

08-1499-CD
Bank of NY vs Kevin T. Longe

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff
File: 1.09009

FILED

AUG 13 2008

m 11:50 AM
William A. Shaw
Prothonotary/Clerk of Courts
CERT TO ATTY &

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5
20 Broad Street
New York, NY 10005,**

Plaintiff,

Vs.

**Kevin T. Longe
343 Longes Mountain Road a/k/a PO Box
166
Karthaus, PA 16845,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

SHERIFF

No.: 2008-1499-CD

**CIVIL ACTION
MORTGAGE FORECLOSURE**

NOTICE

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyers Referral and Information Services
Clearfield County Bar Association
Clearfield County Courthouse
230 E. Market Street
Clearfield, NJ 16830
800-692-7375
814-765-2641 ex. 5982

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT

- 1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.**
- 2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.**
- 3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.**

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5**

**20 Broad Street
New York, NY 10005,**

Plaintiff,

Vs.

**Kevin T. Longe
343 Longes Mountain Road a/k/a PO Box
166
Karthaus, PA 16845,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.:

**CIVIL ACTION
MORTGAGE FORECLOSURE**

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff, The Bank of New York as Trustee for Equity One Inc. Mortgage/pass Through Certificate Series # 2002-5 (the "Plaintiff"), is a corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 20 Broad Street, New York, NY 10005.

2. Defendant, Kevin T. Longe, (the "Defendant"), is an adult individual and is the real owner of the premises hereinafter described.

3. Kevin T. Longe, Defendant, resides at 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845.

4. On June 12, 2002, in consideration of a loan in the principal amount of \$100,000.00, the Defendant executed and delivered to Equity One, Inc., dba Popular Financial Services an adjustable rate note (the "Note") with interest thereon at 9.8800 percent per annum, payable as to

the principal and interest in equal monthly installments of \$868.72 commencing August 1, 2002.

The current interest rate is 10.0 percent per annum.

5. To secure the obligations under the Note, the Defendant executed and delivered to Equity One, Inc., dba Popular Financial Services a mortgage (the "Mortgage") dated June 12, 2002, recorded on June 19, 2002 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200209739. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference. Plaintiff is proper party plaintiff by way of an assignment to be recorded.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendant is in default of his/her obligations pursuant to the Note and Mortgage because payments of principal and interest due March 1, 2008, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal	\$96,117.12
Accrued but Unpaid Interest from 2/1/08 to 6/30/08	
@ 11.5% per annum (\$30.28 per diem)	
7/1/08 to 8/12/08	
@ 10.0% per annum (\$26.33 per diem)	\$5,704.47
Accrued Late Charges	\$245.30
Corporate Advance	\$20.75
Optional Insur. Payment	\$140.00
Title Search Fees	\$350.00

Mortgage Escrow Balance.....	-\$572.58
Deferred Late Charges.....	\$960.16
Insufficient Funds Charges.....	\$25.00
Reasonable Attorney's Fees	\$1,250.00
TOTAL as of 08/12/2008	\$104,240.22

Plus, the following amounts accrued after August 12, 2008:

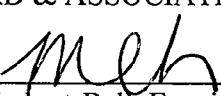
Interest at the Rate of 10.0 per cent per annum (\$26.33 per diem);

Late Charges of \$49.06 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendant at 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845 as well as to address of residences as listed in paragraph 3 of this document on May 31, 2008, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

WHEREFORE, Plaintiff demands an in rem judgment against the Defendant for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$104,240.22, plus the following amounts accruing after August 12, 2008, to the date of judgment: (a) interest of \$26.33 per day, (b) late charges of \$49.06 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

MILSTEAD & ASSOCIATES, LLC



Mary L. Harbert-Bell, Esquire
Attorney for Plaintiff

VERIFICATION

I, Mary L. Harbert-Bell, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.



