

08-358-CD

Mort. Electronic Reg. vs Amber Johnson

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302

STUART WINNEG, ESQUIRE - ID #45362

LORRAINE DOYLE, ESQUIRE - ID #34576

ALAN M. MINATO, ESQUIRE - ID #75860

CHANDRA M. ARKEMA, ESQUIRE - ID #203437

LOUIS A. SIMONI, ESQUIRE - ID #200869

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

856-669-5400

pleadings@udren.com

FILED 100
m12:07/61 Sheriff
FEB 29 2006
(5) Atty. Gen.
\$95.00
William A. Shaw
Prothonotary/Clerk of Courts

Mortgage Electronic
Registration Systems, Inc.
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

v.

Amber Johnson
P.O. Box 107
Bilger, PA 15925

NO. 08-358-CD

Defendant(s)

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982**

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

UDREN LAW OFFICES, P.C.
/s/ Mark J. Udren, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
(856) 669-5400

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: N/A

Assignments of Record to: N/A

Recording Date: N/A

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 11063 Krebs Highway
MUNICIPALITY/TOWNSHIP/BOROUGH: Lawrence Township
COUNTY: Clearfield
DATE EXECUTED: 11/1/06
DATE RECORDED: 11/13/06 Instrument # 200619002

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

- (a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated below;
- (b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 1/21/08:

Principal of debt due	\$82,256.00
Unpaid Interest at 9.09% * from 8/1/07 to 1/21/08 (the per diem interest accruing on this debt is \$20.49 and that sum should be added each day after 1/21/08)	3,525.15
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is \$0 and that sum should be added on the first of each month after 1/21/08)	0
Late Charges (monthly late charge of \$31.15 should be added in accordance with the terms of the note each month after 1/21/08)	186.10
Fees	103.50
Attorneys Fees (anticipated and actual to 5% of principal)	<u>4,112.80</u>
TOTAL	\$90,788.55

* This interest rate is subject to adjustment as more fully set forth in the Note and Mortgage.

7. The attorney's fee set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the mortgage is reinstated prior to the sale, reasonable attorney's fees will be charged in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$90,788.55 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.

UDREN LAW OFFICES, P.C.

BY: 

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

- LOUIS A. SIMONI, ESQUIRE

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situated in the Township of Lawrence, County of Clearfield, Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at a 1 1/2" pipe (found) on the northern right of way line of Township Road T-579, said pipe being on the eastern line of lands of G. Charles and Laureen L. Waring as described in Deed Book 532 page 206, said pipe also being on the northwestern corner of lands of Robert H. and Carol A. Malone as described in Deed Book 811 page 288, said place of beginning being the southwest corner of the parcel herein conveyed and running:

1. thence along the eastern line of lands of G. Charles and Laureen L. Waring north 24 degrees 43 minutes 08 seconds west a distance of 32.05 feet to a 3/4" bolt (found), said bolt being the southeast corner of lands of Dolores R. and Blake C. Owens as described in Instrument No. 200414421 and being the southeast corner of lands of John W. Sawtelle, Jr. and Peggy J. Sawtelle as described in Instrument Number 200305688;
2. thence along the southern line of lands of John W. Sawtelle, Jr. and Peggy J. Sawtelle north 57 degrees 35 minutes 51 seconds east a distance of 532.50 feet to a point, said point being on the southwestern right of way line of Pennsylvania State Route SR-0153 (being a 60 foot right of way);
3. thence along the southwestern right of way of Pennsylvania State Route SR-0153 south 52 degrees 28 minutes 06 seconds east a distance of 119.45 feet to a 3/4" rebar (set), said rebar being on the intersection of the southwestern right of way line of Pennsylvania State Route SR-0153 with the northern right of way line of Township Road T-579, also known as Waring Road;
4. thence along the northern right of way line of Township Road T-579 south 45 degrees 53 minutes 52 seconds west a distance of 41.18 feet to a 1/2" pipe (found);
5. thence still along the same south 50 degrees 18 minutes 21 seconds west a distance of 238.84 feet to a point;
6. thence along the northern line of lands of Robert H. and Carol A. Malone as described in Deed Book 811 page 288 south 71 degrees 25 minutes 35 seconds west a distance of 199.80 feet to a 3/4" rebar (set), said rebar being on the northern right of way line of Township Road T-579;
7. thence along the northern right of way line of Township Road T-579 south 88 degrees 35 minutes 25 seconds west a distance of 128.20 feet to a 1 1/2" pipe (found) and place of beginning.

Containing 66,296.23 sq. ft. 1.522 acres and known as Parcel 1 of the Dimmick Subdivision dated March 24, 2005 and shown on map prepared by Curry & Associates, with said approved subdivision map appearing of record as Clearfield County Instrument No. 200515678.

Being a part of lands conveyed to Bradley Bruce Dimmick and Sandra Joyce Dimmick, husband and wife, by deed dated September 7, 2001 and appearing of record as Clearfield County Instrument No. 200114686.

Also granting and conveying unto the Grantee, her heirs and assigns, and to be used with the Grantors, their heirs and assigns, the right to use a natural spring which is located upon Grantors' residue parcel situate on the north side of Penna. State Route S.R. 153. Also granting to the Grantee, her heirs and assigns, ten (10) feet on either side of the existing water line leading from the spring site on the above described premises, for the right to replace, maintain and repair said water line. Grantors, for themselves, their heirs and assigns, except and reserve the right to tap into the existing waterline, or to have a new waterline constructed so Sellers can access the existing spring and/or reservoir situate on their residue parcel so said lands will have access to a water source.

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION INMEDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

HOMEOWNER'S NAME(S): Amber Johnson
PROPERTY ADDRESS: 11063 Krebs Highway
Clearfield, PA 16830
LOAN ACCT. NO.: 2000323245
ORIGINAL LENDER: Decision One Mortgage Company, LLC
CURRENT LENDER: Saxon Mortgage Inc.

HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

**YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE
WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND
HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,
- IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

TEMPORARY STAY OF FORECLOSURE -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

CONSUMER CREDIT COUNSELING AGENCIES -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

APPLICATION FOR MORTGAGE ASSISTANCE -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face- to-face meeting.

AGENCY ACTION -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

NATURE OF THE DEFAULT -- The MORTGAGE debt held by the above lender on your property located at:

Page 3 of 3

of the date of this Notice, **the lender intends to exercise its rights to accelerate the mortgage debt.** This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to **foreclose upon your mortgaged property.**

IF THE MORTGAGE IS FORECLOSED UPON -- The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. **If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.**

OTHER LENDER REMEDIES -- The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage. If your debt has been discharged in bankruptcy without your having reaffirmed it, then lender cannot pursue this remedy.

RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE -- If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. **Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.**

EARLIEST POSSIBLE SHERIFF'S SALE DATE -- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be **approximately 6 months from the date of this Notice.** A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

HOW TO CONTACT THE LENDER:

Name of Lender/Service:	Saxon Mortgage Inc.
Address:	4708 Mercantile Drive North
	Fort Worth, TX 76137
Phone Number:	1-888-325-3502
Fax Number:	1-817-665-7613
Contact Person:	Loss Mitigation
	lossmit@saxonmsi.com

EFFECT OF SHERIFF'S SALE -- You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

ASSUMPTION OF MORTGAGE -- You may not transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

UDREN LAW OFFICES, P.C.
/s/ Mark J. Udren, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
(856) 669-5400

YOU MAY ALSO HAVE THE RIGHT:

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)
- TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS,
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY

CLEARFIELD COUNTY

Keystone Economic Development Corporation
1954 Mary Grace Lane
Johnstown, PA 15901
(814) 535-6556
FAX (814) 539-1688

CCCS of Western Pennsylvania, Inc.
217 E. Plank Road
Altoona PA 16602
(814) 944-8100
FAX (814) 944-5747

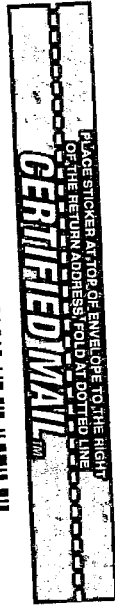
CCCS of Western PA
219-A College Park Plaza
Johnstown PA 15904
(814) 539-6335
FAX n/a

Indiana Co. Community Action Program
827 Water Street, Box 187
Indiana, PA 15701
(724) 465-2657
FAX (412) 465-5118

CCCS of Northeastern PA
1631 S Atherton St., Suite 100
State College, PA 16801
(814) 238-3668
FAX (814) 238-3669

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UDREN LAW OFFICES, P.C.
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD
CHERRY HILL, NJ 08003

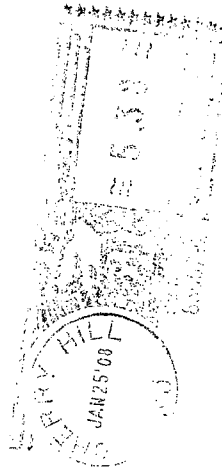


Amber Johnson
P.O. Box 107
Bilger, PA 16825

ASSEMBLED

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UDREN LAW OFFICES, P.C.
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD
CHERRY HILL, NJ 08003



Amber Johnson
11063 Krebs Highway
Clearfield, PA 16830

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:

Amber Johnson
11063 Krebs Highway
Clearfield, PA 16830

2. Article Number
(Transfer from service label)

7007 3020 0000 0875 5985

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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:

Amber Johnson
P.O. Box 107
Bilger, PA 16825

2. Article Number
(Transfer from service label)

7007 3020 0000 0875 5978

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

V E R I F I C A T I O N

The undersigned, hereby states that he/she is the attorney for the Plaintiff, a corporation unless designated otherwise; that he/she is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he/she has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his/her knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

UDREN LAW OFFICES, P.C.

BY: 

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

- LOUIS A. SIMONI, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
CIVIL DIVISION

Mortgage Electronic Registration Systems, Inc.

Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

No. 08-358-CD

FILED

JUN 25 2008

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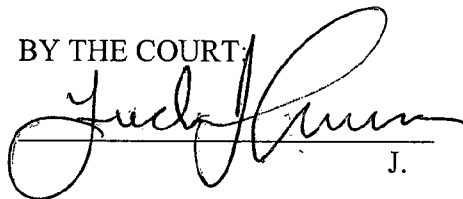
William A. Shaw
Prothonotary/Clerk of Courts

SENT TO SHAW

ORDER

AND NOW, to wit, this 25th day of June, 2008, upon consideration of Plaintiff's Motion to Direct Sheriff of Clearfield County to File Service of Process Return, and supporting documents thereto, and upon consideration of the Reply, if any, filed by the Defendant and interested parties hereto, it is hereby **ORDERED AND DECREED** that the Sheriff of Clearfield County is directed to file the service of process return in connection with the personal service of Plaintiff's Complaint, upon the Defendant, Amber Johnson which occurred on or about March 27, 2008 within 7 ^{FSA} days of the date of this Order.

BY THE COURT


J.

FILED

JUN 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

No S/A/S/E

To Att

UDREN LAW OFFICES, P.C.
BY: MARK J. UDREN, ESQUIRE (04302)
STUART WINNEG, ESQUIRE (45362)
LOUIS A. SIMONI, ESQUIRE (200869)
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

FILED

m 2:23 p.m. 6k
JUN 24 2008 No CC

William A. Shaw
Prothonotary/Clerk of Courts

(GR)

Mortgage Electronic Registration Systems, Inc.

Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

No. 08-358-CD

**MOTION TO DIRECT SHERIFF OF CLEARFIELD COUNTY
TO FILE SERVICE OF PROCESS RETURN**

1. Mortgage Electronic Registration Systems, Inc. (hereinafter, the **"Plaintiff"**), is a corporation authorized to do business within the Commonwealth of Pennsylvania, and has an address located at 4708 Merchantile Drive, Ft. Worth, Texas 76137.
2. Amber Johnson (hereinafter, the **"Defendant"**) is an adult individual whose last known mailing address is P.O. Box 107, Bilger, PA 16825 and whose last known residence address is: 11063 Krebs Highway, Clearfield, PA 16830.
3. The Defendant is the owner of the subject real property commonly known as 11063 Krebs Highway, Clearfield, PA 16830 (hereinafter, the **"Property"**), by virtue of a Deed dated November 1, 2006 and recorded on November 13, 2006 in the Office of the Recorder Of Deeds, Clearfield County, PA as instrument number 200619001.

4. By virtue of a Note dated November 1, 2006, the Plaintiff lent the principal amount of \$82,256.00 to the Defendant, the repayment of which was secured by a Mortgage upon the aforesaid Property. Said Mortgage, which was recorded on November 13, 2006 in the Office of the Recorder Of Deeds, Clearfield County, PA as instrument number 200619002.

5. As a result of the Defendant's failure to pay the monthly amounts due in connection with the above-referenced Mortgage and Note, the Plaintiff filed a Complaint in Mortgage Foreclosure on February 29, 2008.

6. On or about February 29, 2008, in order to effectuate personal service of Plaintiff's Complaint upon the Defendants, Plaintiff's counsel sent the Sheriff of Clearfield County instructions for service upon the Defendant, together with a check in the amount of \$100.00, representing the costs of same.

7. On or about April 14, 2008, counsel for the Plaintiff spoke with Marilyn at the Clearfield County Sheriff's Office regarding service of the Plaintiff's Complaint.

8. Marilyn advised Plaintiff's counsel that the Complaint was personally served against the Defendant, Amber Johnson, on March 27, 2008 at 11063 Krebs Highway, Clearfield, PA 16830.

9. Plaintiff's counsel respectfully requested that the Sheriff's office file the service of process return with the Prothonotary of Clearfield County, but to date, the Sheriff has not filed same.

10. In accordance with Pa.R.C.P. 405(a) and (e), the Sheriff of Clearfield County is required to file the returns of service with the Prothonotary.

11. While the Sheriff's failure to file the service returns with the Prothonotary may be unintentional and/or due to administrative reasons, same has caused to suffer prejudice upon the Plaintiff, who in turn, is unable to proceed with the pending action.

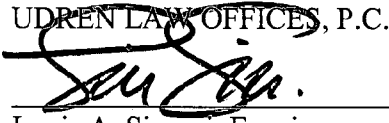
12. In addition, costs continue to accrue against the Defendants' mortgage account which amounts would need to be paid by the Defendants if they ultimately reinstated or paid off their loan.

WHEREFORE, Mortgage Electronic Registration Systems, Inc. prays and respectfully requests that the Honorable Court grant its Motion directing the Sheriff of Clearfield County to file the "Service of Process" returns in connection with the personal service of Plaintiff's Complaint upon above-captioned Defendant.

Respectfully submitted,

UDREN LAW OFFICES, P.C.

By:


Louis A. Simoni, Esquire
Attorney for Plaintiff/Movant

UDREN LAW OFFICES, P.C.
BY: MARK J. UDREN, ESQUIRE (04302)
STUART WINNEG, ESQUIRE (45362)
LOUIS A. SIMONI, ESQUIRE (200869)
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc.

Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

No. 08-358-CD

**MEMORANDUM OF LAW IN SUPPORT OF
PLAINTIFF'S MOTION TO DIRECT THE SHERIFF
TO FILE SERVICE OF PROCESS RETURNS**

A. FACTS

The Plaintiff/Movant incorporates herein by reference as though fully set forth at length, the facts as set forth in the underlying Motion To Direct the Sheriff of Clearfield County to File Service of Process Return.

B. QUESTION PRESENTED

Should the Sheriff of Clearfield County be required to file the service of process return in accordance with Pa.R.C.P. 405(a) and (e) with the Prothonotary of Clearfield County when personal service was made upon the Defendant in connection with Plaintiff's present cause of action?

Suggested Answer: Yes.

C. ARGUMENT

Pa.R.C.P. 405, entitled, "*Return of Service*" states, in part, the following:

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

[...]

- (e) The return of service or of no service shall be filed with the Prothonotary.

In the instant case, Mortgage Electronic Registration Systems, Inc. (the "**Plaintiff**") filed a Complaint in Mortgage Foreclosure in the Office of the Clearfield County Prothonotary against Amber Johnson (the "**Defendant**") on or about February 29, 2008. On that same date, Plaintiff mailed service of process instructions to the Sheriff of Clearfield County, together with the Sheriff's fee associated with same.

On or about April 14, 2008, after not receiving a copy of the Sheriff's Return of Service in connection with the service of the aforesaid Complaint, Plaintiff's counsel spoke with "Marilynn" at the Clearfield County Sheriff's Office who advised that personal service was effected upon the Defendant on or about March 27, 2008. To date, the Sheriff of Clearfield County has not filed the return of service with the Prothonotary.


Pa.R.C.P. 405(a) and (e) provide that the Sheriff must file the Return of Service (or Return of Non-Service) with the Prothonotary. While the Sheriff's failure to file the service return with the Prothonotary may be unintentional and/or due to administrative reasons, same has caused to suffer prejudice upon the Plaintiff, who in turn, is unable to proceed with the pending action. In addition, costs continue to accrue against the Defendant's mortgage account which amounts would need to be paid by the Defendant if she ultimately reinstates or pays off her loan.

