

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

CIVIL ACTION – LAW

MONUMENT STREET
FUNDING, LLC,

PLAINTIFF

CIVIL Division

Case Number: 07-1246-CD

Type of Pleading

VS

EJECTMENT

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and / or OCCUPANTS

DEFENDANTS

Code and Classification:

Filed on Behalf Of:

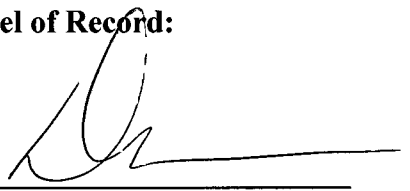
CERTIFICATE OF LOCATION

Plaintiff

523 OGDEN AVENUE
CLEARFIELD, PA 16830

Counsel of Record:

BOROUGH OF CLEARFIELD

BY: 

PARCEL #: 004-2-K08-226-00035

Daniel J. Mancini, Esquire
Attorney at Law
201 A FAIRVIEW DRIVE
MONACA, PA 15061
(724) 728-4233
PA I.D. No. 39353

FILED m/12:4264
AUG 02 2007
3cc Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

Original

Daniel Mancini & Associates
Daniel J. Mancini, Esq.,
PA ID 39353
201 A FAIRVIEW DRIVE
MONACA, PA 15061
(724) 728-4233
mancinilawfirm@comcast.net

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA

MONUMENT STREET FUNDING, LLC
PLAINTIFF

CIVIL DIVISION
CASE NO.

vs.

TYPE OF PLEADING:
Civil Action-Ejectment

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and/or OCCUPANTS
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CIVIL ACTION - EJECTMENT

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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 (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 and other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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RALPH E. SWALES JR.,
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and/or OCCUPANTS

DEFENDANTS

COMPLAINT FOR EJECTMENT

Plaintiff, by and through its undersigned attorney files this Complaint for Ejectment against Defendants, RALPH E. SWALES JR., CYNTHIA S. SWALES and/or OCCUPANT, and in support thereof avers the following:

1. Plaintiff is MONUMENT STREET FUNDING, LLC
2. Defendants, RALPH E. SWALES JR., CYNTHIA S. SWALES and/or OCCUPANT, are individuals residing in CLEARFIELD County, Pennsylvania.
3. Plaintiff is the owner of premises located at 523 OGDEN AVENUE, CLEARFIELD, PA 16830 Said premises is more particularly described and attached as Exhibit "A".
4. Plaintiff became owner of said premises by virtue of a Sheriff Sale on JULY 6, 2007 as a result of its Mortgage Foreclosure Action.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The Defendants are occupying the said premises without right and so far as the Plaintiff is informed, without claim of title

6. Plaintiff has demanded possession of the said premises from the said Defendants who have refused to deliver up possession of same.

WHEREFORE, Plaintiff seeks to recover possession of said premises.

Dated this 1st day of August, 2007.

Respectfully Submitted,

DANIEL MANCINI & ASSOCIATES

By: 

Daniel Mancini, Esquire
Attorney for Plaintiff

EXHIBIT A

LONG PROPERTY DESCRIPTION

ALL THAT PARCEL OF LAND IN BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, STATE OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 1392, PAGE 145, ID# 4-2-K8-226-35, BEING KNOWN AND DESIGNATED AS LOT 68.
BETT'S ADDITION TO CLEARFIELD.

DEED FROM NANCY A. SYKES MCCREADIE AND BERNARD L. MCCREADIE, WIFE AND HUSBAND AS SET FORTH IN DEED BOOK 1392, PAGE 145 DATED 04/03/1991 AND RECORDED 04/09/1991, CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PENNSYLVANIA.

DWELLING KNOWN AS 523 OGDEN AVENUE, CLEARFIELD, PA 16830

IDENTIFIED as TAX/PARCEL ID#: 004-2-K08-226-00035 in the Deed Registry Office of Clearfield County, Pennsylvania.

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DEFENDANTS

VERIFICATION

Daniel J. Mancini, Esquire hereby states that he is the Attorney for the 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 take this Verification, pursuant to Pa. R.C.P. 1024 (c) and that the statements made in the foregoing Civil Action in Ejectment are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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



Daniel J. Mancini, Esquire
Attorney for Plaintiff

Date: August 1, 2007

FILED

AUG 17 2007 (Bw)

m / 12:45 / w

William A. Shaw
Prothonotary/Clerk of Courts

NO CERT COPIES

CERT OF DISC TO

WAT

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

CIVIL ACTION – LAW

MONUMENT STREET
FUNDING, LLC,

PLAINTIFF

CIVIL Division

Case Number: 07-1246-CD

VS

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and / or OCCUPANTS

DEFENDANTS

Type of Pleading

Praeipce to Settle and
Discontinue Case in
EJECTMENT

Code and Classification:

Filed on Behalf Of:

Plaintiff

Counsel of Record:

CERTIFICATE OF LOCATION

523 OGDEN AVENUE
CLEARFIELD, PA 16830

BOROUGH OF CLEARFIELD

PARCEL #: 004-2-K08-226-00035

BY: 

Daniel J. Mancini, Esquire
Attorney at Law
201 A FAIRVIEW DRIVE
MONACA, PA 15061
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PLAINTIFF

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CASE NO.

vs.