Name: Mary L. Harbert-Bell, Esquire
Title: Attorney

EXHIBIT A

EXHIBIT "A"
LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate, lying and being in the Township of Karthaus, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin; said pin being North 7 degrees 30 minutes West a distance of 553 feet from an iron pin adjacent to a Red Oak tree at the Southeast corner of the Thomas F. Longe 25 acre tract; thence along lands now or formerly of Thomas F. Longe South 75 degrees 10 minutes West a distance of 240 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 22 degrees 12 minutes West a distance of 490 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 77 degrees East a distance of 436 feet to an iron pin; thence South 7 degrees 30 minutes East a distance of 277 feet to the place of beginning. Containing 3.0 acres, more or less.

Being identified in the Clearfield County Mapping and Assessment Office as Map No. 121-S04-000-00079.

EXCEPTING AND RESERVING thereout and therefrom all of the coal, oil, gas, including clay, and all mining rights as previously sold to William G. Brown, et ux., by Deed dated October 11, 1946, and recorded in Clearfield County Deed Book Volume 380, Page 152.

BEING the same premises which Thomas F. Longe, a single individual, by deed dated December 31, 1998 and recorded December 31, 1998 in Clearfield County in Deed Book Instrument No. 199801905, granted and conveyed unto Kevin T. Longe, an adult individual.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1499-CD

THE BANK OF NEW YORK As Trustee
vs
KEVIN T. LONGE

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 09/12/2008 HEARING: PAGE: 104534

DEFENDANT: KEVIN T. LONGE
ADDRESS: 343 LONGES MOUNTAIN ROAD, PO BOX 166
KARTHAUS, PA 16845

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

FILED

08/19/08
AUG 19 2008

William A. Shaw
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS _____

SHERIFF'S RETURN

NOW, 8/19/08 AT 10:30 AM PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON KEVIN T. LONGE, DEFENDANT

BY HANDING TO Kevin Long 1 self

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 343 Long Mt. rd. Karthaus Pa

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR KEVIN T. LONGE

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO KEVIN T. LONGE

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy S. Hunter
Deputy Signature

S. Hunter
Print Deputy Name

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5
20 Broad Street
New York, NY 10005,
Plaintiff,**

Vs.

**Kevin T. Longe
343 Longes Mountain Road a/k/a PO Box
166
Karthaus, PA 16845,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD S

pd \$20.00 Atty,
FILED ICC + notice to
m 12:15 pm deft
DEC 03 2008 ICC + statement
LM to Atty.
William A. Shaw
Prothonotary/Clerk of Courts

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

TO THE PROTHONOTARY:

Kindly enter Judgment, *in rem*, in favor of Plaintiff and against Kevin T. Longe, Defendant, for failure to file an Answer on 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	\$104,240.22
Interest 8/13/08 through 12/02/08	2,948.96
Late Charges	196.24
TOTAL	\$107,385.42

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


Mary L. Harbert-Bell, Esquire
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: December 3, 2008


PROTHONOTARY 

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400
Attorney for Plaintiff

Our file number: 1.09009

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,

Vs.

Kevin T. Longe,

Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD

TO: Kevin T. Longe
343 Longes Mountain
Road a/k/a PO Box 166,
Karthaus, PA 16845

DATE OF NOTICE: November 20, 2008

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to claims set forth against you. Unless you act within ten (10) 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.

LAWYERS REFERRAL AND INFORMATION SERVICES
CLEARFIELD COUNTY BAR ASSOCIATION
CLEARFIELD COUNTY COURTHOUSE
230 E. MARKET STREET
CLEARFIELD, NJ 16830
800-692-7375

MILSTEAD & ASSOCIATES, LLC


By: Mary L. Harbert-Bell, Esquire
ID No. 80763
Attorney for Plaintiff

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

Bank of New York, Trustee for Equity One, Inc.
Plaintiff(s)

No.: 2008-01499-CD

Real Debt: \$107,385.42

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Kevin T. Longe
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: December 3, 2008

Expires: December 3, 2013

Certified from the record this December 3, 2008



cm

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

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY



Prothonotary

To: Kevin T. Longe

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,

Vs.