D. CONCLUSION

For all the reasons set forth hereinabove, the Plaintiff respectfully requests this Honorable Court to exercise its legal and equitable authority and grant Plaintiff's Motion, thereby Directing the Sheriff of Clearfield County to file the service of process returns in connection with service of Plaintiff's Complaint against the Defendant, Amber Johnson.

Respectfully submitted,

UDREN LAW OFFICES, P.C.

By: 
Louis A. Simoni, Esquire
Attorney for Plaintiff/Movant

VERIFICATION

Louis A. Simoni, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

UDREN LAW OFFICES, P.C.

DATED: 6/23/08

By: 

Louis A. Simoni, Esquire
Attorney for Plaintiff/Movant

UDREN LAW OFFICES, P.C.
BY: MARK J. UDREN, ESQUIRE (04302)
STUART WINNEG, ESQUIRE (45362)
LOUIS A. SIMONI, ESQUIRE (200869)
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc.

Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

No. 08-358-CD

CERTIFICATE OF SERVICE

I, the undersigned attorney, hereby certify that I have served or caused to be served true and correct copies of the Plaintiff's Motion to Direct the Sheriff of Clearfield County to File Service of Process Return and Brief in Support upon the following person(s) named herein at their last known address or their attorney of record:

(xx) Regular First Class Mail

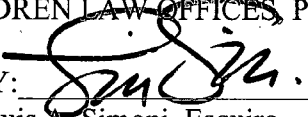
Date Served: June 23, 2008

TO: **Amber Johnson**
11063 Krebs Highway
Clearfield, PA 16830

Amber Johnson
P.O. Box 107
Bliger, PA 16825

Sheriff of Clearfield County
Clearfield County Courthouse
1 North Second Street, Ste. 116
Clearfield, PA 16830

UDREN LAW OFFICES, P.C.

BY: 
Louis A. Simoni, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103825
NO: 08-358-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
vs.
DEFENDANT: AMBER JOHNSON

SHERIFF RETURN

NOW, March 27, 2008 AT 3:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON AMBER JOHNSON DEFENDANT AT 11063 KREBS HIGHWAY, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DENNIS COLLINS, FATHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / HUNTER

FILED

0/3:40cm
JUN 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	UDREN	108662	10.00
SHERIFF HAWKINS	UDREN	108662	20.00

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Maelyn Hamer

Chester A. Hawkins
Sheriff

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

FILED *Any pd 20.00*
m 11:23 AM
AUG 29 2008 Notice to Def.

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

Mortgage Electronic
Registration Systems, Inc.
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

v.

Amber Johnson
11063 Krebs Highway
Clearfield, PA 16830
Defendant(s)

NO. 08-358-CD

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against the Defendant(s) **Amber Johnson** 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 Complaint	\$90,788.55
Interest Per Complaint	4,487.31
From 1/22/08 to 8/27/08	
Late charges per Complaint	<u>218.05</u>
From 1/22/08 to 8/27/08	
TOTAL	<u>\$95,493.91</u>

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

UDREN LAW OFFICES, P.C.

BY: *[Signature]*
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

DAMAGES ARE HEREBY ASSESSED AS INDICATED

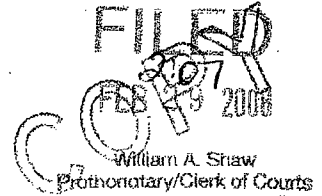
DATE: August 29, 2008

PRO PROTHY *[Signature]*

UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
LOUIS A. SIMONI, ESQUIRE - ID #200869
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF



Mortgage Electronic
Registration Systems, Inc.
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

v.

Amber Johnson
P.O. Box 107
Bilger, PA 15925

NO. 08-358-CD

Defendant(s)

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

COPY

08010477
JMB

UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE - ID #04302

STUART WINNEG, ESQUIRE - ID #45362

LORRAINE DOYLE, ESQUIRE - ID #34576

ALAN M. MINATO, ESQUIRE - ID #75860

CHANDRA M. ARKEMA, ESQUIRE - ID #203437

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003

856-669-5400

pleadings@udren.com

Mortgage Electronic Registration Systems, Inc.
Plaintiff

v.

Amber Johnson
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 08-358-CD

TO: Amber Johnson
11063 Krebs Highway
Clearfield, PA 16830

DATE of Notice: April 17 2008

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.

LAWYER REFERRAL SERVICE

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

NOTIFICACION IMPORTANTE

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER TOMADO LA ACCION REQUIRIDA DE SU PARTE EN ESTE CASO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE UN TERMINO DE DIEZ (10) DIAS DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARARECER USTED EN CORTE O ESCUCHAR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA, USTED PUEDE PERDER BIENES Y OTROS DERECHOS, IMPORTANTES. DEBE LLEVAR ESTA NOTIFICACION A UN ABOGADO INMEDIATAMENTE SI USTED NO TIENE ABOGADO, O SI NO TIENE DINERO SUFICIENTE PARA TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA, CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**SERVICIO DE REFERENCIA LEGAL
LAWYER REFERRAL SERVICE**

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

NOTICE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Chandra M. Arkema
Mark J. Udren, Esquire
Stuart Winneg, Esquire
Lorraine Doyle, Esquire
Alan M. Minato, Esquire
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, New Jersey 08003-3620

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Mortgage Electronic
Registration Systems, Inc.
Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 08-358-CD

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF NEW JERSEY

:

COUNTY OF CAMDEN

:

SS

:

THE UNDERSIGNED being duly sworn, deposes and says that the averments herein are based upon investigations made and records maintained by us either as Plaintiff or as servicing agent of the Plaintiff herein and that the above Defendant(s) are not in the Military or Naval Service of the United States of America or its Allies as defined in the Servicemembers' Civil Relief Act (108 P.L. 189; 117 Stat. 2835; 2003 Enacted H.R. 100), and that the age and last known residence and employment of each Defendant are as follows:

Defendant: Amber Johnson
Age: Over 18
Residence: As captioned above
Employment: Unknown

Alan M. Minato
Name: *LOANATIVE GARMENTS DOYE*
Title: ATTORNEY FOR PLAINTIFF
Company: UDREN LAW OFFICES, P.C.