TYPE OF PLEADING:
Civil Action-Ejectment

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and/or OCCUPANTS

DEFENDANTS

PRAECIPE AND POWER OF ATTORNEY FOR SATISFACTION AND/OR TERMINATION

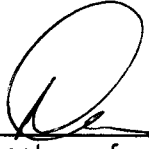
TO THE PROTHONOTARY OF SAID COURT:

You are hereby authorized, empowered, and directed to enter, as indicated, the following on the records thereof:


A.1. ---- The within suit is Settled, Discontinued, Ended and costs paid.

2 --X-- the within suit is Settled, Discontinued, Ended WITHOUT Prejudice and costs paid.

Date: August 15, 2007
WITNESS {if signer is other
than a registered attorney}:



Signature of authorizing party

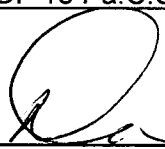


Attorney or Notary

Daniel J. Mancini, Esq.
Type or print name of above signer

COST PAYMENT VERIFICATION

I UNDERSTAND THAT THE ABOVE ACTION CANNOT BE FILED AND DOCKETED UNTIL ALL COSTS HAVE BEEN PAID, INCLUDING SHERIFF'S COSTS: AND HEREBY VERIFY ALL COSTS HAVE BEEN PAID. 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



Signature

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

CIVIL DIVISION

Monument Street Funding, LLC

Vs.

No. 2007-01246-CD

Ralph E. Swales Jr.

Cynthia S. Swales

Occupants

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 17, 2007, marked:

Settled, Discontinued, Ended WITHOUT Prejudice and costs paid.

Record costs in the sum of \$85.00 have been paid in full by Daniel Mancini, Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of August A.D. 2007.

William A. Shaw, Prothonotary

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

CIVIL DIVISION

Monument Street Funding, LLC

Vs.

No. 2007-01246-CD

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Cynthia S. Swales

Occupants

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Record costs in the sum of \$85.00 have been paid in full by Daniel Mancini, Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of August A.D. 2007.

William A. Shaw, Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 3 Services

Sheriff Docket # **103070**

MONUMENT STREE FUNDING, LLC

Case # 07-1246-CD

VS.

RALPH E. SWALES JR.; CYNTHIA S. SWALES and/or OCCUPANTS

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW January 07, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO RALPH E. SWALES JR., DEFENDANT. WHEREABOUTS UNKNOWN.

SERVED BY: /

FILED
01/24/08
JAN 08 2008

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 3 Services

Sheriff Docket # **103070**

MONUMENT STREE FUNDING, LLC

Case # 07-1246-CD

vs.

RALPH E. SWALES JR.; CYNTHIA S. SWALES and/or OCCUPANTS

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW January 07, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO CYNTHIA S. SWALES, DEFENDANT. 523 OGDEN AVE., CLEARFIELD, PA. "APPEARS VACANT".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 3 Services

Sheriff Docket # **103070**

MONUMENT STREE FUNDING, LLC

Case # 07-1246-CD

vs.

RALPH E. SWALES JR.; CYNTHIA S. SWALES and/or OCCUPANTS

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW January 07, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT FOUND" AS TO OCCUPANTS (SWALES PROPERTY), DEFENDANT. 523 OGDEN AVE., CLEARFIELD, PA. "APPEARS VACANT".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103070
NO: 07-1246-CD
SERVICES 3
COMPLAINT IN EJECTMENT

PLAINTIFF: MONUMENT STREE FUNDING, LLC

vs.

