

08-1732-CD  
HSBC Bank vs Dennis Moore et al

McCABE, WEISBERG AND CONWAY, P.C.  
BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

Attorneys for Plaintiff

HSBC bank, USA, National Association, as Indenture Trustee  v.  Dennis E. Moore, Tena R. Jacox and Occupants	CLEARFIELD COUNTY  COURT OF COMMON PLEAS  Number: <u>2008- 1732 - CD</u>
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**COMPLAINT IN EJECTMENT**

pa 895.00 Atty  
FILED 3CC Shff  
m 11:50 am SEP 15 2008 1CC Atty  
JAS

William A. Shaw  
Prothonotary/Clerk of Courts

## NOTICE

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

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

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

## AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar 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 defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, 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 SUFFICIENTE DE PAGAR TAL SERVICO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

**McCABE, WEISBERG AND CONWAY, P.C.**

**BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
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**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
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**FRANK DUBIN, ESQUIRE - ID # 19280**

**Attorneys for Plaintiff**

**123 South Broad Street, Suite 2080**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

<p>HSBC bank, USA, National Association, as Indenture Trustee 10790 Rancho Bernardo Road San Diego, California 92127</p> <p>vs.</p> <p>Dennis E. Moore, Tena R. Jacox and Occupants 1811 Daisy Street Ex. Clearfield, Pennsylvania 16830</p>	<p>CLEARFIELD COUNTY COURT OF COMMON PLEAS Number: _____</p>
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**COMPLAINT IN EJECTMENT**

1. Plaintiff is the owner of the premises commonly known as 1811 Daisy Street Ex. Clearfield, Pennsylvania 16830, pursuant to a Sheriff's Deed which was recorded on August 29, 2008 , as Instrument/Document No. 200814084, and is incorporated herein by reference, and which has the legal description attached as Exhibit "A".

2. Plaintiff acquired title by reason of a Sheriff's Sale conducted by the Sheriff of Clearfield County on July 11, 2008, by reason of Writ of Execution issued out of Clearfield County Court of Common Pleas, Number 07-1189-CD at the suit of HSBC bank, USA, National Association, as Indenture Trustee vs. Dennis E. Moore and Tena R. Jacox.

3. Defendants are in possession of the foregoing described premises without title, color of title, or benefit of a lease from Plaintiff.

4. Defendants are wrongfully and unlawfully in possession of the premises.

5. Defendants have no rights of possession to said premises.

6. By reason of the aforesaid Sheriff's sale, Plaintiff holds paramount title to the premises but Defendants continue to unlawfully and willfully retain possession and keep Plaintiff out of possession thereof and refuse to vacate and deliver up the said premises to Plaintiff.

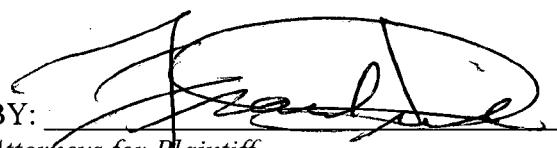
7. No landlord tenant relationship exists between Plaintiff and Defendants, either written or oral, express or implied, and no such relationship was created as a result of the mortgage foreclosure.

8. Because there is no landlord tenant relationship - this is an action in ejectment, not eviction - there is no requirement to give Defendants a notice to quit or vacate the premises. Further, the commencement of an action in foreclosure culminating in a sheriff's sale, followed by the filing of a complaint in ejectment should have put Defendants on notice that Plaintiff intends to recover full interest, title, and possession of the premises.

9. Notwithstanding the aforesaid, Defendants have willfully remained in possession of Plaintiff's property and refuse, and still refuse to vacate the premises and continue to occupy the same.

WHEREFORE, Plaintiff demands a judgment be entered in its favor for possession of the property.

McCABE, WEISBERG, AND CONWAY, P.C.

BY: 

*Attorneys for Plaintiff*

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

VERIFICATION

The undersigned, hereby verifies that he is the attorney for the Plaintiff in this action, that I am familiar with the matters set forth in the within action, that I am authorized to make this verification, that the foregoing facts are true and correct to the best of my knowledge, information and belief and further state that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

McCABE, WEISBERG, AND CONWAY, P.C.