Sworn to and subscribed
before me this 27th day
of August, 2008.

Francine S. Neerwitz
Notary Public

Francine S. Neerwitz
Notary Public
State of New Jersey
Commission Expires 12/20/08

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
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CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Mortgage Electronic
Registration Systems, Inc.
Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 08-358-CD

TO: Amber Johnson
11063 Krebs Highway
Clearfield, PA 16830

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

Willi L. Khan 8/29/08

- ☒ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☐ Judgment for Possession
- ☐ Judgment on Award of Arbitration
- ☐ Judgment on Verdict
- ☐ Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-669-5400

COPY

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

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2008-00358-CD

Real Debt: \$95,493.91

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Amber Johnson
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 29, 2008

Expires: August 29, 2013

Certified from the record this 29th day of August, 2008.



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

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
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CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Mortgage Electronic
Registration Systems, Inc.
Plaintiff
v.

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

Amber Johnson

Defendant(s)

NO. 08-358-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Please issue Writ of Execution in the above matter:

Amount due

\$95,493.91

Interest From 8/28/08

to Date of Sale _____

Ongoing Per Diem of \$20.49

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ _____
Prothonotary costs 135.00

UDREN LAW OFFICES, P.C.

BY: Mark J. Udren
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

FILED

M/11/28/08
AUG 29 2008

William A. Shaw

Prothonotary/Clerk of Courts

Att'y pd. \$20.00
ICC & lowrits
w/prop. desc.
to Sheriff

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
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856-669-5400
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Mortgage Electronic
Registration Systems, Inc.
Plaintiff
v.

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

Amber Johnson
Defendant(s)

NO. 08-358-CD

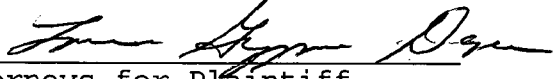
C E R T I F I C A T E

I hereby state that as 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 insured mortgage
- () Non-owner occupied
- () Vacant
- (X) Act 91 procedures have been fulfilled.
- () Over 24 months delinquent.

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

UDREN LAW OFFICES, P.C.

BY: 
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
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WOODCREST CORPORATE CENTER
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CHERRY HILL, NJ 08003-3620
856-669-5400
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Mortgage Electronic
Registration Systems, Inc.
Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 08-358-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

Mortgage Electronic Registration Systems, Inc., Plaintiff in the above action, by its attorney, Mark J. Udren, ESQ., sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 11063 Krebs Highway, Clearfield, PA 16830

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

Amber Johnson 11063 Krebs Highway
Clearfield, PA 16830

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

SAME AS #1 ABOVE

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

None

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

Mortgage Electronic 4708 Mercantile Drive
Registration Systems, Inc. Ft. Worth, TX 76137

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

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

Real Estate Tax Dept.

1 North Second St., Suite 116
Clearfield, PA 16830

Domestic Relations Section

1 North Second St., Suite 116
Clearfield, PA 16830

Commonwealth of PA,
Department of Revenue

Bureau of Compliance, PO Box 281230
Harrisburg, PA 17128-1230

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


Tenants/Occupants

11063 Krebs Highway
Clearfield, PA 16830

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. sec. 4904 relating to unsworn falsification to authorities.

DATED: August 27, 2008

UDREN LAW OFFICES, P.C.

BY: 
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

COPY

Mortgage Electronic
Registration Systems, Inc.
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

MORTGAGE FORECLOSURE

Amber Johnson

NO. 08-358-CD

Defendant(s)

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

11063 Krebs Highway
(Lawrence Township)
Clearfield, PA 16830
SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$95,493.91

Interest From 8/28/08

to Date of Sale _____

Ongoing Per Diem of \$20.49

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ 135.00 Prothonotary costs

By

William L. Lister Prothonotary
Clerk

Date

8/29/08

COURT OF COMMON PLEAS

NO. 08-358-CD

Mortgage Electronic Registration Systems, Inc.

vs.

Amber Johnson

WRIT OF EXECUTION

REAL DEBT \$ 95,493.91

INTEREST \$

from 8/28/08

to Date of Sale

Ongoing Per Diem of \$20.49

to actual date of sale including if sale is
held at a later date

COSTS PAID:

PROTHY \$ 135.00

SHERIFF \$

STATUTORY \$

COSTS DUE PROTHY. \$

PREMISES TO BE SOLD:

11063 Krebs Highway

(Lawrence Township)

Clearfield, PA 16830

UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

ALL that certain piece or parcel of land situated in the Township of Lawrence, County of Clearfield, Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at a 1 1/2" pipe (found) on the northern right of way line of Township Road T-579, said pipe being on the eastern line of lands of G. Charles and Laureen L. Waring as described in Deed Book 532 page 206, said pipe also being on the northwestern corner of lands of Robert H. and Carol A. Malone as described in Deed Book 811 page 288, said place of beginning being the southwest corner of the parcel herein conveyed and running:

