
**:** **COURT OF COMMON PLEAS**  
**:**  
**:** **CIVIL DIVISION**  
**:**  
**:** **NO. 07-1206-CD**  
**:**  
**:**  
**:**  
**:**  
**:**

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**GMAC MORTGAGE, LLC**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **165 FREEDOM ROAD, DUBOIS, PA 15801-0000**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| None |   |
4. Name and address of the last recorded holder of every mortgage of record:
- | NAME | LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.) |
|------|---|
| 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:

NAME

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

TENANT/OCCUPANT

165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

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

6<sup>th</sup> Floor, Strawberry Sq., Dept 28061  
Harrisburg, PA 17128

Internal Revenue Service  
Federated Investors Tower

13<sup>TH</sup> Floor, Suite 1300  
1001 Liberty Avenue  
Pittsburgh, PA 15222

Department of Public Welfare  
TPL Casualty Unit  
Estate Recovery Program

P.O. Box 8486  
Willow Oak Building  
Harrisburg, PA 17105

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.A. §4904 relating to unsworn falsification to authorities.

MARCH 18, 2009

Date



DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

COPY

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

GMAC.MORTGAGE,LLC

vs.

MARK.L.LEWIS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....

No. 07-1206-CD

No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801-0000  
(See Legal Description attached)

Amount Due

\$130,270.69

Interest from 11/16/2007 to Sale

Prothonotary costs \$145.00

Per diem \$21.41

Add'l Costs

\$6,696.00

Writ Total

*Willi L. Shaw*  
30

OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 3/20/09  
(SEAL)

No. 07-1206-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt                      \$130,270.69

Int. from 11/16/2007  
To Date of Sale (\$ per diem)

Costs

Prothy Pd.                      145.00

Sheriff

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

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

### **LEGAL DESCRIPTION**

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

**BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150.00 feet to the point of beginning.**

**BEING known as Lot Number 22 in the Liberty Hills Plat of Lots and CONTAINING 16,032 square feet.**

TITLE TO SAID PREMISES IS VESTED IN Mark L. Lewis, by Deed from Stearns Bank, N.A., A National Banking, dated 08/11/2006, recorded 10/16/2006, in Deed Mortgage Inst# 200617354.

Premises being: 165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

Tax Parcel No. 128-A04-000-00128

# AFFIDAVIT OF SERVICE

PLAINTIFF GMAC MORTGAGE, LLC

DEFENDANT(S) MARK L. LEWIS

Please serve upon: MARK L. LEWIS

SERVE AT: 165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

CLEARFIELD County  
No. 07-1206-CD  
Our File #: 158268

Type of Action  
- Notice of Sheriff's Sale

Sale Date: JUNE 5, 2009

## SERVED

Served and made known to MARK L. LEWIS, Defendant, on the 13<sup>th</sup> day of APRIL, 2009, at 2:30, o'clock P.m., at 165 FREEDOM RD, DUBOIS, PA 15801

Commonwealth of Pennsylvania, in the manner described below:

\_\_\_\_ Defendant personally served.  
☒ Adult family member with whom Defendant(s) reside(s). Relationship is daughter.  
\_\_\_\_ 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 18 Height: 5'2" Weight 120 Race Cauc Sex F Other \_\_\_\_\_

I, D.M. ELLS, 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 14<sup>th</sup> day  
of APRIL, 2009

Notary Marilyn A. Campbell  
COMMONWEALTH OF PENNSYLVANIA

By: DmElls

## NOT SERVED

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

On the My Commission Expires Dec. 6, 2011  
Member, Pennsylvania Association of Notaries

\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_m., Defendant **NOT FOUND** because:

\_\_\_\_ Moved \_\_\_\_ Unknown \_\_\_\_ No Answer \_\_\_\_ Vacant

1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_

Other: \_\_\_\_\_

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

Notary:

By:

Attorney for Plaintiff

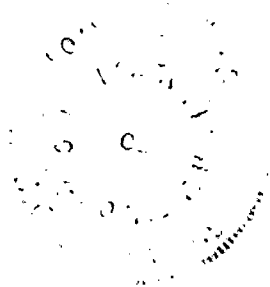
DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

**FILED** NO CC  
m10:5461  
APR 28 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

**APR 28 2009**

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20950  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC

vs.

DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 3/20/2009

LEVY TAKEN 3/27/2009 @ 12:47 PM

POSTED 3/27/2009 @ 12:47 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 6/24/2009

DATE DEED FILED NOT SOLD

FILED

0/8:30pm  
JUN 24 2009

William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

5/28/2009 @ SERVED MARK L. LEWIS

SERVED MARK L. LEWIS, DEFENDANT BY REG & CERT MAIL TO 165 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA .  
CERT #700803230000335907266 CERT RETURNED UCLAIMED 6/22/09

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

@ SERVED

NOW, JUNE 5, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR JUNE  
5, 2009 DUE TO BANKRUPTCY FILING.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20950  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC  
vs.  
DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE

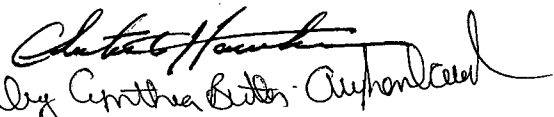
SHERIFF RETURN

---

SHERIFF HAWKINS \$307.66

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff

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

GMAC.MORTGAGE, LLC

vs.

MARK L. LEWIS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....

No. 07-1206-CD

No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801-0000  
(See Legal Description attached)

Amount Due

\$130,270.69

Interest from 11/16/2007 to Sale

Per diem \$21.41

Add'l Costs

Writ Total

Prothonotary costs \$

145.00

\$6,696.00

*William A. Harkins*  
301

OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 3/20/09  
(SEAL)

158268

Received this writ this 20<sup>th</sup> day  
of March A.D. 2009  
at 3:00 A.M./P.M.

*Charles A. Harkins*  
Sgt. Jay Cynthia Butler-Caplan

No. 07-1206-CD.....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Real Debt                      Costs  
   \$130,270.69

Int. from 11/16/2007  
To Date of Sale (\$ per diem)

Costs                                      \_\_\_\_\_  
Prothy Pd.                                145.00

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

Address: MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

\_\_\_\_\_ A.W.S.M.  
\_\_\_\_\_ A.D.  
\_\_\_\_\_ and this writ this

**LEGAL DESCRIPTION**

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

**BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150.00 feet to the point of beginning.**

**BEING known as Lot Number 22 in the Liberty Hills Plat of Lots and CONTAINING 16,032 square feet.**

**TITLE TO SAID PREMISES IS VESTED IN Mark L. Lewis, by Deed from Stearns Bank, N.A., A National Banking, dated 08/11/2006, recorded 10/16/2006, in Deed Mortgage Inst# 200617354.**

**Premises being: 165 FREEDOM ROAD  
DUBOIS, PA 15801-0000**

**Tax Parcel No. 128-A04-000-00128**

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME MARK L. LEWIS

NO. 07-1206-CD

NOW, June 23, 2009, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on June 05, 2009, I exposed the within described real estate of Mark L. Lewis to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	20.90
LEVY	15.00
MILEAGE	20.90
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	11.36
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	104.50
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$307.66</b>

**DEED COSTS:**

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

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	130,270.69
INTEREST @ 21.4100	12,139.47
FROM 11/16/2007 TO 06/05/2009	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	6,696.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

<b>TOTAL DEBT AND INTEREST</b>	<b>\$149,126.16</b>
--------------------------------	---------------------

**COSTS:**

ADVERTISING	1,308.24
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	307.66
LEGAL JOURNAL COSTS	243.00
PROTHONOTARY	145.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	