BY:

*Terrence J. McCabe*  
Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE

MARC S. WEISBERG, ESQUIRE

EDWARD D. CONWAY, ESQUIRE

MARGARET GAIRO, ESQUIRE

FRANK DUBIN, ESQUIRE

# **EXHIBIT A**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Lawrence, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEING LOT NO. 86 in the Plot or Plan of Lots known as Weaverhurst, being bounded on the North by Daisy Street Extension; on the South by a Sixteen (16) foot alley; on the East by a Sixteen (16) foot alley and then Lot No. 87; and on the West by Lot No. 85.

BEING approximately Fifty and Five Hundredths (50.05) feet in width and extending back at uniform depth One Hundred Forty-seven and Seven-tenths (147.7) feet.

HAVING THEREON ERECTED a dwelling house.

BEING KNOWN AS 1811 Daisy Street Ext, Clearfield, PA 16830.

BEING TAX PARCEL NO. 123-L08-275-00002 and PIN 1230-86757.

BEING THE SAME PREMISES which Stephen L. Rousan and Frances A. Rousan, his wife, by Deed dated December 22, 2004 and recorded January 3, 2005 in Instrument No. 200500030, granted and conveyed unto Dennis E. Moore and Tena R. Jacox, as joint tenants with the right of survivorship.

UNDER AND SUBJECT to, and together with, any and all covenants, easements, restrictions, reservations, exceptions, and rights of way of record.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

NOTICE - THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE(S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT TO PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HERETO TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1732-CD

HSBC bank, USA,  
vs  
DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS  
COMPLAINT IN EJECTMENT

SERVICE # 1 OF 3

SERVE BY: 10/15/2008 HEARING: PAGE: 104663

DEFENDANT: DENNIS E. MOORE  
ADDRESS: 1811 DAISY ST. EX.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

FILED

03:30 PM  
SEP 25 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, THIS 25th day of Sept 2008 AT 1:30 AM / PM SERVED THE WITHIN

COMPLAINT IN EJECTMENT ON DENNIS E. MOORE, DEFENDANT

BY HANDING TO TENA JACOX G.R./PR/EMD

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

ADDRESS SERVED 1811 DAISY ST CLPD.

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EJECTMENT FOR DENNIS E. MOORE

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO DENNIS E. MOORE

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Deputy George F. Detmers  
Deputy Signature

Deputy George F. Detmers  
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1732-CD

HSBC bank, USA,  
vs

DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS  
COMPLAINT IN EJECTMENT

SERVICE # 2 OF 3

SERVE BY: 10/15/2008 HEARING: PAGE: 104663

DEFENDANT: TENA R. JACOX  
ADDRESS: 1811 DAISY ST. EX.  
CLEARFIELD, PA 16830

**FILED**

*0/3.30/08*  
**SEP 25 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, the 25th day of Sept 2008 AT 1:30 AM / PM SERVED THE WITHIN

COMPLAINT IN EJECTMENT ON TENA R. JACOX, DEFENDANT

BY HANDING TO TENA JACOX, Def

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

ADDRESS SERVED 1811 DAISY ST CLFD

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EJECTMENT FOR TENA R. JACOX

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO TENA R. JACOX

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Dee George F. Hawkins  
Deputy Signature

Dee George F. Hawkins  
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1732-CD

HSBC bank, USA,

vs

DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS  
COMPLAINT IN EJECTMENT

SERVICE # 3 OF 3

SERVE BY: 10/15/2008

HEARING:

PAGE: 104663

FILED

0/3:30 AM

SEP 25 2008

William A. Shaw  
Prothonotary/Clerk of Courts

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: OCCUPANT

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, this 25th day of Sept 2008 AT 1:30 AM / PM SERVED THE WITHIN

COMPLAINT IN EJECTMENT ON OCCUPANT, DEFENDANT

BY HANDING TO TENA JACOX / Def

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

ADDRESS SERVED 1811 Daisy ST CLEFD

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EJECTMENT FOR OCCUPANT

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO OCCUPANT

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Dee George F. Dehaven  
Deputy Signature

Dee George F. Dehaven  
Print Deputy Name

McCABE, WEISBERG AND CONWAY, P.C.  
BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

Attorneys for Plaintiff

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

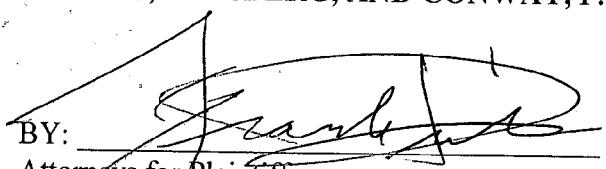
P R A E C I P E

TO THE PROTHONOTARY:

Kindly enter judgment for possession against the Defendants Dennis E. Moore, Tena R. Jacox and Occupants in the above-captioned matter for failure to answer Complaint in twenty days as required by Pennsylvania Rules of Civil Procedure.