DEFENDANT: RALPH E. SWALES JR.; CYNTHIA S. SWALES and/or OCCUPANTS

SHERIFF RETURN

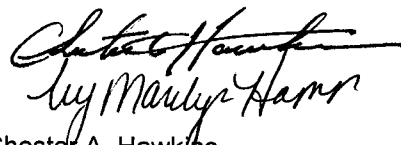
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MANCINI	8331	30.00
SHERIFF HAWKINS	MANCINI	8331	28.00

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

AUG 02 2007

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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

CIVIL ACTION – LAW

MONUMENT STREET
FUNDING, LLC,

PLAINTIFF

CIVIL Division

Case Number: 07-1246-CD

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EJECTMENT

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DEFENDANTS

Code and Classification:

Filed on Behalf Of:

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Plaintiff

523 OGDEN AVENUE
CLEARFIELD, PA 16830

Counsel of Record:

BOROUGH OF CLEARFIELD

BY: 

PARCEL #: 004-2-K08-226-00035

Daniel J. Mancini, Esquire
Attorney at Law
201 A FAIRVIEW DRIVE
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PA I.D. No. 39353

Def. Copy

Daniel Mancini & Associates
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CIVIL ACTION - EJECTMENT

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5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The Defendants are occupying the said premises without right and so far as the Plaintiff is informed, without claim of title

6. Plaintiff has demanded possession of the said premises from the said Defendants who have refused to deliver up possession of same.

WHEREFORE, Plaintiff seeks to recover possession of said premises.

Dated this 1st day of August, 2007.

Respectfully Submitted,

DANIEL MANCINI & ASSOCIATES

By: 

Daniel Mancini, Esquire
Attorney for Plaintiff

EXHIBIT A

LONG PROPERTY DESCRIPTION

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BETT'S ADDITION TO CLEARFIELD.

DEED FROM NANCY A. SYKES MCCREADIE AND BERNARD L. MCCREADIE, WIFE AND HUSBAND AS SET FORTH IN DEED BOOK 1392, PAGE 145 DATED 04/03/1991 AND RECORDED 04/09/1991, CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PENNSYLVANIA.

DWELLING KNOWN AS 523 OGDEN AVENUE, CLEARFIELD, PA 16830

IDENTIFIED as TAX/PARCEL ID#: 004-2-K08-226-00035 in the Deed Registry Office of Clearfield County, Pennsylvania.

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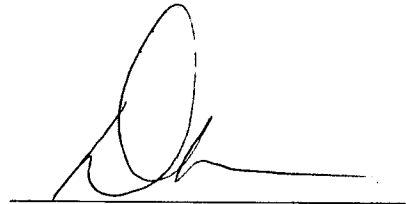
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Daniel J. Mancini, Esquire
Attorney for Plaintiff

Date: August 1, 2007

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

AUG 02 2007

Attest,

William L. Shaw
Prothonotary/
Clerk of Courts

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

CIVIL ACTION – LAW

MONUMENT STREET
FUNDING, LLC,

PLAINTIFF

CIVIL Division

Case Number: *07-1246-CD*

Type of Pleading

VS

EJECTMENT

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and / or OCCUPANTS

DEFENDANTS

Code and Classification:

Filed on Behalf Of:

CERTIFICATE OF LOCATION

Plaintiff

523 OGDEN AVENUE
CLEARFIELD, PA 16830

Counsel of Record:

BOROUGH OF CLEARFIELD

BY: 

PARCEL #: 004-2-K08-226-00035

Daniel J. Mancini, Esquire
Attorney at Law
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Def. Copy

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Respectfully Submitted,

DANIEL MANCINI & ASSOCIATES

By: 

Daniel Mancini, Esquire
Attorney for Plaintiff

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IDENTIFIED as TAX/PARCEL ID#: 004-2-K08-226-00035 in the Deed Registry Office of Clearfield County, Pennsylvania.

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CASE NO.

vs.

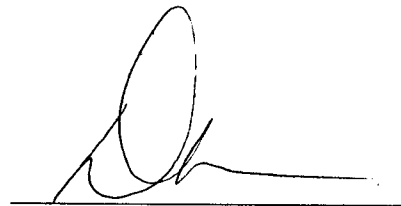
TYPE OF PLEADING:
Civil Action-Ejectment

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and/or OCCUPANT(S)
DEFENDANTS

VERIFICATION

Daniel J. Mancini, Esquire hereby states that he is the Attorney for the 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 take this Verification, pursuant to Pa. R.C.P. 1024 (c) and that the statements made in the foregoing Civil Action in Ejectment are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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



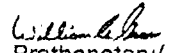
Daniel J. Mancini, Esquire
Attorney for Plaintiff

Date: August 1, 2007

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

AUG 02 2007

Attest.