**Kevin T. Longe,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD

NOTICE PURSUANT TO RULE 236

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

December 3, 2008

MORTGAGE FORECLOSURE JUDGMENT BY DEFAULT

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

MARY L. HARBERT-BELL, ESQ. #80763
MILSTEAD & ASSOCIATES, LLC
856-482-1400

Notice Pursuant To Fair Debt Collection Practices Act

This is an attempt to collect a debt and any information obtained will be used for that purpose.

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Attorney for Plaintiff

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,

Vs.

**Kevin T. Longe,
Defendant.**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD

S **FILED** No cc.
m/12/15 cm
DEC 03 2008

William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION OF NON-MILITARY SERVICE

Mary L. Harbert-Bell, Esquire, hereby verifies that she is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, she has knowledge of the following facts, to wit:

1. that the defendant is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldier' and Sailors' Civil Relief Act of Congress of 1940, as amended,
2. defendant, Kevin T. Longe, is over 18 years of age and resides at 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845.


Mary L. Harbert-Bell, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104534
NO. 08-1499-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK As Trustee
vs.
DEFENDANT: KEVIN T. LONGE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	48726	10.00
SHERIFF HAWKINS	MILSTEAD	48726	44.91

S
FILED
019-5061
1/10/2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

Day of _____ 2008



Chester A. Hawkins
Sheriff

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

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,

Vs.

Kevin T. Longe,

Defendant.

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

No.: 2008-1499-CD

To the Prothonotary:

Issue Writ of Execution in the above matter:

AMOUNT DUE	\$107,385.42
INTEREST	
From 12/03/2008 to Date of Sale at	\$
\$17.65 per diem	
Attorney's Fees	
(Costs to be added)	\$
TOTAL DUE	\$
Prothonotary costs	135.00


Mary L. Harbert-Bell
Attorney for Plaintiff

{00311979}

FILED 100 @lewnits
B11/52 Ad w/prop. desc.
JAN 15 2009 to Sheriff
S William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 20.00
GQ

All that certain messuage, tenement and tract of land situate, lying and being in the Township of Karthaus, County of Clearfield and the Commonwealth of Pennsylvania, being bounded and described as follows:

Beginning at an iron pin; said pin being North 7° 30' West, a distance of 553 feet from an iron pin adjacent to a Red Oak Tree at the Southeast corner now or formerly of the Thomas F. Longe 25 acre tract; thence along lands now or formerly of Thomas F. Longe South 75° 10' West a distance of 240 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 22° 12' West a distance of 490 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 77° East a distance of 436 feet to an iron pin; thence South 71 30' East a distance of 277 feet to the place of beginning.

**Being known as 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845
Tax Parcel Number: 121-S04-000-00079**

SEIZED, taken in execution to be sold as the property of Kevin T. Longe, at the suit of The Bank of New York as Trustee for Equity One Inc. Mortgage/pass Through Certificate Series # 2002-5, Judgment No. 2008-1499-CD.

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400
Attorney for Plaintiff

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,

Vs.

Kevin T. Longe,

Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD

**AFFIDAVIT OF SERVICE
PURSUANT TO RULE 3129.1**

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

**The Bank of New York as Trustee for Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,** Plaintiff in the above entitled cause of action, sets forth as of the date the praecipe for writ of execution was filed the following information concerning the real property located at 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845:

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

Kevin T. Longe
343 Longes Mountain Road
a/k/a PO Box 166
Karthaus, PA 16845

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

Same as above

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

None Known

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

{00311979}

The Bank of New York as Trustee for Equity
One Inc. Mortgage/pass Through Certificate
Series # 2002-5
(Plaintiff herein)
20 Broad Street
New York, NY 10005

CNB Bank
1 South 2nd Street
Clearfield, PA 16830-0042

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

None Known

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:

None Known

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

Tenant/Occupant
343 Longes Mountain Road a/k/a PO Box 166
Karthaus, PA 16845

Department of Domestic Relations
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

Commonwealth of Pennsylvania
Department of Welfare
P.O. Box 2675
Harrisburg, PA 17105

I verify that the statements made in the 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. Section 4904 relating to unsworn falsification to
authorities.