Premises: 1811 Daisy Street Ex., Clearfield, Pennsylvania 16830

McCABE, WEISBERG, AND CONWAY, P.C.

BY: 

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

FILED Atty pd. 20.00  
11:39 AM  
NOV 13 2008 ICC Notice  
to Defs.

William A. Shaw  
Prothonotary/Clerk of Courts

61

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

**William A. Shaw**  
Prothonotary

Dennis E. Moore  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

**NOTICE**

Pursuant to Rule 236, you are hereby notified that a JUDGMENT has been entered in the  
above proceeding as indicated below.

  
William A. Shaw 11/3/08  
Prothonotary

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession

If you have any questions concerning this Judgment, please call

Frank Dubin, Esquire at (215) 790-1010.

COPIED  
11/3/08

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

William A. Shaw  
Prothonotary

Tena R. Jacox  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

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*William A. Shaw* 11/3/08  
William A. Shaw  
Prothonotary

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession

If you have any questions concerning this Judgment, please call

Frank Dubin, Esquire at (215) 790-1010.

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

*COPY*

William A. Shaw  
Prothonotary

Occupants  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

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*William A. Shaw* 11/13/08  
William A. Shaw  
Prothonotary

- Judgment by Default
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- Judgment for Possession

If you have any questions concerning this Judgment, please call

Frank Dubin, Esquire at (215) 790-1010.

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC bank, USA, National Association, as  
Indenture Trustee

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Number 2008-1732-CD

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA:

SS.

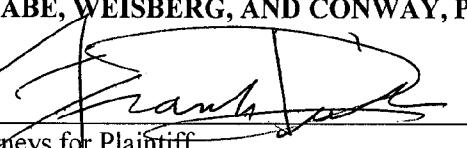
COUNTY OF PHILADELPHIA:

The undersigned, being duly sworn according to law, deposes and says that the Defendants are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940 as amended; and that the Defendants, Dennis E. Moore, Tena R. Jacox and Occupants , are over eighteen (18) years of age, and reside at 1811 Daisy Street Ex., Clearfield, Pennsylvania 16830.

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 28th DAY OF October,  
2008.

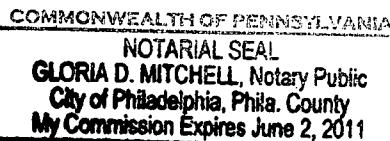
**McCABE, WEISBERG, AND CONWAY, P.C.**

BY:

  
Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

gloria D. Mitchell  
NOTARY PUBLIC



**McCABE, WEISBERG AND CONWAY, P.C.**

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

**CERTIFICATION**

The undersigned attorney for Plaintiff, being duly sworn according to law, deposes and says that he deposited in the United States Mail letters notifying the Defendants that judgment would be entered against them within ten (10) days from the date of said letters in accordance with Rule 237.1 of the Pennsylvania Rules of Civil Procedure. Copies of said letters are attached hereto and marked as Exhibit "A".

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 28th DAY OF October,  
2008.

**McCABE, WEISBERG, AND CONWAY, P.C.**

BY:

Attorneys for Plaintiff  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

Gloria D. Mitchell  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

GLORIA D. MITCHELL, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires June 2, 2011

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse, Clearfield, Pennsylvania 16830

William A. Shaw  
Prothonotary

October 16, 2008

Tena R. Jacox  
1811 Daisy Street Ext.  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as Indenture  
Trustee

v.

Dennis E. Moore, Tena R. Jacox and Occupants

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
Number 2008-1732-CD

**NOTICE, RULE 237.5  
NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT**

**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 (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.

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

**NOTIFICACION IMPORTANTE**

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER PRESENTADO UNA COMPARCENCIA ESCRITA, YA SEA PERSONALMENTE O POR ABOGADO Y POR NO HABER RADICADO POR ESCRITO CON ESTE TRIBUNAL SUS DEFENSAS U OBJECCIONES A LOS RECLAMOS FORMULADOS EN CONTRA SUYO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE DIEZ (10) DIAS DE LA FECHA DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARCER USTED EN CORTE U OIR PRUEBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA Y USTED PODRIA PERDER BIENES U OTROS DERECHOS IMPORTANTES.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONICA LA OFICINA EXPUESTO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACION ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.