Prothonotary/
Clerk of Courts

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

CIVIL ACTION – LAW

MONUMENT STREET
FUNDING, LLC,

PLAINTIFF

CIVIL Division

Case Number: 07-1246-CD

Type of Pleading

VS

EJECTMENT

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and / or OCCUPANTS

DEFENDANTS

Code and Classification:

Filed on Behalf Of:

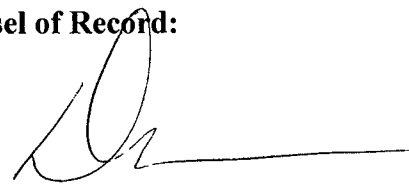
CERTIFICATE OF LOCATION

Plaintiff

523 OGDEN AVENUE
CLEARFIELD, PA 16830

Counsel of Record:

BOROUGH OF CLEARFIELD

BY: 

PARCEL #: 004-2-K08-226-00035

Daniel J. Mancini, Esquire
Attorney at Law
201 A FAIRVIEW DRIVE
MONACA, PA 15061
(724) 728-4233
PA I.D. No. 39353

Def. Copy

Daniel Mancini & Associates
Daniel J. Mancini, Esq.,
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201 A FAIRVIEW DRIVE
MONACA, PA 15061
(724) 728-4233
mancinilawfirm@comcast.net

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA

MONUMENT STREET FUNDING, LLC
PLAINTIFF

CIVIL DIVISION
CASE NO.

vs.

TYPE OF PLEADING:
Civil Action-Ejectment

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and/or OCCUPANTS
DEFENDANTS

CIVIL ACTION - EJECTMENT

NOTICE

Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, 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.

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 (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 and other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Lawyer Referral Service
Pennsylvania Lawyer Referral Service
(800) 692-7375

Daniel Mancini & Associates
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IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA

MONUMENT STREET FUNDING, LLC
PLAINTIFF

CIVIL DIVISION
CASE NO.

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TYPE OF PLEADING:
Civil Action-Ejectment

RALPH E. SWALES JR.,
CYNTHIA S. SWALES
and/or OCCUPANTS
DEFENDANTS

COMPLAINT FOR EJECTMENT

Plaintiff, by and through its undersigned attorney files this Complaint for Ejectment against Defendants, RALPH E. SWALES JR., CYNTHIA S. SWALES and/or OCCUPANT, and in support thereof avers the following:

1. Plaintiff is MONUMENT STREET FUNDING, LLC
2. Defendants, RALPH E. SWALES JR., CYNTHIA S. SWALES and/or OCCUPANT, are individuals residing in CLEARFIELD County, Pennsylvania.
3. Plaintiff is the owner of premises located at 523 OGDEN AVENUE, CLEARFIELD, PA 16830 Said premises is more particularly described and attached as Exhibit "A".
4. Plaintiff became owner of said premises by virtue of a Sheriff Sale on JULY 6, 2007 as a result of its Mortgage Foreclosure Action.
5. Plaintiff, by virtue of the above, is the equitable owner of said premises, and is entitled to possession thereof. The Defendants are occupying the said premises without right and so far as the Plaintiff is informed, without claim of title

6. Plaintiff has demanded possession of the said premises from the said Defendants who have refused to deliver up possession of same.

WHEREFORE, Plaintiff seeks to recover possession of said premises.

Dated this 1st day of August, 2007.

Respectfully Submitted,

DANIEL MANCINI & ASSOCIATES

By: 

Daniel Mancini, Esquire
Attorney for Plaintiff

EXHIBIT A

LONG PROPERTY DESCRIPTION

ALL THAT PARCEL OF LAND IN BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, STATE OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 1392, PAGE 145, ID# 4-2-K8-226-35, BEING KNOWN AND DESIGNATED AS LOT 63.
BETT'S ADDITION TO CLEARFIELD.

DEED FROM NANCY A. SYKES MCCREADIE AND BERNARD L. MCCREADIE, WIFE AND HUSBAND AS SET FORTH IN DEED BOOK 1392, PAGE 145 DATED 04/03/1991 AND RECORDED 04/09/1991, CLEARFIELD COUNTY RECORDS, COMMONWEALTH OF PENNSYLVANIA.

DWELLING KNOWN AS 523 OGDEN AVENUE, CLEARFIELD, PA 16830

IDENTIFIED as TAX/PARCEL ID#: 004-2-K08-226-00035 in the Deed Registry Office of Clearfield County, Pennsylvania.

Daniel Mancini & Associates
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IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA

MONUMENT STREET FUNDING, LLC
PLAINTIFF

CIVIL DIVISION
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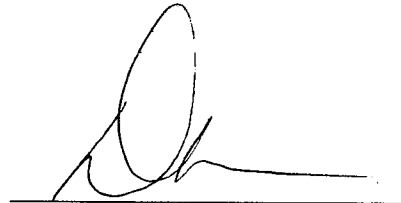
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Daniel J. Mancini, Esquire
Attorney for Plaintiff

Date: August 1, 2007