Mary L. Harbert-Bell, Esquire
Attorney for Plaintiff

Date: January 5, 2009

{00311979}

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

**The Bank of New York as Trustee for
Equity One Inc. Mortgage/pass Through
Certificate Series # 2002-5,**

Plaintiff,
Vs.

Kevin T. Longe,
Defendant.

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

No.: 2008-1499-CD

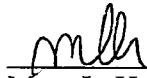
CERTIFICATION

CERTIFICATION

Mary L. Harbert-Bell, Esquire, hereby verifies that she is attorney for the Plaintiff in the above captioned matter, and that the premises are not subject to the provisions of Act 91 because it is:

- An FHA Mortgage
- Non-owner occupied
- Vacant
- Act 91 Procedures have been fulfilled

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



Mary L. Harbert-Bell, Esquire
Attorney for Plaintiff

Date: January 5, 2009

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

Bank of New York as Trustee for
Equity One Inc. Mortgage/pass through
Certificate Series #2002-5

Vs.

NO.: 2008-01499-CD

Kevin T. Longe

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:

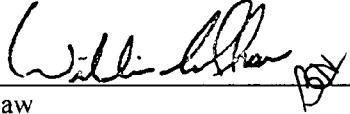
(1) See Attached Description

AMOUNT DUE/PRINCIPAL: \$107,385.42
INTEREST FROM 12/03/2008 to date
of sale at \$17.65 per diem:
ATTY'S COMM: \$
DATE: 1/15/2009

PROTH. COSTS PAID: \$135.00
SHERIFF: \$
OTHER COSTS: \$

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Sheriff



William A. Shaw
Prothonotary/Clerk Civil Division

Requesting Party: Mary L. Harbert-Bell, Esq.
220 Lake Drive East, Ste. 301
Cherry Hill, NJ 08002
(856) 482-1400

All that certain messuage, tenement and tract of land situate, lying and being in the Township of Karthaus, County of Clearfield and the Commonwealth of Pennsylvania, being bounded and described as follows:

Beginning at an iron pin; said pin being North 7° 30' West, a distance of 553 feet from an iron pin adjacent to a Red Oak Tree at the Southeast corner now or formerly of the Thomas F. Longe 25 acre tract; thence along lands now or formerly of Thomas F. Longe South 75° 10' West a distance of 240 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 22° 12' West a distance of 490 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 77° East a distance of 436 feet to an iron pin; thence South 71 30' East a distance of 277 feet to the place of beginning.

**Being known as 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845
Tax Parcel Number: 121-S04-000-00079**

SEIZED, taken in execution to be sold as the property of Kevin T. Longe, at the suit of The Bank of New York as Trustee for Equity One Inc. Mortgage/pass Through Certificate Series # 2002-5, Judgment No. 2008-1499-CD.

MILSTEAD & ASSOCIATES, LLC
BY: Mary L. Harbert-Bell, Esquire
ID No. 80763
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400
Attorney for Plaintiff

5
FILED ICC Atty
m/12/09 cm Harbert-Bell
APR 13 2009
W.M.

William A. Shaw
Prothonotary/Clerk of Courts

**The Bank of New York as Trustee for Equity
One Inc. Mortgage/pass Through Certificate
Series # 2002-5,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

NO.: 2008-1499-CD

Vs.

**AFFIDAVIT PURSUANT TO
Pa.R.C.P. 3129.2**

Kevin T. Longe,

Defendant.

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

I, Mary L. Harbert-Bell, Esquire, being duly sworn according to law upon my oath, depose and say,

1. On February 20, 2009, a copy of the Notice of Sheriff's Sale of Real Property was served upon the defendant, Kevin T. Longe, by a private process server. A copy of the service return is attached hereto and made a part hereof as Exhibit "A".
2. On February 23, 2009, a notice of Sheriff's Sale was served upon lien holders of record and interested parties by ordinary mail. A copy of the certificate of mailing is attached hereto and made a part hereof as Exhibit "B".