Dave Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

McCABE, WEISBERG AND CONWAY, P.C.

BY:

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

mqy

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse, Clearfield, Pennsylvania 16830

William A. Shaw  
Prothonotary

October 16, 2008

Dennis E. Moore  
1811 Daisy Street Ext  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as Indenture  
Trustee

v.

Dennis E. Moore, Tena R. Jacox and Occupants

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

Number 2008-1732-CD

**NOTICE, RULE 237.5  
NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT**

**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 (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.

Dave Meholick  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

**NOTIFICACION IMPORTANTE**

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER PRESENTADO UNA COMPARCENCIA ESCRITA, YA SEA PERSONALMENTE O POR ABOGADO Y POR NO HABER RADICADO POR ESCRITO CON ESTE TRIBUNAL SUS DEFENSAS U OBJECCIONES A LOS RECLAMOS FORMULADOS EN CONTRA SUYO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE DIEZ (10) DIAS DE LA FECHA DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARCER USTED EN CORTE U OIR PRUEBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA Y USTED PODRIA PERDER BIENES U OTROS DERECHOS IMPORTANTES.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONEA LA OFICINA EXPUSO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACION ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELIGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.

Dave Meholick  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641 x 5982

McCABE, WEISBERG AND CONWAY, P.C.

BY:   
Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

mqy

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse, Clearfield, Pennsylvania 16830

William A. Shaw  
Prothonotary

October 16, 2008

Occupants  
1811 Daisy Street Ext.  
Clearfield, Pennsylvania 16830

HSBC bank, USA, National Association, as Indenture  
Trustee

v.

Dennis E. Moore, Tena R. Jacox and Occupants

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

Number 2008-1732-CD

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Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
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(814) 765-2641 x 5982

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Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
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(814) 765-2641 x 5982

McCABE, WEISBERG AND CONWAY, P.C.

BY:

Attorneys for Plaintiff

TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

mqy

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC bank, USA, National Association, as  
Indenture Trustee

Attorneys for Plaintiff

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Number 2008-1732-CD

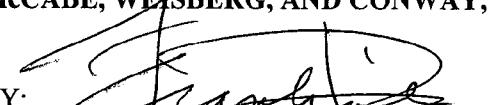
**AFFIDAVIT OF LAST-KNOWN ADDRESS OF DEFENDANTS**

I, the undersigned, attorney for the Plaintiff in the within matter, being duly sworn according to law, hereby deposes and says that to the best of my information, knowledge and belief, the last-known address of the Defendants are as follows:

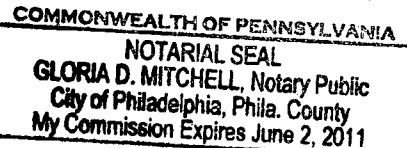
Dennis E. Moore, Tena R. Jacox and Occupants  
1811 Daisy Street Ex., Clearfield, Pennsylvania 16830

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 28th DAY OF October,  
2008.

**McCABE, WEISBERG, AND CONWAY, P.C.**

BY:   
Attorneys for Plaintiff  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

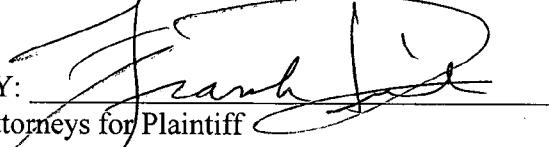
Gloria D. Mitchell  
NOTARY PUBLIC



**VERIFICATION**

The undersigned, hereby certifies that he is the attorney for the Plaintiff in the within action and that he is authorized to make this verification and that the foregoing facts are true and correct to the best of his knowledge, information and belief and further states that false statements herein are made subject to the penalties of 18 P.A.C.S. Section 4909 relating to unsworn falsification to authorities.

McCABE, WEISBERG, AND CONWAY, P.C.