<b>TOTAL COSTS</b>	<b>\$2,143.90</b>
--------------------	-------------------

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

CHESTER A. HAWKINS, Sheriff



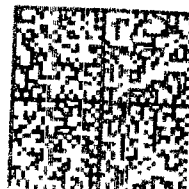
CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

7008 3230 0003 3590 7266



Cy



Hasler

016416505406  
\$05.71  
05/26 2009  
Mailed From 16R30  
US POSTAGE

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801

NIXIE

165 DE 1

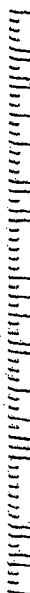
00 05/19/09

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 16830247201

X0596-01662-19-25

1683002472



7008 3230 0003 3590 7266

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

For delivery information visit [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

City and State of \_\_\_\_\_  
Postage \_\_\_\_\_  
Certified Fee \_\_\_\_\_  
Restricted Delivery Fee (Endorsement Required) \_\_\_\_\_  
Total Postage & Fees **\$ 5.71**

Sent to: **MARK L. LEWIS**  
Street, Apt. No., or PO Box No. **165 FREEDOM ROAD**  
City, State, ZIP+4 **DUBOIS, PA 15801**

PS Form 3800, August 2006 [www.usps.com](http://www.usps.com)

**USPS**  
CLEARFIELD PA 16830  
MAY 26 2009



**SENDER: COMPLETE THIS SECTION**

- 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:

MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☒ X

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7008 3230 0003 3590 7266

PS Form 3811, February 2004

Domestic Return Receipt

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) 563-7009

Representing Lenders in  
Pennsylvania and New Jersey

Foreclosure Manager  
June 5, 2009

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: GMAC MORTGAGE, LLC v.  
MARK L. LEWIS

165 FREEDOM ROAD DUBOIS, PA 15801-0000  
Court No. 07-1206-CD

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is  
scheduled for June 5, 2009 due to the following: Bankruptcy.

Please be advised that no funds were reported to be received.

You are hereby directed to immediately discontinue the advertising of the sale and  
processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as  
possible. In addition, please forward a copy of the cost sheet pertaining to this sale  
to our office via facsimile to 215-567-0072 or regular mail at your earliest  
convenience.

Thank you for your correspondence in this matters.

Very Truly Yours,  
KATHERINE TRAUTZ for  
Phelan Hallinan & Schmieg, LLP



PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-1206-CD

CLEARFIELD COUNTY

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

Interest from 11/16/2007 to Sale

Per diem \$21.41

Add'l Costs

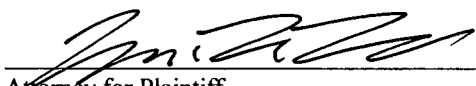
Writ Total

Prothonotary costs \$130,270.69  
165.00

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

\$7,596.00

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

  
Attorney for Plaintiff

**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
- ☐ Michele M. Bradford, Esq., Id. No. 69849
- ☐ Judith T. Romano, Esq., Id. No. 58745
- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
- ☐ Jenine R. Davey, Esq., Id. No. 87077
- ☐ Lauren R. Tabas, Esq., Id. No. 93337
- ☐ Vivek Srivastava, Esq., Id. No. 202331
- ☐ Jay B. Jones, Esq., Id. No. 86657
- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
- ☐ Andrew L. Spivack, Esq., Id. No. 84439
- ☐ Jaime McGuinness, Esq., Id. No. 90134
- ☐ Chrisovalante P. Fliakos, Esq., Id. No. 94620
- ☐ Joshua I. Goldman, Esq., Id. No. 205047
- ☒ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Note: Please attach description of Property.

PHS # 158268

**FILED**

MAY 13 2010

William A. Shaw  
Prothonotary/Clerk of Courts

to Sheriff

(60)

No. 07-1206-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff

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
- ☐ Michele M. Bradford, Esq., Id. No. 69849
- ☐ Judith T. Romano, Esq., Id. No. 58745
- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
- ☐ Jenine R. Davey, Esq., Id. No. 87077
- ☐ Lauren R. Tabas, Esq., Id. No. 93337
- ☐ Vivek Srivastava, Esq., Id. No. 202331
- ☐ Jay B. Jones, Esq., Id. No. 86657
- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
- ☐ Andrew L. Spivack, Esq., Id. No. 84439
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- ☐ Joshua I. Goldman, Esq., Id. No. 205047
- ☒ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Address where papers may be served:  
MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245

FILED

MAY 13 2010

William A. Shaw  
Prothonotary/Clerk of Courts

**GMAC MORTGAGE, LLC**

Plaintiff

:  
:  
:  
:  
:  
:

**COURT OF COMMON PLEAS**

**CIVIL DIVISION**

**NO. 07-1206-CD**

**CLEARFIELD COUNTY**

**v.**

**MARK L. LEWIS**

Defendant(s)

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**GMAC MORTGAGE, LLC**, Plaintiff in the above action, by the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **165 FREEDOM ROAD, DUBOIS, PA 15801-5245**.

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

Name

Address (if address cannot be reasonably  
ascertained, please so indicate)

**MARK L. LEWIS**

**165 FREEDOM ROAD  
DUBOIS, PA 15801-5245**

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

Name

Address (if address cannot be reasonably  
ascertained, please so indicate)

**SAME AS ABOVE**

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

Name

Address (if address cannot be  
reasonably ascertained, please indicate)

**None.**

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

Name

Address (if address cannot be  
reasonably ascertained, please indicate)

**None.**

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

Name

Address (if address cannot be  
reasonably ascertained, please 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

Address (if address cannot be  
reasonably ascertained, please indicate)

**None.**

7.

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

Name

Address (if address cannot be reasonably ascertained, please indicate)

**TENANT/OCCUPANT**

**165 FREEDOM ROAD  
DUBOIS, PA 15801-5245**

**DOMESTIC RELATIONS  
CLEARFIELD COUNTY**

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

**Commonwealth of Pennsylvania  
Department of Welfare**

**P.O. Box 2675  
Harrisburg, PA 17105**

**United States Internal Revenue  
Special Procedures Branch  
Federated Investors Tower**

**13th Floor, Suite 1300  
1001 Liberty Avenue  
Pittsburgh, PA 15222**

**U.S. Department of Justice  
Michael C. Colville, Esquire,  
United States Attorney**

**Western District of PA  
633 U.S. Post Office & Courthouse  
Pittsburgh, PA 15219**

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

May 10, 2010

By: 

Attorney for Plaintiff

**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
- ☐ Michele M. Bradford, Esq., Id. No. 69849
- ☐ Judith T. Romano, Esq., Id. No. 58745
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- ☐ Jenine R. Davey, Esq., Id. No. 87077
- ☐ Lauren R. Tabas, Esq., Id. No. 93337
- ☐ Vivek Srivastava, Esq., Id. No. 202331
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- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
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- ☐ Chrisovalante P. Fliakos, Esq., Id. No. 94620
- ☐ Joshua I. Goldman, Esq., Id. No. 205047
- ☒ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

**Phelan Hallinan & Schmieg, LLP**  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

Attorneys for Plaintiff

**GMAC MORTGAGE, LLC**  
Plaintiff

v.