1. thence along the eastern line of lands of G. Charles and Laureen L. Waring north 24 degrees 43 minutes 08 seconds west a distance of 32.06 feet to a 3/4" bolt (found), said bolt being the southeast corner of lands of Dolores R. and Blake C. Owens as described in Instrument No. 200414421 and being the southeast corner of lands of John W. Sawtelle, Jr. and Peggy J. Sawtelle as described in Instrument Number 200305686;
2. thence along the southern line of lands of John W. Sawtelle, Jr. and Peggy J. Sawtelle north 57 degrees 35 minutes 51 seconds east a distance of 532.50 feet to a point, said point being on the southwestern right of way line of Pennsylvania State Route SR-0153 (being a 80 foot right of way);
3. thence along the southwestern right of way of Pennsylvania State Route SR-0153 south 52 degrees 28 minutes 06 seconds east a distance of 119.45 feet to a 3/4" rebar (set), said rebar being on the intersection of the southwestern right of way line of Pennsylvania State Route SR-0153 with the northern right of way line of Township Road T-579, also known as Waring Road;
4. thence along the northern right of way line of Township Road T-579 south 45 degrees 53 minutes 52 seconds west a distance of 41.18 feet to a 1/2" pipe (found);
5. thence still along the same south 50 degrees 18 minutes 21 seconds west a distance of 238.84 feet to a point;
6. thence along the northern line of lands of Robert H. and Carol A. Malone as described in Deed Book 811 page 288 south 71 degrees 25 minutes 35 seconds west a distance of 199.80 feet to a 3/4" rebar (set), said rebar being on the northern right of way line of Township Road T-579;
7. thence along the northern right of way line of Township Road T-579 south 88 degrees 35 minutes 25 seconds west a distance of 128.20 feet to a 1 1/2" pipe (found) and place of beginning.

Containing 66,296.23 sq. ft. 1.522 acres and known as Parcel 1 of the Dimmick Subdivision dated March 24, 2005 and shown on map prepared by Curry & Associates, with said approved subdivision map appearing of record as Clearfield County Instrument No. 200515678.

Being a part of lands conveyed to Bradley Bruce Dimmick and Sandra Joyce Dimmick, husband and wife, by deed dated September 7, 2001 and appearing of record as Clearfield County Instrument No. 200114686.

Also granting and conveying unto the Grantee, her heirs and assigns, and to be used with the Grantors, their heirs and assigns, the right to use a natural spring which is located upon Grantors' residue parcel situate on the north side of Penna. State Route S.R. 153. Also granting to the Grantee, her heirs and assigns, ten (10) feet on either side of the existing water line leading from the spring site on the above described premises, for the right to replace, maintain and repair said water line. Grantors, for themselves, their heirs and assigns, except and reserve the right to tap into the existing waterline, or to have a new waterline constructed so Sellers can access the existing spring and/or reservoir situate on their residue parcel so said lands will have access to a water source.

BEING KNOWN AS: 11063 Krebs Highway, Clearfield, PA 16830

PROPERTY ID NO.: 123-L08-000-00147

TITLE TO SAID PREMISES IS VESTED IN AMBER JOHNSON, A SINGLE WOMAN BY DEED FROM BRADLEY BRICE DIMMICK AND SANDRA JOYCE DIMMICK, HIS WIFE DATED 11/01/2006 RECORDED 11/13/2006 INSTRUMENT NO. 200619001.

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

FILED NO CC
DEC 11 2008
William A. Shaw
Prothonotary/Clerk of Courts

Mortgage Electronic Registration
Systems, Inc.
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Amber Johnson
P.O. Box 107
Bilger, PA 15925

NO. 08-358-CD

Defendant(s)

AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P. RULE 3129.1

Plaintiff, by its/his/her Attorney hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praecipe for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

Dated: December 1, 2008

UDREN LAW OFFICES, P.C.

BY: *Chandra Arkema*
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.

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WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

856-669-5400

Mortgage Electronic Registration
Systems, Inc.

Plaintiff

v.

Amber Johnson

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 08-358-CD

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

OWNER(S): Amber Johnson

**PROPERTY: 11063 Krebs Highway
(Lawrence Township)
Clearfield, PA 16830**

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on December 5, 2008, at 10:00 A.M., at the Clearfield County Courthouse, 1 North Second Street, Suite 116. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

EXHIBIT A

Name and Address of Sender		Name of Addressee, Street, and Post Office Address		Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Rst. Del. Fee
1	UDREN LAW OFFICES, P.C. 111 WOODCREST ROAD, SUITE 200 CHERRY HILL, NJ 08003 ATTN: Jessica Donahue	COMMONWEALTH OF PA, DEPT. OF REVENUE, BUREAU OF COMPLIANCE PO Box 281230, Department of Revenue Harrisburg, PA 17128-1230	<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified	<input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Init. Recorded Del. <input type="checkbox"/> Express Mail	<input type="checkbox"/> Check appropriate block for Registered Mail: <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without postal insurance	Affix stamp here if issued as certificate of mailing or for additional copies of this bill.							
2	TENANTS/OCCUPANTS 11063 Krebs Highway (Lawrence Township) Clearfield, PA 16830												
3	Mortgage Electronic Registration Systems, Inc. 4708 Mercantile Dr. Ft. Worth, TX 76137												
4	Real Estate Tax Dept. 1 North Second St., Suite 116 Clearfield, PA 16830												
5	Domestic Relations Section 1 North Second St., Suite 116 Clearfield, PA 16830												
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per document. The maximum indemnity payable on Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per document. See International Mail Manual for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.							