Mary L. Harbert-Bell, Esquire
Attorney ID No. 80763
Milstead and Associates, LLC

Dated: April 2, 2009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
AFFIDAVIT OF SERVICE

THE BANK OF NEW YORK
(PLAINTIFF)
VS.

KEVIN T. LONGE
(DEFENDANT)

CASE and/or DOCKET: 2008-1499-CD

I, Ryan Marks, declare that I am a Pennsylvania State Constable and/or a Process Server, in and for the County of Berks, that I am not a party to this action, not an employee of a party to this action, or an attorney to the action, and that within the boundaries of the state where service was effected. I was authorized by law to perform the said service.

SERVICE UPON: KEVIN T. LONGE

ADDRESS: 343 LONGES MOUNTAIN RD. DARTHAUS PA 16845

ON: 2/20/09 AT: 4:45 pm

Description: approx. age 42 height 6'2" weight 225 face W sex M hair brn

With documents: NOTICE OF SHERIFFS SALE OF REAL PROPERTY

Manner of Service

By handing to:

DEFENDANT WAS PERSONALLY SERVED.
 ADULT WITH WHOM THE SAID DEFENDANT RESIDES.
Name _____ Relationship _____
 ADULT IN CHARGE OF DEFENDANT'S RESIDENCE.
Name _____ Relationship _____
 POSTED PROPERTY
 AGENT OR PERSON IN CHARGE OF PLACE OF BUSINESS.
Name _____ Title _____
 MILITARY STATUS: NO / YES BRANCH _____

COMMENTS: Made arrangements for service, responded to card left.

DEFENDANT WAS NOT SERVED BECAUSE:

MOVED UNKNOWN NO ANSWER VACANT OTHER: _____

SERVICE WAS ATTEMPTED ON THE FOLLOWING DATES / TIMES:

1.21/14/09 7:40 pm 2.2/15/09 10:30 am 3.

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 20 DAY OF
February, 2009

Twpn
NOTARY

Ryan Marks
CONSTABLE / PROCESS SERVER

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
TERESA A. MINZOLA, Notary Public
Washington Twp., Berks County
My Commission Expires December 5, 2009

1.09009

NAME AND ADDRESS OF SENDER			INDICATE TYPE OF MAIL			CHECK APPROPRIATE BLOCK FOR			POSTMARK AND DATE OF RECEIPT			
MILSTEAD & ASSOCIATES, LLC Woodland Falls Corporate Park 220 Lake Drive East, Suite 301 Cherry Hill, NJ 08002			<input checked="" type="checkbox"/> Certificate Mailing <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified Mail			<input type="checkbox"/> 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	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due If C.O.D.	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Tenant/Occupant 343 Longes Mountain Road a/k/a PO Box 166 Karthaus, PA 16845										
2		Department of Domestic Relations Clearfield County Courthouse 230 E. Market Street Clearfield, PA 16830										
3		Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg, PA 17105										
4		CNB Bank 1 South 2 nd Street Clearfield, PA 16830-0042										
5												
6												
7												
8												
Total Number of Pieces Listed by Sender			POSTMASTER, PER (Name of receiving employee) <i>je</i>			The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.						
PS FORM 3877			1.09009			FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL						
{00179059}												

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20907

NO: 08-1499-CD

PLAINTIFF: THE BANK OF NEW YORK AS TRUSTEE FOR EQUITY ONE INC. MORTGAGE/PASS THROUGH
CERTIFICATE SERIES #2002-5

vs.