**MARK L. LEWIS**  
Defendant(s)

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 07-1206-CD**  
:  
: **CLEARFIELD COUNTY**  
:  
:

**CERTIFICATION**

The undersigned attorney hereby states that he/she 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:

- ( ) the mortgage is an FHA Mortgage
- ( ) the premises is non-owner occupied
- ( ) the premises is vacant
- (X) Act 91 procedures have been fulfilled

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

By: 

Attorney for Plaintiff

**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
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- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

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

COPY

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-1206-CD

CLEARFIELD COUNTY

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801-5245  
(See Legal Description attached)

Amount Due

\$130,270.69

Interest from 11/16/2007 to Sale

Prothonotary costs 105.00

Per diem \$21.41

Add'l Costs

\$7,596.00

Writ Total

\$

OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 5/13/10  
(SEAL)

PHS # 158268

No. 07-1206-CD

IN THE COURT OF COMMON PLEAS OF  
CLERAFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC


vs.

MARK L. LEWIS

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Real Debt	<u>Costs</u>
Int. from	\$130,270.69
To Date of Sale (\$21.41 per diem)	
Costs	
Prothy Pd.	<u>1165.00</u>
Sheriff	

Filed

  
Attorney for Plaintiff

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
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- ☒ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Address where papers may be served:  
MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245

### **LEGAL DESCRIPTION**

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

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150.00 feet to the point of beginning.

BEING known as Lot Number 22 in the Liberty Hills Plat of Lots and CONTAINING 16,032 square feet.

EXCEPTING AND RESERVING the gas and oil thereunder, a 10-foot right-of-way along all boundaries for public water lines, electric lines, and public sewage, and subject to other reservations and restrictions as may appear of record.

TITLE TO SAID PREMISES IS VESTED IN Mark L. Lewis, by Deed from Stearns Bank, N.A., A National Banking, dated 08/11/2006, recorded 10/16/2006, in Deed Mortgage Inst# 200617354.

Premises being: **165 FREEDOM ROAD**  
**DUBOIS, PA 15801-5245**

Tax Parcel No. **A04-000-00128**



**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: Vivek Srivastava, Esq.**  
**Attorney I.D. No.: 202331**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

GMAC MORTGAGE, LLC

Plaintiff

v.

MARK L. LEWIS

Defendant

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-1206-CD

**FILED** *no cc*  
*m/11/14/2010*  
**JUN 30 2010** *(61)*  
William A. Shaw  
Prothonotary/Clerk of Courts

**MOTION FOR SERVICE OF NOTICE OF SALE  
PURSUANT TO SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendant, **MARK L. LEWIS**, by certified mail and regular mail to 165 FREEDOM ROAD, DUBOIS, PA 15801-5245, and posting 165 FREEDOM ROAD, DUBOIS, PA 15801-5245 and in support thereof avers the following:


1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for **AUGUST 6, 2010.**
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendant be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.

3. Attempts to serve Defendant with the Notice of Sale have been unsuccessful, as indicated by the Return of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 165 FREEDOM ROAD, DUBOIS, PA 15801-5245, and posting 165 FREEDOM ROAD, DUBOIS, PA 15801-5245.

PHELAN HALLINAN & SCHMIEG, LLP

By:

  
\_\_\_\_\_  
**Vivek Srivastava, Esq.**  
Attorney for Plaintiff

## AFFIDAVIT OF SERVICE

PLAINTIFF  
GMAC MORTGAGE, LLC

CLEARFIELD COUNTY

PHS # 158268

DEFENDANT  
MARK L. LEWIS

SERVICE TEAM/ kxc

SERVE MARK L. LEWIS AT:  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245

COURT NO.: 07-1206-CD  
TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: 08/06/2010

SERVED

Served and made known to \_\_\_\_\_, Defendant on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_\_, o'clock \_\_. M., at \_\_\_\_\_, 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 or 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.

\_\_\_ \_\_\_\_\_ an officer of said Defendant's company.

\_\_\_ Other: \_\_\_\_\_.

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, 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 \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

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

NOT SERVED

On the 8<sup>th</sup> day of JUNE, 2010, at 10:30 o'clock A. M., Defendant NOT FOUND because:

☒ Vacant \_\_\_ Bad Address ☒ Moved \_\_\_ Does Not Reside (Not Vacant)

\_\_\_ No Answer on \_\_\_\_\_ at \_\_\_\_\_; \_\_\_\_\_ at \_\_\_\_\_

\_\_\_ Service Refused

Other:

Sworn to and subscribed  
before me this 9<sup>th</sup> day  
of June, 2010.

By: D.M. ELLIS  
DM Ellis

Notary:

Marilyn A. Campbell  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Marilyn A. Campbell, Notary Public  
City Of Altoona, Blair County  
My Commission Expires Dec. 6, 2011  
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF

Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Michele M. Bradford, Esq., Id. No. 69849  
Judith T. Romano, Esq., Id. No. 58745  
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Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

## AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: 158268  
Attorney Firm: Phelan, Hallinan & Schmieg, LLP  
Subject: Mark L. Lewis

Property Address: 165 Freedom Road, Dubois, PA 15801

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

### I. CREDIT INFORMATION

#### A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct  
Mark L. Lewis - xxx-xx-4009

#### B. EMPLOYMENT SEARCH

Mark L. Lewis - A review of the credit reporting agencies provided no employment information.

#### C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Mark L. Lewis reside(s) at: 165 Freedom Road, Dubois, PA 15801.

### II. INQUIRY OF TELEPHONE COMPANY

#### A. DIRECTORY ASSISTANCE SEARCH

Our office searched directory assistance databases, which had no listing for Mark L. Lewis.

#### B. On 06-21-10 our office made a telephone call to a possible phone number of the subject(s) (814) 771-8589 and received the following information: disconnected.

### III. INQUIRY OF NEIGHBORS

On 06-21-10 our office made several phone calls in an attempt to contact Viola M. Schaffer (814) 375-0332, 109 Freedom Road, Du Bois, PA 15801: answering machine.

On 06-21-10 our office made several phone calls in an attempt to contact Debbie M. Long (814) 375-9895, 183 Freedom Road, Du Bois, PA 15801: answering machine.

On 06-21-10 our office made several phone calls in an attempt to contact Betty J. Wells (814) 371-4372, 227 Freedom Road, Du Bois, PA 15801: answering machine.

### IV. ADDRESS INQUIRY

#### A. NATIONAL ADDRESS UPDATE

On 06-21-10 we reviewed the National Address database and found the following information: Mark L. Lewis - 165 Freedom Road, Du Bois, PA 15801.

## B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: no addresses on file.

## V. OTHER INQUIRIES

### A. DEATH RECORDS

As of 06-21-10 Vital Records and all public databases have no death record on file for Mark L. Lewis.

## VI. ADDITIONAL INFORMATION OF SUBJECT

### A. DATE OF BIRTH

Mark L. Lewis - 03-01-1973

### B. A.K.A.

Mark D. Lewis Sr.

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

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

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

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

  
AFFIANT

Sworn to and subscribed before me this 24 day of June, 2010.

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

IND



ENID ESTRADA  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 12/6/2011

**PHELAN HALLINAN & SCHMIEG, LLP**

**BY: Vivek Srivastava, Esq.**

**Attorney for Plaintiff**

**Attorney I.D. No.: 202331**

**One Penn Center Plaza, Suite 1400**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

GMAC MORTGAGE, LLC

Plaintiff

v.

MARK L. LEWIS

Defendant

:  
:  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
:  
:  
CIVIL DIVISION  
:  
:  
NO. 07-1206-CD  
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### **PLAINTIFF'S MEMORANDUM OF LAW**

Pursuant to Pennsylvania Rule of Civil Procedure, Rule 3129.2, it is necessary in a foreclosure action for the Sheriff or Process Server to serve upon the Defendant Notice of the Sale of the mortgaged premises. Specifically, Pa.R.C.P., Rule 3129.2 (c) provides in applicable part as follows:

The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

- (1) Service of the Notice shall be made:
  - (i) upon a defendant...
    - (A) by the sheriff or by a competent adult in the manner prescribed by Rule 402 (a) for the service of original process upon a defendant, or
    - (B) by the plaintiff mailing a copy of the manner prescribed by Rule 403 to the addresses set forth in the affidavit; or

- (C) if service cannot be made as provided in the subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court.