016H26519216
\$03.400
10/14/2008
Mailed From 08003
US POSTAGE

Hasler

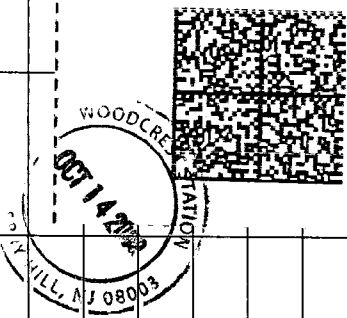
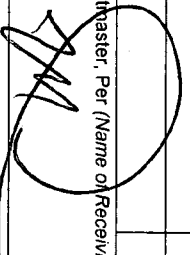


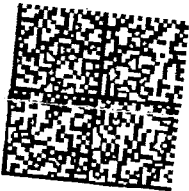
EXHIBIT A

PS Form 3877, February 1994

Form Must be Completed by Typewriter, Ink or Ball Point Pen

Amber Johnson, #08010477 (Clearfield)

Name and Address of Sender		UDREN LAW OFFICES, P.C. 111 WOODCREST ROAD, SUITE 200 CHERRY HILL, NJ 08003 ATTN: Jessica Donahue		<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified	<input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Int'l Recorded Del. <input type="checkbox"/> Express Mail	Check appropriate block for Registered Mail: <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without postal insurance	Affix stamp here if issued as certificate of mailing or for additional copies of this bill.					
Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender if COD	R.R. Fee	S.D. Fee	S.H. Fee	Ret. Del. Fee Remarks
1		Mortgage Electronic Registration Systems, Inc. P.O. Box 2026 Flint, MI 48501-2026										
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.							
1		1										



Hasler

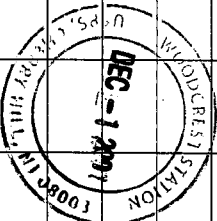


EXHIBIT A

PS Form 3877, February 1994

Form Must be Completed by Typewriter, Ink or Ball Point Pen

Amber Johnson; #08010477 (Clearfield)

REAL ESTATE

REAL ESTATE

EXECUTION SERVICE SHEET

DKT: EX PAGE: 20832

DEPUTY RECEIVED: September 16, 2008

DEFENDANT(S):

ADDRESS: 11063 KREBS HIGHWAY
CLEANFIELD, PA 16830

LEVY & POST AT: SAME AS ABOVE

~~SERVE AND LEAVE WITH~~ DEFENDANT POST GARNISHEE

WRIT OF EXECUTION ~~WRIT OF CALL TO POST / SERVE~~ WRIT LEVY

INTERROGATORIES TO GARNISHEE WRIT OF POSSESSION

~~NAME OF PERSON SERVED~~ POSTED OR LEVIED ~~DATE~~

DATE SERVED, POSTED OR LEVIED: 9/24/08

TIME: 3:00pm

NAME OF PERSON SERVED: SJA

TITLE: SJA

WHERE SERVED / POSTED (ADDRESS): 11063 KREBS HWY CLFD PA

DEFENDANT(S): RESIDENCE EMPLOYMENT

SIGNATURE OF PERSON SERVED:

DATE:

ATTEMPTS:

SPECIAL DIRECTIONS:

NO 08-358-CD
AMBER JOHNSON

SERVED, POSTED OR LEVIED ON BY:

NOTES:

Allen Jessica Donahue

EXHIBIT B

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20832
NO: 08-358-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: AMBER JOHNSON

Execution REAL ESTATE

5 FILED
9/13/10
FEB 27 2009
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

DATE RECEIVED WRIT: 8/29/2008

LEVY TAKEN 9/24/2008 @ 3:21 PM

POSTED 9/24/2008 @ 3:21 PM

SALE HELD 2/6/2009

SOLD TO DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS
CAPITAL 1 INC. TRUST 2007-SEA1 BY SAXON MORTGAGE SERVICES, INC. AS ITS ATTORNEY -IN-FACT

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 2/27/2009

DATE DEED FILED 2/27/2009

PROPERTY ADDRESS 11063 KREBS HIGHWAY CLEARFIELD , PA 16830

SERVICES

9/24/2008 @ 3:21 PM SERVED AMBER JOHNSON

SERVED AMBER JOHNSON, DEFENDANT, AT HER RESIDENCE 11063 KREBS HIGHWAY, CLEARFIELD, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO AMBER JOHNSON

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, DECEMBER 3, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED
FOR DECEMBER 5, 2008 TO JANUARY 9, 2009.

@ SERVED

NOW, JANUARY 7, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSPONE THE SHERIFF SALE SCHEDULED
FOR JANUARY 9, 2009 TO FEBRUARY 6, 2009.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20832
NO: 08-358-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: AMBER JOHNSON

Execution REAL ESTATE

SHERIFF RETURN


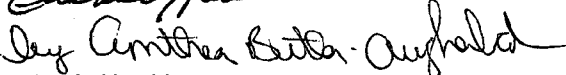
SHERIFF HAWKINS \$231.72

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Mortgage Electronic
Registration Systems, Inc.
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

MORTGAGE FORECLOSURE

Amber Johnson

NO. 08-358-CD

Defendant(s)

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SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$95,493.91

Interest From 8/28/08

to Date of Sale _____

Ongoing Per Diem of \$20.49

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ 135.00 Prothonotary costs

By _____

Prothonotary

Clerk

Date 8/29/08

Received this writ this 29th day
of August A.D. 2008
At 2:00 A.M. (P.M.)

Sheriff

Charles A. Hanks
By Cynthia Butler

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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Mortgage Electronic
Registration Systems, Inc.
Plaintiff

COURT OF COMMON PLEAS
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MORTGAGE FORECLOSURE

Amber Johnson

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Ongoing Per Diem of \$20.49

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$

\$135.00 Prothonotary costs

By

William L. Hays Prothonotary

Clerk

Date

8/29/08

Received this writ this 29th day
of August A.D. 2008
At 2:00 A.M./P.M.

Sheriff

Christopher A. Hays
By Christopher A. Hays

COURT OF COMMON PLEAS *

NO. 08-358-CD

=====

Mortgage Electronic Registration Systems, Inc.

vs.