DEFENDANT: KEVIN T. LONGE

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 1/15/2009

LEVY TAKEN 2/11/2009 @ 9:30 AM

POSTED 2/11/2009 @ 9:28 AM

SALE HELD 4/3/2009

SOLD TO THOMAS F. LONGE AND DOROTHY B. LONGE

SOLD FOR AMOUNT \$60,000.00 PLUS COSTS

WRIT RETURNED 4/22/2009

DATE DEED FILED 4/22/2009

PROPERTY ADDRESS 343 LONGES MOUNTAIN ROAD A/K/A P.O. BOX 166 KARTHAUS , PA 16845

SERVICES

2/11/2009 @ 9:30 AM SERVED KEVIN T. LONGE

SERVED KEVIN T. LONGE, DEFENDANT, AT 343 LONGS MOUNTAIN ROAD, KARTHAUS, CLEARFIELD COUNTY, PENNSYLVANIA BY
HANDING TO KEVIN T. LONGE

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.

FILED
01312554
APR 22 2009
S
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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SHERIFF RETURN

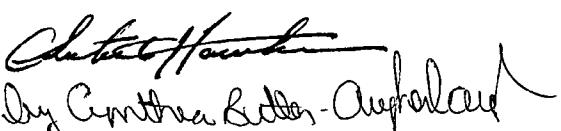
SHERIFF HAWKINS \$1,414.64

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

____ Day of _____ 2008

So Answers,


by Cynthia Bitter-Aufdach
Chester A. Hawkins
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Bank of New York as Trustee for
Equity One Inc. Mortgage/pass through
Certificate Series #2002-5

Vs.

NO.: 2008-01499-CD

Kevin T. Longe

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:

(1) See Attached Description

AMOUNT DUE/PRINCIPAL: \$107,385.42
INTEREST FROM 12/03/2008 to date
of sale at \$17.65 per diem:
ATTY'S COMM: \$
DATE: 1/15/2009

PROTH. COSTS PAID: \$135.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 15th day
of January A.D. 2009
At 8:00 A.M./P.M.

Requesting Party: Mary L. Harbert-Bell, Esq.
220 Lake Drive East, Ste. 301
Cherry Hill, NJ 08002
(856) 482-1400

Chapman A. Hawkins
Sheriff by Captain Brian Butter - Asst. Sheriff

All that certain messuage, tenement and tract of land situate, lying and being in the Township of Karthaus, County of Clearfield and the Commonwealth of Pennsylvania, being bounded and described as follows:

Beginning at an iron pin; said pin being North 7° 30' West, a distance of 553 feet from an iron pin adjacent to a Red Oak Tree at the Southeast corner now or formerly of the Thomas F. Longe 25 acre tract; thence along lands now or formerly of Thomas F. Longe South 75° 10' West a distance of 240 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 22° 12' West a distance of 490 feet to an iron pin; thence along lands now or formerly of Thomas F. Longe North 77° East a distance of 436 feet to an iron pin; thence South 71 30' East a distance of 277 feet to the place of beginning.

**Being known as 343 Longes Mountain Road a/k/a PO Box 166, Karthaus, PA 16845
Tax Parcel Number: 121-S04-000-00079**

SEIZED, taken in execution to be sold as the property of Kevin T. Longe, at the suit of The Bank of New York as Trustee for Equity One Inc. Mortgage/pass Through Certificate Series # 2002-5, Judgment No. 2008-1499-CD.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME KEVIN T. LONGE

NO. 08-1499-CD

NOW, April 22, 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 April 03, 2009, I exposed the within described real estate of Kevin T. Longe to public revenue or outcry at which time and place I sold the same to THOMAS F. LONGE AND DOROTHY B. LONGE he/she being the highest bidder, for the sum of \$60,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	25.30
LEVY	15.00
MILEAGE	5.30
POSTING	15.00
CSDS	10.00
COMMISSION	1,200.00
POSTAGE	5.04
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	60,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	4.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$1,414.64

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	1,669.92
TOTAL DEED COSTS	\$1,699.42

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	107,385.42
INTEREST @ 17.6500 %	2,135.65
FROM 12/03/2008 TO 04/03/2009	
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	\$109,541.07
COSTS:	
ADVERTISING	377.50
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	1,699.42
SHERIFF COSTS	1,414.64
LEGAL JOURNAL COSTS	216.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$3,987.56

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