Because the whereabouts of Defendant, MARK L. LEWIS, are unknown, a reasonable investigation of their last known address was made in accordance with Pa.R.C.P. 430(a).

Pennsylvania Rule of Civil Procedure, Rule 430 (a) provides as follows:

- (a) If service cannot be made under the applicable rule the Plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

Note: A Sheriff's Return or Affidavit of Service of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa.Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records and motor vehicle records.

As indicated by the attached Affidavit of Return of Service, marked hereto as Exhibit "A", the Process Server has been unable to serve the Notice of Sale.

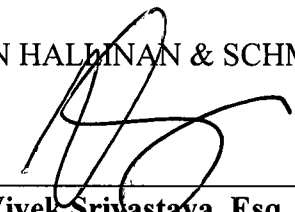
A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 165 FREEDOM ROAD, DUBOIS, PA 15801-5245 and posting 165 FREEDOM ROAD, DUBOIS, PA 15801-5245.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

By:

  
\_\_\_\_\_  
**Vivek Srivastava, Esq.**  
Attorney for Plaintiff



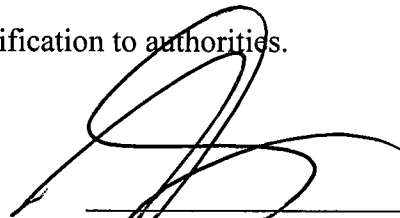
## VERIFICATION

Vivek Srivastava, Esquire, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

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

Date:

06/29/10



Vivek Srivastava, Esq.

**PHELAN HALLINAN & SCHMIEG, LLP**

**BY: Vivek Srivastava, Esq.**

**Attorney for Plaintiff**

**Attorney I.D. No.: 202331**

**One Penn Center Plaza, Suite 1400**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

GMAC MORTGAGE, LLC

Plaintiff

v.

MARK L. LEWIS

Defendant

:  
:  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
:  
:  
CIVIL DIVISION  
:  
:  
NO. 07-1206-CD  
:  
:  
:  
:  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

**MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245**



**Vivek Srivastava, Esq.**  
Attorney for Plaintiff

Date:



(1)

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

GMC MORTGAGE, LLC,  
Plaintiff

vs

MARK L. LEWIS,  
Defendant

\* NO. 07-1206-CD  
\*  
\*  
\*  
\*

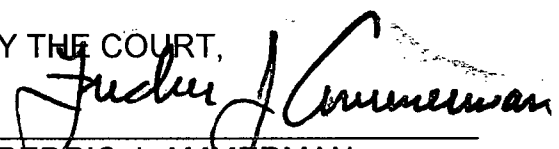
**ORDER**

NOW, this 1<sup>st</sup> day of July, 2010, the Plaintiff is granted leave to serve the  
NOTICE OF SALE upon the Defendant **MARK L. LEWIS** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County  
Legal Journal;
2. By first class mail to 165 Freedom Road, DuBois, PA 15801-5245;
3. By certified mail, return receipt requested, to 165 Freedom Road, DuBois, PA  
15801-5245; and
4. By posting the mortgaged premises known in this herein action as 165 Freedom  
Road, DuBois, PA 15801-5245;.

Service of the aforementioned publication and mailings is effective upon the date  
of publication and mailing and is to be done by Plaintiff's attorney, who will file Affidavits  
of Service with the Prothonotary of Clearfield County.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

**FILED** 3cc  
06:40 PM  
JUL 02 2010  
William A. Shaw  
Prothonotary/Clerk of Courts  
Srivastava  
(64)

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC  
Plaintiff,

v.

MARK L. LEWIS  
Defendant(s)

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

No. 07-1206-CD

FILED No CC.  
0/10:38cm  
JUL 09 2010

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
PHILADELPHIA COUNTY )

SS:

William A. Shaw  
Prothonotary/Clerk of Courts

As required by Pa. R.C.P. 3129.1(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".

- [Signature]*
- ☐ Lawrence T. Phelan, Esq., Id. No. 32227
  - ☒ Francis S. Hallinan, Esq., Id. No. 62695
  - ☐ Daniel G. Schmieg, Esq., Id. No. 62205
  - ☐ Michele M. Bradford, Esq., Id. No. 59849
  - ☐ Judith T. Romano, Esq., Id. No. 58745
  - ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
  - ☐ Jenine R. Davey, Esq., Id. No. 87077
  - ☐ Lauren R. Tabas, Esq., Id. No. 93337
  - ☐ Vivek Srivastava, Esq., Id. No. 202331
  - ☐ Jay B. Jones, Esq., Id. No. 86657
  - ☐ Peter J. Mulcahy, Esq., Id. No. 61791
  - ☐ Andrew L. Spivack, Esq., Id. No. 84439
  - ☐ Jaime McGuinness, Esq., Id. No. 90134
  - ☐ Chrisovalante P. Fliakos, Esq., Id. No. 94620
  - ☐ Joshua I. Goldman, Esq., Id. No. 205047
  - ☐ Courtenay R. Dunn, Esq., Id. No. 206779
  - ☐ Andrew C. Bramblett, Esq., Id. No. 208375
- Attorney for Plaintiff

Date: 7/8/10

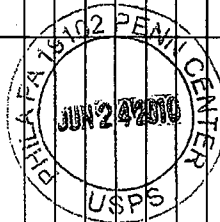
**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Name and  
Address  
Of Sender

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103

JOT/JSC - SALE

Line	Article Number	Name of Addressee, Street, and Post Office Address	Post
1	****	TENANT/OCCUPANT 165 FREEDOM ROAD DUBOIS, PA 15801-5245	
2	****	DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830	
3	****	Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg, PA 17105	
4	****	United States Internal Revenue Special Procedures Branch Federated Investors Tower 13th Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222	
5	****	U.S. Department of Justice Michael C. Colville, Esquire, United States Attorney Western District of PA 633 U.S. Post Office & Courthouse Pittsburgh, PA 15219	
6			
7			
8			
9			
10			
11			
12			
13			
14			
15		RE: MARK L. LEWIS (CLEARFIELD) TEAM 3 PHS# 158268	



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900.591.3 and §921 for limitations of coverage.

**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  
Michele M. Bradford, Esq., Id. No. 69849  
Judith T. Romano, Esq., Id. No. 58745  
Sheetal R. Shah-Jani, Esq., Id. No. 81760  
Jenine R. Davey, Esq., Id. No. 87077  
Lauren R. Tabas, Esq., Id. No. 93337  
Vivek Srivastava, Esq., Id. No. 202331  
Jay B. Jones, Esq., Id. No. 86657  
Peter J. Mulcahy, Esq., Id. No. 61791  
Andrew L. Spivack, Esq., Id. No. 84439  
Jaime McGuinness, Esq., Id. No. 90134  
Chrisovalante P. Fliakos, Esq., Id. No. 94620  
Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
1617 FK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

5  
**FILED**  
m1014584  
SEP 22 2010  
William A. Shaw  
Prothonotary/Clerk of Courts

GMAC MORTGAGE, LLC  
Plaintiff,

v.

MARK L. LEWIS  
Defendant(s).

: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 07-1206-CD**

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE  
PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **MARK L. LEWIS** on **AUGUST 9, 2010**, in accordance with the Order of Court dated **JULY 1, 2010**. The property was posted on **JULY 23, 2010**. Publication was advertised in **CLEARFIELD COUNTY LEGAL JOURNAL** on **JULY 23, 2010** & in **COURIER-EXPRESS/TR-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT** on **JULY 16, 2010**.