BY: 

Attorneys for Plaintiff  
**TERRENCE J. McCABE, ESQUIRE**  
**MARC S. WEISBERG, ESQUIRE**  
**EDWARD D. CONWAY, ESQUIRE**  
**MARGARET GAIRO, ESQUIRE**  
**FRANK DUBIN, ESQUIRE**

**FILED**

**NOV 13 2008**

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

McCABE, WEISBERG AND CONWAY, P.C.  
BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Attorneys for Plaintiff

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

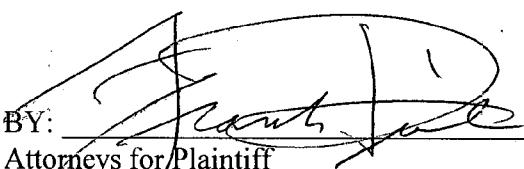
**PRAECIPE FOR WRIT OF POSSESSION**

TO THE PROTHONOTARY:

Kindly issue Writ of Possession in the above-captioned matter.

1811 Daisy Street Ex., Clearfield, Pennsylvania 16830

McCABE, WEISBERG, AND CONWAY, P.C.

BY: 

Attorneys for Plaintiff  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

FILED Atty pd. 20.00

NOV 13 2008 3 CCs & 6 wks w/ prop.  
desc. to Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

(61)

**COURT OF COMMON PLEAS**

2008-1732-CD

HSBC bank, USA, National Association, as  
Indenture Trustee

vs.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Property: 1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

**WRIT OF POSSESSION**

*McCABE, WEISBERG AND  
CONWAY, P.C.*

TERRENCE J. McCABE, ESQUIRE - ID # 16496

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

FRANK DUBIN, ESQUIRE - ID # 19280  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109

(215) 790-1010

McCABE, WEISBERG AND CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

HSBC bank, USA, National Association, as  
Indenture Trustee

v.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Attorneys for Plaintiff

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Number 2008-1732-CD

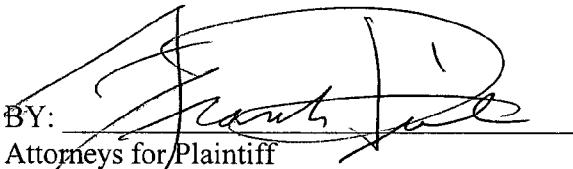
**PRAECIPE FOR WRIT OF POSSESSION**

TO THE PROTHONOTARY:

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1811 Daisy Street Ex., Clearfield, Pennsylvania 16830

McCABE, WEISBERG, AND CONWAY, P.C.

BY: 

Attorneys for Plaintiff  
TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
FRANK DUBIN, ESQUIRE

FILED Atty pd. 20.00

NOV 13 2008 3CC&Lownis w/prop.  
desc. to Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

(61)

**FILED**

**NOV 13 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse

COPIED

HSBC bank, USA, National Association, as  
Indenture Trustee  
vs.  
Dennis E. Moore, Tena R. Jacox and  
Occupants  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
Number: 2008-1732-CD

**WRIT OF POSSESSION**

Commonwealth of Pennsylvania                    }  
County of Clearfield                            }

To the Sheriff of Clearfield County:

(1) To satisfy the judgment for possession in the above matter you are directed to  
deliver possession of the following described property to HSBC bank, USA, National  
Association, as Indenture Trustee:

**1811 Daisy Street Ex., Clearfield, Pennsylvania 16830**

(more fully described in legal description attached)

Prothonotary

BY: Willie Thompson

DATE: 11/13/08

**COURT OF COMMON PLEAS**

2008-1732-CD

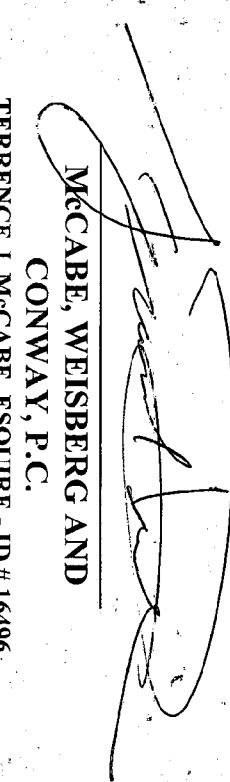
HSBC bank, USA, National Association, as  
Indenture Trustee

vs.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Property: 1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

**WRIT OF POSSESSION**

  
**McCABE, WEISBERG AND**

**CONWAY, P.C.**

TERRENCE J. McCABE, ESQUIRE - ID # 16496

MARC S. WEISBERG, ESQUIRE - ID # 17616

EDWARD D. CONWAY, ESQUIRE - ID # 34687

MARGARET GAIRO, ESQUIRE - ID # 34419

FRANK DUBIN, ESQUIRE - ID # 19280  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

## Know all Men by these Presents,

That I, **Chester A. Hawkins**, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$1.00 plus costs, to me in hand, do hereby grant and convey to HSBC BANK, USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, the following described property, to wit:

### LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Lawrence, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEING LOT NO. 86 in the Plot or Plan of Lots known as Weaverhurst, being bounded on the North by Daisy Street Extension; on the South by a Sixteen (16) foot alley; on the East by a Sixteen (16) foot alley and then Lot No. 87; and on the West by Lot No. 85.

