

08-2078-CD

Wells Fargo Bank vs Edward Holden

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

FILED

ATTY PAID 95.00

M 11:15 a.m. GK

OCT 30 2008

NO CC

William A. Shaw
Prothonotary/Clerk of Courts

1 COMPL. TO SHFF

Wells Fargo Bank National
Association, as Trustee for First
Franklin Mortgage Loan Trust
2004-FF5
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Edward Holden
177 Wayne Lane
Houtzdale, PA 16651
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 2008-2078-CD

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

August 6, 2009 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

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 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. 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. Meholick
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: First Franklin Financial Corp., a subsidiary of National City Bank of Indiana

Assignments of Record to: Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5 by: Saxon Mortgage Services, Inc. as its Attorney-in-Fact

Recording Date: 1/16/08 Instrument # 200800602

Assignor: Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5 by: Saxon Mortgage Services, Inc. as its Attorney-in-Fact

Assignee: Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5

Recording Date: **LODGED FOR RECORDING**

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: 177 Wayne Lane

MUNICIPALITY/TOWNSHIP/BOROUGH: Woodward Township

COUNTY: Clearfield

DATE EXECUTED: 4/27/04

DATE RECORDED: 10/8/04 Instrument # 200416533

The legal description of the mortgaged premises is attached hereto

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 10/14/08:

Principal of debt due	\$56,844.03
Unpaid Interest at 8.625% from 5/1/08 to 10/14/08 (the per diem interest accruing on this debt is \$13.43 and that sum should be added each day after 10/14/08)	2,217.46
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is \$110.52 and that sum should be added on the first of each month after 10/14/08)	918.05
Late Charges (monthly late charge of \$23.02 should be added in accordance with the terms of the note each month after 10/14/08)	92.08
Suspense Balance	(1,054.04)
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,842.20</u>
TOTAL	\$62,454.78

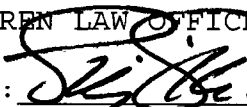
7. The attorney's fee set forth above are in conformity with

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. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$62,454.78 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 THOSE CERTAIN PIECES, PARCELS, OR LOTS OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF WOODWARD, COUNTY OF CLEARFIELD, AND STATE OF PENNSYLVANIA, BEING BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

THE FIRST THEREOF:

BEGINNING AT A STAKE 33 FEET FROM THE CENTER LINE OF THE MOSHANNON AND CLEARFIELD RAILROAD, BEARING NORTH 64° EAST 200 FEET FROM THE NORTHEAST CORNER OF RAILROAD AVENUE AND IRONWOOD STREET; THENCE BY SAID AVENUE, NORTH 64° EAST 100 FEET TO LOT NO. 10; THENCE THEREBY NORTH 2620 WEST 256.3 FEET TO RIGHT OF WAY OF BRANCH RAILROAD TO WOODWARD COLLIERY; THENCE THEREBY THE CENTER OF WHITESIDE RUN; THENCE MEANDERING THE SAME 100 FEET, MORE OR LESS, TO LOT NO. 12; THENCE THEREBY SOUTH 26° EAST 394.2 FEET TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING ALL THE COAL, FIRE CLAY, IRON AND OTHER MINERALS AND ALL SPRINGS AND STREAMS, TOGETHER WITH MINING RIGHTS AND RIGHT TO DIVERT, USE OF PIPE WATERS AS SET FORTH IN GRANTOR'S CHAIN OF TITLE.

THE SECOND THEREOF:

BEGINNING AT A STAKE AT THE SOUTHEASTERLY CORNER OF LOT NO. 11 OF WOODWARD VILLAGE, CONVEYED TO GEORGE STEIN BY DEED DATED MAY 6TH, 1897; THENCE THEREBY NORTH 26° 00' WEST 256.3 FEET TO A STAKE ON THE SOUTHERLY BANK OF WHITESIDE RUN; THENCE THEREBY IN A SOUTHEASTERLY DIRECTIONS DISTANCE OF 15 FEET TO A STAKE IN THE SOUTHERLY RIGHT OF WAY LINE OF THE OLD WOODWARD SIDING; THENCE THEREBY A CURVE TO THE RIGHT OF THE RADIUS OF WHICH IS 610 FEET IN A SOUTHEASTERLY DIRECTION A DISTANCE OF 380 FEET TO A STAKE IN THE RIGHT WAY LINE OF THE MOSHANNON AND CLEARFIELD BRANCH OF THE PENNSYLVANIA RAILROAD AND THENCE THEREBY PARALLEL TO A AND 33 FEET DISTANT FROM THE CENTER LINE THEREOF SOUTH 64° 00' WEST 290 FEET TO THE PLACE OF BEGINNING.