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

PHELAN HALLINAN & SCHMIEG, LLP

By:

Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Michele M. Bradford, Esq., Id. No. 69849  
Judith T. Romano, Esq., Id. No. 58745  
Sheetal R. Shah-Jani, Esq., Id. No. 81760  
Jenine R. Davey, Esq., Id. No. 87077  
Lauren R. Tabas, Esq., Id. No. 93337  
Vivek Srivastava, Esq., Id. No. 202331  
Jay B. Jones, Esq., Id. No. 86657  
Peter J. Mulcahy, Esq., Id. No. 61791  
Andrew L. Spivack, Esq., Id. No. 84439  
Jaime McGuinness, Esq., Id. No. 90134  
Chrisovalante P. Fliakos, Esq., Id. No. 94620  
Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
Attorneys for Plaintiff

Dated: 9/21/10

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

GMC MORTGAGE, LLC,  
Plaintiff

VS

MARK L. LEWIS,  
Defendant

\* NO. 07-1206-CD  
\*  
\*  
\*  
\*

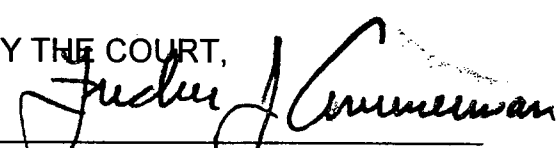
**ORDER**

NOW, this 1<sup>st</sup> day of July, 2010, the Plaintiff is granted leave to serve the  
NOTICE OF SALE upon the Defendant **MARK L. LEWIS** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield County  
Legal Journal;
2. By first class mail to 165 Freedom Road, DuBois, PA 15801-5245;
3. By certified mail, return receipt requested, to 165 Freedom Road, DuBois, PA  
15801-5245; and
4. By posting the mortgaged premises known in this herein action as 165 Freedom  
Road, DuBois, PA 15801-5245;.

Service of the aforementioned publication and mailings is effective upon the date  
of publication and mailing and is to be done by Plaintiff's attorney, who will file Affidavits  
of Service with the Prothonotary of Clearfield County.


BY THE COURT,

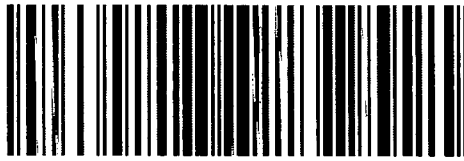
  
FREDRIC J. AMMERMAN  
President Judge

I hereby certify that the foregoing is a true and correct copy of the original  
and attested copy of the original  
statement filed in this case.

JUL 02 2010

Attest.

  
William A. Brown  
Prothonotary/  
Clerk of Courts



7178 2417 6099 0061 4882

3 / AAQ  
MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-0000

--fold here (regular)

-- fold here (6x9)

--fold here (regular)



[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: **7178 2417 6099 0061 4882**  
Status: **Delivered**

Your item was delivered at 12:34 pm on August 09, 2010 in PHILADELPHIA, PA 19103. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

[Restore Offline Details >](#)



[Return to USPS.com Home >](#)

[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

Copyright© 2010 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



Postal Inspection  
Department of Justice



Inspection Service  
Department of Justice

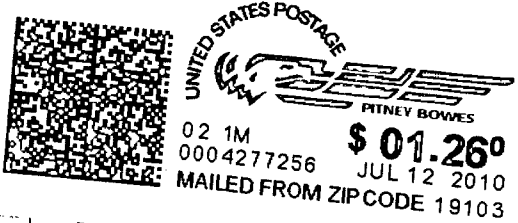
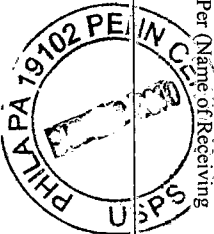
Name and Address of Sender

**PHILAN HALLINAN & SCHMIEG**  
 One Penn Center at Suburban, Suite 1400  
 Philadelphia, PA 19103

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	****	MARK L. LEWIS 165 FREEDOM ROAD DUBOIS, PA 15801-0000		
2	****			
3	****			
4	****			
5				
6	****			
7	****			
8	****			
9	****			
10	****			
11	****			
12	****			
13	****			
14				
15		RE: MARK L. LEWIS PHS# 158268		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	

TEAM 4KXC

KXC



# AFFIDAVIT OF SERVICE

PLAINTIFF  
GMAC MORTGAGE, LLC

CLEARFIELD COUNTY

PHS # 158268

DEFENDANT  
MARK L. LEWIS

SERVICE TEAM/ kxc  
COURT NO.: 07-1206-CD

SERVE MARK L. LEWIS AT:  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245

TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: 08/06/2010

\*\*PLEASE POST PROPERTY PER COURT ORDER\*\*

## SERVED

Served and made known to MARK L. LEWIS, Defendant on the 23rd day of July, 2010, at 2:43 o'clock P. M., at 165 Freedom Rd. Dubois, 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 or 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.  
☐ \_\_\_\_\_ an officer of said Defendant's company.

☒ Other: POSTED ON FRONT DOOR

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

Sworn to and subscribed  
before me this 28th day  
of July, 2010.

Notary:

Elizabeth A. Ventura

By:

Thomas Holmberg

## NOT SERVED

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M., Defendant NOT FOUND because:

- ☐ Vacant ☐ Bad Address ☐ Moved ☐ Does Not Reside (Not Vacant)  
☐ No Answer on \_\_\_\_\_ at \_\_\_\_\_; \_\_\_\_\_ at \_\_\_\_\_  
☐ Service Refused

Other:

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

By:

Thomas Holmberg

Notary:

## ATTORNEY FOR PLAINTIFF

Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Michele M. Bradford, Esq., Id. No. 69849  
Judith T. Romano, Esq., Id. No. 58745  
Sheetal R. Shah-Jani, Esq., Id. No. 81760  
Jenine R. Davey, Esq., Id. No. 87077  
Lauren R. Tabas, Esq., Id. No. 93337  
Vivek Srivastava, Esq., Id. No. 202331  
Jay B. Jones, Esq., Id. No. 86657  
Peter J. Mulcahy, Esq., Id. No. 61791  
Andrew L. Spivack, Esq., Id. No. 84439  
Jaime McGuinness, Esq., Id. No. 90134  
Chrisovalante P. Fliakos, Esq., Id. No. 94620  
Joshua I. Goldman, Esq., Id. No. 205047  
Courtenay R. Dunn, Esq., Id. No. 206779  
Andrew C. Bramblett, Esq., Id. No. 208375  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Elizabeth A. Ventura, Notary Public  
Blair Twp., Blair County  
My Commission Expires March 31, 2011  
Member, Pennsylvania Association of Notaries

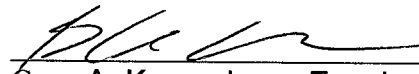
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

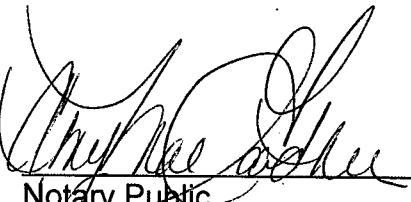
COUNTY OF CLEARFIELD :

GMAC MORTGAGE, LLC vs., MARK L. LEWIS  
NOTICE TO: MARK L. LEWIS  
Being Premises: 165 FREEDOM ROAD, DU-  
BOIS, PA 15801-5245  
Being in SANDY Township, County of CLEAR-  
FIELD Commonwealth of Pennsylvania Parcel  
Number 1: 1280A0400000128  
Improvements consist of residential property.  
Sold as the property of MARK L. LEWIS  
Your house (real estate) at 165 FREEDOM  
ROAD, DUBOIS, PA 15801-5245 is scheduled  
to be sold at the Sheriff's Sale on AUGUST 6,  
2010 at 10:00 AM., at the CLEARFIELD  
County Courthouse to enforce the Court Judg-  
ment of \$130,270.69 obtained by, GMAC  
MORTGAGE, LLC (the mortgagee), against  
the above premises.  
PHELAN HALLINAN & SCHMIEG, LLP Attor-  
ney for Plaintiff

On this 23<sup>rd</sup> day of July AD 2010, before me, the subscriber,  
and for said County and State, personally appeared Gary A. Knaresboro editor of the  
Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed  
is a true copy of the notice or advertisement published in said publication in the regular  
issues of Week of July 23, 2010, Vol. 22, No. 30. And that all of the allegations of this  
statement as to the time, place, and character of the publication are true.