BEING approximately Fifty and Five Hundredths (50.05) feet in width and extending back at uniform depth One Hundred Forty and Seven-tenths (140.7) feet.

HAVING THEREON ERECTED a dwelling house.

BEING KNOWN AS 1811 Daisy Street Ext, Clearfield, PA 16830.

BEING TAX PARCEL NO. 123-L08-275-00002 and PIN 1230-86757.

BEING THE SAME PREMISES which Stephen L. Rousan and Frances A. Rousan, his wife, by Deed dated December 22, 2004 and recorded January 3, 2005 in Instrument No. 200500030, granted and conveyed unto Dennis E. Moore and Tena R. Jacox, as joint tenants with the right of survivorship.

UNDER AND SUBJECT to, and together with, any and all covenants, easements, restrictions, reservations, exceptions, and rights of way of record.

NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1732-CD

HSBC bank, USA, National Association, as Indenture Trustee  
vs  
DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS  
WRIT OF POSSESSION

SERVICE # 1 OF 1

5  
FILED  
01/27/09  
JAN 02 2009

SERVE BY: 12/08/2008 ASAP HEARING: PAGE: 104933

William A. Shaw  
Prothonotary/Clerk of Courts

DEFENDANT: DENNIS E. MOORE, TENA R. JACOX or OCCUPANTS  
ADDRESS: 1811 DAISY ST. EX.  
CLEARFIELD, PA 16830

INFORM INDIVIDUAL(S) SERVED THAT  
THEY HAVE **TEN (10) DAYS** FROM  
DATE OF SERVICE TO VACATE  
PREMISES

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

VACANT  OCCUPIED

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

ATTEMPTS

House Empty

**SHERIFF'S RETURN**

NOW, \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **SERVED** THE WITHIN

WRIT OF POSSESSION ON DENNIS E. MOORE, TENA R. JACOX or OCCUPANTS, DEFENDANT

BY HANDING TO \_\_\_\_\_ / \_\_\_\_\_

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

ADDRESS SERVED \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **POSTED** THE WITHIN

WRIT OF POSSESSION FOR DENNIS E. MOORE, TENA R. JACOX or OCCUPANTS

AT (ADDRESS) \_\_\_\_\_

NOW 1-2-09 AT 8:30 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO DENNIS E. MOORE, TENA R. JACOX or OCCUPANTS

REASON UNABLE TO LOCATE House Empty

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

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse

HSBC bank, USA, National Association, as  
Indenture Trustee  
vs.  
Dennis E. Moore, Tena R. Jacox and  
Occupants  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
Number: 2008-1732-CD

**WRIT OF POSSESSION**

Commonwealth of Pennsylvania                            }  
County of Clearfield                                    }

To the Sheriff of Clearfield County:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property to HSBC bank, USA, National Association, as Indenture Trustee:

**1811 Daisy Street Ex., Clearfield, Pennsylvania 16830**

(more fully described in legal description attached)

Prothonotary

Received this writ this 13 day  
of Nov A.D. 2008  
At 3:00 A.M./P.M.

BY: Walt Ober

Clyster A. Hanley  
Sheriff  
by Manly Hanley

DATE: 11/13/08

## Know all Men by these Presents,

That I, **Chester A. Hawkins**, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$1.00 plus costs, to me in hand, do hereby grant and convey to HSBC BANK, USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, the following described property, to wit:

### LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Lawrence, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEING LOT NO. 86 in the Plot or Plan of Lots known as Weaverhurst, being bounded on the North by Daisy Street Extension; on the South by a Sixteen (16) foot alley; on the East by a Sixteen (16) foot alley and then Lot No. 87; and on the West by Lot No. 85.

BEING approximately Fifty and Five Hundredths (50.05) feet in width and extending back at uniform depth One Hundred Forty and Seven-tenths (140.7) feet.

HAVING THEREON ERECTED a dwelling house.

BEING KNOWN AS 1811 Daisy Street Ext, Clearfield, PA 16830.

BEING TAX PARCEL NO. 123-L08-275-00002 and PIN 1230-86757.