Amber Johnson

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 95,493.91

INTEREST \$

from 8/28/08

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PROTHY \$ 135.00

SHERIFF \$

STATUTORY \$


COSTS DUE PROTHY. \$

PREMISES TO BE SOLD:

11063 Krebs Highway

(Lawrence Township)

Clearfield, PA 16830


UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

4
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2. thence along the southern line of lands of John W. Sawtelle, Jr. and Peggy J. Sawtelle north 57 degrees 35 minutes 51 seconds east a distance of 532.50 feet to a point, said point being on the southwestern right of way line of Pennsylvania State Route SR-0153 (being a 60 foot right of way);

3. thence along the southwestern right of way of Pennsylvania State Route SR-0153 south 52 degrees 28 minutes 06 seconds east a distance of 119.45 feet to a 3/4" rebar (set), said rebar being on the intersection of the southwestern right of way line of Pennsylvania State Route SR-0153 with the northern right of way line of Township Road T-579, also known as Waring Road;

4. thence along the northern right of way line of Township Road T-579 south 45 degrees 53 minutes 52 seconds west a distance of 41.18 feet to a 1/2" pipe (found);

5. thence still along the same south 50 degrees 18 minutes 21 seconds west a distance of 238.84 feet to a point;

6. thence along the northern line of lands of Robert H. and Carol A. Malone as described in Deed Book 811 page 288 south 71 degrees 25 minutes 35 seconds west a distance of 199.80 feet to a 3/4" rebar (set), said rebar being on the northern right of way line of Township Road T-579;

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BEING KNOWN AS: 11063 Krebs Highway, Clearfield, PA 16830

PROPERTY ID NO.: 123-L08-000-00147

TITLE TO SAID PREMISES IS VESTED IN AMBER JOHNSON, A SINGLE WOMAN BY DEED FROM BRADLEY BRICE DIMMICK AND SANDRA JOYCE DIMMICK, HIS WIFE DATED 11/01/2006 RECORDED 11/13/2006 INSTRUMENT NO. 200619001.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME AMBER JOHNSON

NO. 08-358-CD

NOW, February 27, 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 February 06, 2009, I exposed the within described real estate of Amber Johnson to public venue or outcry at which time and place I sold the same to DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL 1 INC. TRUST 2007-SEA1 BY SAXON MORTGAGE SERVICES, INC. AS ITS ATTORNEY -IN-FACT 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	2.00
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.72
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	40.00
MISCELLANEOUS	

TOTAL SHERIFF COSTS \$231.72

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	31.50
TRANSFER TAX 2%	0.00

TOTAL DEED COSTS \$31.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	95,493.91
INTEREST @ 20.4900 %	3,319.38
FROM 08/28/2008 TO 02/06/2009	

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	

TOTAL DEBT AND INTEREST \$98,833.29

COSTS:

ADVERTISING	725.44
TAXES - COLLECTOR	
TAXES - TAX CLAIM	3,568.00
DUE	
LIEN SEARCH	300.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	31.50
SHERIFF COSTS	231.72
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	120.00
MUNICIPAL LIEN	

TOTAL COSTS \$5,296.66

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

UDREN LAW OFFICES, P.C.
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NEW JERSEY 08003-3620
856. 669. 5400

FAX: 856. 669. 5399

PENNSYLVANIA OFFICE
215-568-9305

MARK J. UDREN*
STUART WINNEG**
LORRAINE DOYLE**
ALAN M. MINATO***
CHANDRA M. ARKEMA***
*ADMITTED NJ, PA, FL
**ADMITTED PA
***ADMITTED NJ, PA
TINA MARIE RICH
OFFICE ADMINISTRATOR

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PLEASE RESPOND TO NEW JERSEY OFFICE

December 1, 2008

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office
1 North Second Street
Suite 116
Clearfield, PA 16830
ATTN: Cindy

Re: Mortgage Electronic Registration Systems, Inc.
vs.
Amber Johnson
Clearfield County C.C.P. No. 08-358-CD
Premises: 11063 Krebs Highway
(Lawrence Township)
Clearfield, PA 16830
SS Date: December 5, 2008

Dear Cindy:

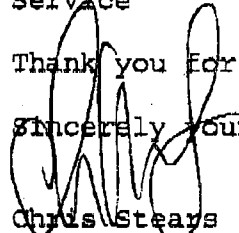
Please Postpone the Sheriff's Sale scheduled for December 5, 2008
to January 9, 2009.

Sale is Postponed for the following reason:

Service

Thank you for your attention to this matter.

Sincerely yours,


Chris Stears
Foreclosure Manager

/jld

UDREN LAW OFFICES, P.C.
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NEW JERSEY 08003-3620
856. 669. 5400

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**ADMITTED PA
***ADMITTED N.J. PA
TINA MARIE RICH
OFFICE ADMINISTRATOR

PENNSYLVANIA OFFICE
215-561-9300

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PLEASE RESPOND TO NEW JERSEY OFFICE

January 7, 2009

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office
1 North Second Street
Suite 116
Clearfield, PA 16830
ATTN: Cindy

Re: Mortgage Electronic Registration Systems, Inc.
vs.
Amber Johnson
Clearfield County C.C.P. No. 08-358-CD
Premises: 11063 Krebs Highway
(Lawrence Township)
Clearfield, PA 16830
SS Date: January 9, 2009

Dear Cindy:

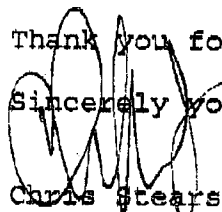
Please Postpone the Sheriff's Sale scheduled for January 9, 2009
to February 6, 2009.

Sale is Postponed for the following reason:

Assignment Issues

Thank you for your attention to this matter.

Sincerely yours,


Chris Stears
Foreclosure Manager

/jld