  
Gary A. Knaresboro, Esquire  
Editor

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

  
Notary Public  
My Commission Expires

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Amy Mae Gardner, Notary Public  
City of DuBois, Clearfield County  
My Commission Expires May 28, 2013  
Member, Pennsylvania Association of Notaries

Brendan Booth  
Full Spectrum Services, Inc.  
400 Fellowship Road  
Suite 220  
Mount Laurel, NJ 08054

## DUBOIS PENNSYLVANIA

Public Notices 001

Public Notices 001

**SS:**

**NOTICE TO: MARK L. LEWIS**  
**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

Being Premises: 165 FREEDOM ROAD,  
DUBOIS, PA 15801-5245.

Being in SANDY Township, County of CLEARFIELD  
Commonwealth of Pennsylvania.

Parcel Number 1: 1280A0400000128

Improvements consist of residential property.

Sold as the property of MARK L. LEWIS

Your house (real estate) at 165 FREEDOM ROAD, DUBOIS, PA 15801-5245 is scheduled to be sold at the Sheriff's Sale on AUGUST 6, 2010 at 10:00 AM. at the CLEARFIELD County Courthouse to enforce the Court Judgment of \$130,270.69, obtained by, GMAC MORTGAGE, LLC (the mortgage against the above premises).

**PHELAN HALLINAN & SCHMIEG, LLP**  
Attorney for Plaintiff

7/16/2010

terra, Classified Advertising Supervisor of the **Courier-Express/Tri-**  
the County and State aforesaid, being duly sworn, deposes and says that the  
**i-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a  
Publishing Company at 500 Jeffers Street, City of DuBois, County and State  
1879, since which date said, the daily publication and the weekly  
County, and that a copy of the printed notice of publication is attached  
published in the regular editions of the paper on the following dates, viz: the

## July

A.D.,

2010

duly authorized by the **Courier-Express**, a daily newspaper, **Tri-Countyonian Democrat**, a weekly newspaper to verify the foregoing statement and is not interested in the subject matter of the aforesaid notice of publication, and that as to time, place and character of publication are true.

**BLISHING COMPANY Publisher of  
COUNTY-SUNDAY/JEFFERSONIAN DEMOCRAT**

Linda Smith  
28<sup>th</sup> day of July, 2010

NOTARY PUBLIC

Statement of Advertising Cost  
**McLEAN PUBLISHING COMPANY**  
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/  
JEFFERSONIAN DEMOCRAT**  
DuBois, PA

**NOTARIAL SEAL**  
**ROBIN M. DUTTRY, NOTARY PUBLIC**  
**CITY OF DuBOIS, CLEARFIELD COUNTY**  
**MY COMMISSION EXPIRES APRIL 16, 2014**

**THIS IS**  
**NOT A**  
**BILL**

TO **Full Spectrum Services Inc.**

For publishing the notice or advertisement attached hereto on the above stated dates.....	<b>\$147.60</b>
Probating same.....	<b>\$7.50</b>
Total.....	<b>\$155.10</b>

### Publisher's Receipt for Advertising Costs

**The Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801  
Established 1879, Phone 814-371-4200  
**McLEAN PUBLISHING COMPANY**  
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

**FILED**

**SEP 22 2010**

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

MY COMMISSION EXPIRES APRIL 18, 2014  
CITY OF DOBBS CLARENDON COUNTY  
ROBIN M. DUTTRY, NOTARY PUBLIC  
NOTARIAL SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21176  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC  
vs.  
DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 5/13/2010

LEVY TAKEN 5/27/2010 @ 10:53 AM

POSTED 5/27/2010 @ 10:53 AM

SALE HELD 10/1/2010

SOLD TO GMAC MORTGAGE, LLC

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 11/17/2010

DATE DEED FILED 11/17/2010

PROPERTY ADDRESS 165 FREEDOM ROAD DUBOIS , PA 15801

**FILED**  
01:59 PM  
NOV 17 2010  
William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

6/1/2010 @ 10:15 AM SERVED MARK L. LEWIS

SERVED MARK L. LEWIS, DEFENDANT, AT HIS RESIDENCE 165 FREEDOM ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARK L. LEWIS

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

@ SERVED

NOW, AUGUST 4, 2010, RECEIVED A FAX LETTER TO POSTPONE THE SHERIFF SALE SCHEDULED FOR AUGUST 6, 2010 TO OCTOBER 1, 2010 DUE TO SERVICE OF NOS.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21176  
NO: 07-1206-CD

PLAINTIFF: GMAC MORTGAGE, LLC  
vs.  
DEFENDANT: MARK L. LEWIS

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$264.16


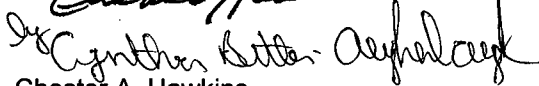
SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2010

\_\_\_\_\_

So Answers,

  
By   
Chester A. Hawkins  
Sheriff



WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183 and Rule 3257

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-1206-CD

CLEARFIELD COUNTY

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 165 FREEDOM ROAD, DUBOIS, PA 15801-5245  
(See Legal Description attached)

Amount Due

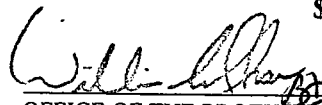
Interest from 11/16/2007 to Sale  
Per diem \$21.41  
Add'l Costs  
Writ Total

Prothonotary costs \$130,270.69  
165.00

\$ \_\_\_\_\_

\$7,596.00

\$ \_\_\_\_\_



OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 5/13/10  
(SEAL)

PHS # 158268

Received this writ this 13<sup>th</sup> day  
of May A.D. 2010  
At 3:00 A.M./P.M.

Charles A. Hewkins  
Sheriff By Cynthia Butler-Caplan

IN THE COURT OF COMMON PLEAS OF  
CLERAFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

MARK L. LEWIS

WRIT OF EXECUTION  
(Mortgage Foreclosure)

	<u>Costs</u>
Real Debt	\$130,270.69
Int. from	
To Date of Sale (\$21.41 per diem)	
Costs	
Prothy Pd.	<u>105.00</u>
Sheriff	

Filed



Attorney for Plaintiff

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
- ☐ Michele M. Bradford, Esq., Id. No. 69849
- ☐ Judith T. Romano, Esq., Id. No. 58745
- ☐ Sheetal R. Shah-Jani, Esq., Id. No. 81760
- ☐ Jenine R. Davey, Esq., Id. No. 87077
- ☐ Lauren R. Tabas, Esq., Id. No. 93337
- ☐ Vivek Srivastava, Esq., Id. No. 202331
- ☐ Jay B. Jones, Esq., Id. No. 86657
- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
- ☐ Andrew L. Spivack, Esq., Id. No. 84439
- ☐ Jaime McGuinness, Esq., Id. No. 90134
- ☐ Chrisovalante P. Filiakos, Esq., Id. No. 94620
- ☐ Joshua I. Goldman, Esq., Id. No. 205047
- ☒ Courtenay R. Dunn, Esq., Id. No. 206779
- ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Address where papers may be served:  
MARK L. LEWIS  
165 FREEDOM ROAD  
DUBOIS, PA 15801-5245

### LEGAL DESCRIPTION

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

BEGINNING at a point at the Northeast corner of lands now or formerly of Raymond U. Colgan; thence North 53 degrees 35 minutes East, 106.88 feet to a point, said point also being the Northeast corner of lands now or formerly of Donald Petrick; thence South 36 degrees 25 minutes East, 150.00 feet to a point at the edge of Freedom Road; thence along the edge of said road, South 53 degrees 35 minutes West, 106.88 feet to a point; thence North 36 degrees 25 minutes West, 150.00 feet to the point of beginning.