BEING THE SAME PREMISES which Stephen L. Rousan and Frances A. Rousan, his wife, by Deed dated December 22, 2004 and recorded January 3, 2005 in Instrument No. 200500030, granted and conveyed unto Dennis E. Moore and Tena R. Jacox, as joint tenants with the right of survivorship.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104933  
NO: 08-1732-CD  
SERVICES 1  
WRIT OF POSSESSION

PLAINTIFF: HSBC bank, USA, National Association, as Indenture Trustee  
vs.  
DEFENDANT: DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MCCABE	40827	10.00
SHERIFF HAWKINS	MCCABE	40827	16.00

2  
FILED  
010:50 AM  
JAN 07 2009  
WM  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2009  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Chester A. Hawkins  
Sheriff

U

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield County Courthouse

HSBC bank, USA, National Association, as  
Indenture Trustee  
vs.  
Dennis E. Moore, Tena R. Jacox and  
Occupants  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
Number: 2008-1732-CD

**WRIT OF POSSESSION**

Commonwealth of Pennsylvania                                    }  
County of Clearfield    }

To the Sheriff of Clearfield County:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property to HSBC bank, USA, National Association, as Indenture Trustee:

**1811 Daisy Street Ex., Clearfield, Pennsylvania 16830**

(more fully described in legal description attached)

Prothonotary

Received this writ this 13 day  
of Nov A.D. 2008  
At 3:00 A.M./P.M.

Chester A. Haupers  
Sheriff      by Marcy Hause

BY: Willie M. Ober

DATE: 11/13/08

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That I, **Chester A. Hawkins**, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$1.00 plus costs, to me in hand, do hereby grant and convey to HSBC BANK, USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, the following described property, to wit:

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NOTICE - THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L., 984 as amended, and is not intended as notice of unrecorded instruments, if any.)

OFFICE OF THE PROTHONOTARY

COURT OF COMMON PLEAS

Clearfield County Courthouse

HSBC bank, USA, National Association, as  
Indenture Trustee  
vs.  
Dennis E. Moore, Tena R. Jacox and  
Occupants  
1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

Number: 2008-1732-CD

**WRIT OF POSSESSION**

Commonwealth of Pennsylvania                    }  
County of Clearfield                            }

To the Sheriff of Clearfield County:

(1) To satisfy the judgment for possession in the above matter you are directed to  
deliver            possession of the following described property to HSBC bank, USA, National  
Association, as Indenture Trustee:

1811 Daisy Street Ex., Clearfield, Pennsylvania 16830

(more fully described in legal description attached)

Prothonotary

Received this writ this 13 day  
of Nov A.D. 2008  
A. 3:00 A.M. (P.M.)

BY: Willie Hausey

Chesler A. Hausey  
Sheriff by Nancy Hanr

DATE: 11/13/08

**COURT OF COMMON PLEAS**

2008-1732-CD

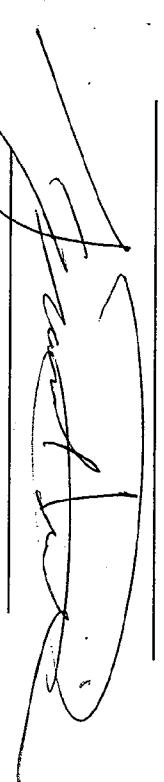
HSBC bank, USA, National Association, as  
Indenture Trustee

vs.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Property: 1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830

**WRIT OF POSSESSION**

  
McCABE, WEISBERG AND  
CONWAY, P.C.

TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

RECEIVED  
OCT 1 2008  
M.S.A.

## Know all Men by these Presents,

That I, **Chester A. Hawkins**, High Sheriff of the County of Clearfield, in the State of Pennsylvania, for and in consideration of the sum of \$1.00 plus costs, to me in hand, do hereby grant and convey to HSBC BANK, USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, the following described property, to wit:

### LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Lawrence, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEING LOT NO. 86 in the Plot or Plan of Lots known as Weaverhurst, being bounded on the North by Daisy Street Extension; on the South by a Sixteen (16) foot alley; on the East by a Sixteen (16) foot alley and then Lot No. 87; and on the West by Lot No. 85.

BEING approximately Fifty and Five Hundredths (50.05) feet in width and extending back at uniform depth One Hundred Forty and Seven-tenths (140.7) feet.

HAVING THEREON ERECTED a dwelling house.