BEING known as Lot Number 22 in the Liberty Hills Plat of Lots and CONTAINING 16,032 square feet.

EXCEPTING AND RESERVING the gas and oil thereunder, a 10-foot right-of-way along all boundaries for public water lines, electric lines, and public sewage, and subject to other reservations and restrictions as may appear of record.

TITLE TO SAID PREMISES IS VESTED IN Mark L. Lewis, by Deed from Stearns Bank, N.A., A National Banking, dated 08/11/2006, recorded 10/16/2006, in Deed Mortgage Inst# 200617354.

Premises being: **165 FREEDOM ROAD**  
**DUBOIS, PA 15801-5245**

Tax Parcel No. **A04-000-00128**

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME MARK L. LEWIS

NO. 07-1206-CD

NOW, November 17, 2010, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on October 01, 2010, I exposed the within described real estate of Mark L. Lewis to public venue or outcry at which time and place I sold the same to GMAC MORTGAGE, LLC he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	19.00
LEVY	15.00
MILEAGE	19.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.16
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	19.00
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$264.16</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	52.00
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$52.00</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	130,270.69
INTEREST @ 21.4100 %	22,480.50
FROM 11/16/2007 TO 10/01/2010	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$152,771.19</b>

**COSTS:**

ADVERTISING	1,225.20
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
ASSESSMENT FEE	10.00
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	52.00
SHERIFF COSTS	264.16
LEGAL JOURNAL COSTS	162.00
PROTHONOTARY	165.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	4,316.19
<b>TOTAL COSTS</b>	<b>\$6,339.55</b>

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

CHESTER A. HAWKINS, Sheriff

**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) 563-7009**

Representing Lenders in  
Pennsylvania and New Jersey

Foreclosure Manager

August 4, 2010

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: GMAC MORTGAGE, LLC v.  
MARK L. LEWIS  
165 FREEDOM ROAD DUBOIS, PA 15801-5245  
Court No. 07-1206-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for August 6, 2010 due to the following: Service of NOS.

The Property is to be relisted for the October 1, 2010 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,  
REGINALD SMITH for  
Phelan Hallinan & Schmieg, LLP





**FILED** 1cc Pff  
M 112:33/64  
JUL 30 2007 Pff pd-25.00  
(LN)

William A. Shaw  
Prothonotary/Clerk of Courts

07-1207-CD

COURT OF COMMON PLEAS OF CLEARFIELD  
82210339

COUNTY, PENNSYLVANIA

NAME AND ADDRESS:

TARA L FINLEY  
IND AND AS PRES OF  
COZY ACRES  
1672 TREASURE LAKE  
DUBOIS PA 15801

TO THE PROTHONOTARY OF SAID COURT:  
PURSUANT TO THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA  
THERE IS HEREBY TRANSMITTED A CERTIFIED COPY OF LIEN  
TO BE ENTERED OF RECORD IN YOUR COUNTY.

CERTIFIED COPY OF LIEN

CLASS OF TAX	TAX PERIOD (OR DUE DATE)	DATE OF ASSESSMENT DETERMINATION OR SETTLEMENT	IDENTIFYING NUMBER	TAX	TOTAL
S & U	11/01/06 - 02/28/07	04/17/07	CO-99999	\$17,425.27	\$21,256.18
TOTALS				\$17,425.27	\$21,256.18
INTEREST COMPUTATION DATE <u>04/27/07</u>				FILING FEE (S)	\$25.00
The undersigned, the Secretary of revenue (or his authorized delegate) of the Commonwealth of Pennsylvania, certifies this to be true and correct copy of a lien against the above named taxpayer for unpaid tax, interest, additions or penalties thereon due from such taxpayer and which, after demand for payment thereof, remains unpaid. The amount of such unpaid tax, interest, additions or penalties is a lien in favor of the commonwealth of Pennsylvania upon the taxpayer's property, real, personal, or both, as the case may be.				ADDITIONAL INTEREST	
				SETTLEMENT TOTAL	\$21,281.18

\_\_\_\_\_  
SECRETARY OF REVENUE  
(OR AUTHORIZED DELEGATE)

JUL 24 2007  
\_\_\_\_\_  
DATE

## COMMONWEALTH OF PENNSYLVANIA

VS

TARAL FINLEY  
COZY ACRES

## NOTICE OF TAX LIEN

Filed this

at \_\_\_\_\_ day of \_\_\_\_\_  
William A. Shaw, Clerk of Courts  
Prothonotary/Clerk of Courts

CLERK (or Register)

1002 0 &amp; 700

~~03714~~

## LIENS FOR TAXES

Liens for Corporation Taxes arise under Section 1401 of the Fiscal Code, 72 P.S. Section 1401, as amended.

Liens for Personal Income Tax and Employer Withholding Taxes arise under Section 345 of the Tax Reform Code of 1971, 72 P.S. Section 7345, as amended.

Liens for Realty Transfer Tax arise under Section 1112-C of the Tax Reform Code of 1971, 72 P.S. Section 8112-C, as amended.

Liens for Liquid Fuels Tax arise under Section 13 of the Liquid Fuels Tax Act, 72 P.S. Section 2611-B, as amended.

Liens for Fuel Use Tax arise under Section 13 of the Fuel Use Tax Act, 72 P.S. Section 2614, 13, as amended.

Liens for Motor Carriers Road Tax arise under Chapter, 96 of the Vehicle Code, (75 Pa. C.S. 9615).

Liens for Inheritance Tax and Estate Tax arise under the Inheritance and Estate Tax of 1982, Act of December 13, 1982, P.L. 1086, No. 225 Section 1 et. seq., 72 Pa. C.S.A. Section 1701 et. seq. (For decedents with date of death prior to December 13, 1982, liens arise under the Inheritance and Estate Tax Act of 1961, 72 P.S. Section 2485 - 101 et. seq.).

Liens for State and Local Sales, Use and Hotel Occupancy Tax and Public Transportation Assistance Fund Taxes and Fees arise under Section 242, Act of March 4, 1971, No. 2 as amended, 72 P.S. Section 7242.

Liens for Motorbus Road Tax arise under Chapter 98 of the PA Vehicle Code, (75 Pa C.S. 9815).

Liens for Liquid Fuels and Fuels Tax, and the tax imposed in section 9502 of the Vehicle Code (75 Pa. C.S. 9502) arise under Chapter 90 of the Vehicle Code, (75 Pa. C.S. 9013).

## LIEN FOR TAXES, PENALTIES AND INTEREST

## General Information:

Corporation Tax liens provided under the fiscal Code arise at the time of settlement (assessment) and are liens upon the franchise and property, both real and personal, with no further notice. The filing of a Notice of Lien with a county Prothonotary is not a prerequisite, and the lien remains in full force and validity without filing or revival until paid.