BEING KNOWN AS 1811 Daisy Street Ext, Clearfield, PA 16830.

BEING TAX PARCEL NO. 123-L08-275-00002 and PIN 1230-86757.

BEING THE SAME PREMISES which Stephen L. Rousan and Frances A. Rousan, his wife, by Deed dated December 22, 2004 and recorded January 3, 2005 in Instrument No. 200500030, granted and conveyed unto Dennis E. Moore and Tena R. Jacox, as joint tenants with the right of survivorship.

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COURT OF COMMON PLEAS  
Clearfield County Courthouse**

**HSBC bank, USA, National Association, as  
Indenture Trustee**  
vs.  
**Dennis E. Moore, Tena R. Jacox and  
Occupants**  
**1811 Daisy Street Ex.**  
**Clearfield, Pennsylvania 16830**

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

## WRIT OF POSSESSION

**Commonwealth of Pennsylvania  
County of Clearfield } }**

**To the Sheriff of Clearfield County:**

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**1811 Daisy Street Ex., Clearfield, Pennsylvania 16830**

(more fully described in legal description attached)

## Prothonotary

Received this writ this 13 day  
of Nov. A.D. 1908  
A.M. 3:00 A.M.

BY: (Signature)

Clute A. Hawkins  
Sheriff by Marry [unclear]

DATE: 11/13/08

**COURT OF COMMON PLEAS**

**2008-1732-CD**

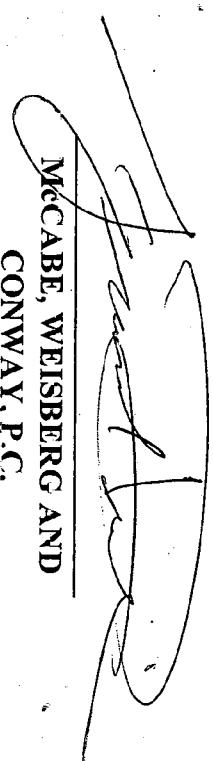
**HSBC bank, USA, National Association, as  
Indenture Trustee**

**vs.**

**Dennis E. Moore, Tena R. Jacox and  
Occupants**

**Property: 1811 Daisy Street Ex.  
Clearfield, Pennsylvania 16830**

**WRIT OF POSSESSION**

  
**McCABE, WEISBERG AND  
CONWAY, P.C.**

**TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARCS. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
FRANK DUBIN, ESQUIRE - ID # 19280  
123 South Broad Street, Suite 2080  
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(215) 790-1010**

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1811 Daisy Street Ex.  
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CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
Number: 2008-1732-CD

**WRIT OF POSSESSION**

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County of Clearfield                            }

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Association, as Indenture Trustee:

**1811 Daisy Street Ex., Clearfield, Pennsylvania 16830**

(more fully described in legal description attached)

Prothonotary

Received this writ this 13 day  
of Nov A.D. 2008  
At 3:00 A.M./P.M.

BY: William H. Thompson

Chester A. Hawley  
Sheriff by Marlyn Harr

DATE: 11/13/08

**COURT OF COMMON PLEAS**

2008-1732-CD

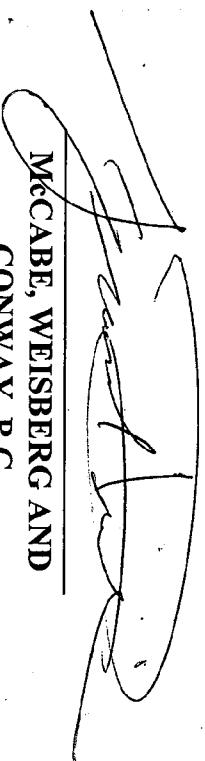
HSBC bank, USA, National Association, as  
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vs.

Dennis E. Moore, Tena R. Jacox and  
Occupants

Property: 1811 Daisy Street Ex.  
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**WRIT OF POSSESSION**

  
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CONWAY, P.C.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104663  
NO. 08-1732-CD  
SERVICES 3  
COMPLAINT IN EJECTMENT

PLAINTIFF: HSBC bank, USA,  
vs.  
DEFENDANT: DENNIS E. MOORE, TENA R. JACOX and OCCUPANTS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MCCABE	35218	30.00
SHERIFF HAWKINS	MCCABE	35218	32.00

5  
FILED  
03/14/08  
JUL 12 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2008



Chester A. Hawkins  
Sheriff