Inheritance Tax liens are liens on Real Estate which continue until the tax is paid.

Personal Income Tax, Employer Withholding Tax, Realty Transfer Tax, Sales and Use Tax, Liquid Fuels Tax, Fuels Use Tax, Motor Carriers Road Tax and Motorbus Road Tax, Oil Company Franchise Tax, and Liquid Fuels and Fuels Tax liens are liens upon the franchisees as well as real and personal property of taxpayers, but only after they have been entered and docketed of record by the Prothonotary of the county where such property is situated and shall not attach to stock of goods, wares, or merchandise regularly sold in the ordinary course of business of the taxpayer. The lien has priority from the date of entry of record.

## PLACE OF FILING NOTICE FORM

Place of filing: The Notice of Lien shall be filed: (a) In the case of Real Property, in the office of the Prothonotary of the county in which the property subject to the lien is situated and (b) in the case of Personal Property, whether tangible or intangible in the office of the Prothonotary of the county in which the property subject to lien is situated.

## AUTOMATIC REVIVAL OF NOTICE AND PRIORITY OF NOTICE

General Rule: According to the Fiscal Code, the Notice of Lien is automatically revived and does not require refiling of the Notice by the Commonwealth. Any Notice of Lien filed by the Commonwealth shall have priority to, and be paid in full, before any other obligation, judgment, claim, lien, or estate is satisfied from a subsequent judicial sale or liability with which the property may be charged. Exception: The Commonwealth does not maintain priority of tax liens over any existing mortgages or liens which are properly recorded at the time that the tax lien is filed. See, Act of December 12, 1994, P.L. 1015, No. 138.

## RELEASE OF LIEN

The Secretary or his delegate may issue a Certificate of Release of any Lien imposed with respect to any tax if (1) the liability is satisfied, satisfaction consisting of payment of the amount assessed together with all interest and costs in respect thereof, or (2) the liability has become legally unenforceable. Exception: Interest on Corporation Taxes is computed after the lien is paid.

## CLASSES OF TAX

C.S. (01) Capital Stock Tax  
F.F. (02) Foreign Franchise Tax  
C.L. (03) Corporate Loans Tax  
C.M.I. (04) Corporate Net Income Tax  
C.I. (05) Corporate Income Tax  
G.R. (10) Gross Receipts Tax  
P.U.R. (20) Public Utility Realty Tax  
S.T. (30) Shares Tax  
B.L. (60) Corporate Loans Tax (banks)  
N.E. (60) Net Earnings Tax  
G.P. (60) Gross Premiums Tax  
M.I. (70) Marine Insurance Tax  
C.A. (80) Cooperative Associations  
P.I.T. PA Income Tax (PA-60)  
E.M.T. PA Income Tax (Employer Withholding)

S & U. State Sales and Use Tax  
L.S & U. Local Sales and Use Tax  
R.T.T. Realty Transfer Tax  
I.M. & E.S.T. Inheritance and Estate Tax  
L.F.T. Liquid Fuels Tax (Gasoline)  
F.U.T. Fuels Use Tax (Diesel and Special Fuels)  
M.C.R.T. Motor Carriers Road Tax  
O.F.T. Oil Franchise Tax  
M.T. Public Transportation Assistance Fund Taxes and Fees  
BUS Motorbus Road Tax  
L.F. & F.T. Liquid Fuels and Fuels Tax

## SETTLEMENT OF ACCOUNT

The "TOTAL" (Column 6) for each type of tax listed on this Notice of Lien comprises the balance of tax due (Column 5) plus assessed additions and/or penalties, and assessed and accrued interest to the interest computation date on the face of the Notice.

If payment or settlement of the account is made after the interest computation date, the payment must include the lien filing costs and accrued interest from the interest computation date to and through the payment date.

For any Delinquent Taxes due on or before December 31, 1981, interest is imposed at the following rates:

C.S., F.F., C.L., C.N.I. - 6% per annum (due date to payment date)  
C.I., G.R., C.A., S.T. - 6% per annum (due date to payment date)  
B.L., N.E., G.P., M.I. - 6% per annum (due date to payment date)  
P.U.R. - 1% per month or fraction  
(due date to payment date)  
S.T., E.M.T. - 3/4 of 1% per month or fraction  
P.I.T. - 5/4 of 1% per month or fraction  
R.T.T. - 6% per annum  
I.M. & E.S.T. - 6% per annum  
L.F.T., F.U.T. - 1% per month or fraction  
M.C.R.T. - 1% per month or fraction  
O.F.T. - 18% per annum

For all taxes that are originally due and payable on and after January 1, 1982, the PA Department of Revenue will calculate daily interest on all tax delinquencies using an annual interest rate that will vary from calendar year to calendar year. The applicable interest rates are as follows:

Delinquent Date	Interest Rate	Daily Interest Factor
1/1/82 thru 12/31/82	20%	.000546
1/1/83 thru 12/31/83	16%	.000436
1/1/84 thru 12/31/84	16%	.000301
1/1/85 thru 12/31/85	13%	.000356
1/1/86 thru 12/31/86	10%	.000276
1/1/87 thru 12/31/87	9%	.000247
1/1/88 thru 12/31/91	11%	.000301
1/1/92 thru 12/31/92	9%	.000247
1/1/93 thru 12/31/94	7%	.000192
1/1/95 thru 12/31/98	9%	.000247
1/1/99 thru 12/31/99	7%	.000192
1/1/00 thru 12/31/00	8%	.000219
1/1/01 thru 12/31/01	9%	.000247

---Taxes that become delinquent on or before December 31, 1981 will remain a constant interest rate until the delinquent balance is paid in full.

---Taxes that become delinquent on or after January 1, 1982 are subject to a variable interest rate that changes each calendar year.

---Interest is calculated as follows:  
INTEREST = BALANCE OF TAX UNPAID X NUMBER OF DAYS DELINQUENT X DAILY INTEREST FACTOR.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE  
AUTHORITY TO SATISFY



REV-300 CM AFP (3-96)

ARP 60787

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE  
V

TARA L FINLEY  
IND AND AS PRES OF  
COZY ACRES  
1672 TREASURE LAKE  
DUBOIS PA 15801

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA.

Docket Number 07-1207-CD  
Date Filed 7/30/2007  
Class of Tax S & U  
Account Number 82210339  
Assessment Number CO-99999

TO THE PROTHONOTARY OF SAID COURT:

The Commonwealth of Pennsylvania, Department of Revenue, the Plaintiff in the above action, acknowledges having received of the Defendant above named, full payment and satisfaction of the above captioned Lien/Judgement Note, with the interest and costs thereon due it; and desires that satisfaction be entered upon the records thereof.

AND you, the Prothonotary of said Court, upon receipt by you of your costs of satisfaction are hereby authorized and empowered, in the name and stead of the Plaintiff, to enter full satisfaction upon the record as fully and effectually, to all intents and purposes, as we could were we present in person to do so; and for so doing, this shall be your sufficient warrant of authority.

IN TESTIMONY WHEREOF, there is hereunto affixed the Seal of the Department of Revenue, Commonwealth of Pennsylvania, this 11TH day of JULY 2008

THOMAS WOLF  
Secretary of Revenue

MARY HUBLER  
Director, Bureau of Compliance

FILED  
018:5834  
JUL 21 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS

COUNTY, PENNSYLVANIA

**FILED**

JUL 21 2008

William A. Shaw  
Prothonotary/Clerk of Courts

NO.

TERM,

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE

V.

AUTHORITY TO SATISFY