CONTAINING 82/100 OF AN ACRE AND BEING PART OF THE THOMAS EDMONDSON TRACT. ALL COURSES ACCORDING TO MAGNETIC MERIDIAN OF 1891.

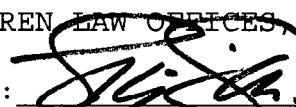
BEING KNOWN AS PARCEL NUMBERS: 130-M15-17 & 130M15-64

TOGETHER WITH ALL RIGHTS AND PRIVILEGES AND UNDER AND SUBJECT TO THE COVENANTS, EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD.

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, PENNSYLVANIA

NO: 08-2078-CD

WELLS FARGO BANK NATIONAL ASSOCIATION, as TRUSTEE for FIRST FRANKLIN MORTGAGE LOAN TRUST
2004-FF5

vs
EDWARD HOLDEN

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 11/29/2008 HEARING: PAGE: 104855

DEFENDANT: EDWARD HOLDEN
ADDRESS: 177 WAYNE LANE
HOUTZDALE, PA 16651

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

ATTEMPTS

FILED
9/8:30 AM
DEC 15 2008
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON EDWARD HOLDEN, 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

COMPLAINT IN MORTGAGE FORECLOSURE FOR EDWARD HOLDEN

AT (ADDRESS) _____

NOW 12-2-08 AT 10:06 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO EDWARD HOLDEN

REASON UNABLE TO LOCATE PAPER RAN OUT TO SERVE

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis
Deputy Signature

James E. Davis
Print Deputy Name

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
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

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

OCT 3 2008

Attest.

William A. Khan
Prothonotary/
Clerk of Courts

Wells Fargo Bank National
Association, as Trustee for First
Franklin Mortgage Loan Trust
2004-FF5
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Edward Holden
177 Wayne Lane
Houtzdale, PA 16651
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 2008-2078-CD

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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 ascentar 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.

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

NOTICE

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/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: First Franklin Financial Corp., a subsidiary of National City Bank of Indiana

Assignments of Record to: Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5 by: Saxon Mortgage Services, Inc. as its Attorney-in-Fact

Recording Date: 1/16/08 Instrument # 200800602

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Assignee: Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5

Recording Date: **LODGED FOR RECORDING**

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: 177 Wayne Lane

MUNICIPALITY/TOWNSHIP/BOROUGH: Woodward Township

COUNTY: Clearfield

DATE EXECUTED: 4/27/04

DATE RECORDED: 10/8/04 Instrument # 200416533

The legal description of the mortgaged premises is attached hereto

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 10/14/08:

Principal of debt due	\$56,844.03
Unpaid Interest at 8.625% from 5/1/08 to 10/14/08 (the per diem interest accruing on this debt is \$13.43 and that sum should be added each day after 10/14/08)	2,217.46
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
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Suspense Balance	(1,054.04)
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,842.20</u>
TOTAL	\$62,454.78

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. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$62,454.78 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

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THE FIRST THEREOF:

BEGINNING AT A STAKE 33 FEET FROM THE CENTER LINE OF THE MOSHANNON AND CLEARFIELD RAILROAD, BEARING NORTH 64° EAST 200 FEET FROM THE NORTHEAST CORNER OF RAILROAD AVENUE AND IRONWOOD STREET; THENCE BY SAID AVENUE, NORTH 64° EAST 100 FEET TO LOT NO. 10; THENCE THEREBY NORTH 2620 WEST 256.3 FEET TO RIGHT OF WAY OF BRANCH RAILROAD TO WOODWARD COLLIERY; THENCE THEREBY THE CENTER OF WHITESIDE RUN; THENCE MEANDERING THE SAME 100 FEET, MORE OR LESS, TO LOT NO. 12; THENCE THEREBY SOUTH 26° EAST 394.2 FEET TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING ALL THE COAL, FIRE CLAY, IRON AND OTHER MINERALS AND ALL SPRINGS AND STREAMS, TOGETHER WITH MINING RIGHTS AND RIGHT TO DIVERT, USE OF PIPE WATERS AS SET FORTH IN GRANTOR'S CHAIN OF TITLE.

THE SECOND THEREOF:

BEGINNING AT A STAKE AT THE SOUTHEASTERLY CORNER OF LOT NO. 11 OF WOODWARD VILLAGE, CONVEYED TO GEORGE STEIN BY DEED DATED MAY 6TH, 1897; THENCE THEREBY NORTH 26° 00' WEST 256.3 FEET TO A STAKE ON THE SOUTHERLY BANK OF WHITESIDE RUN; THENCE THEREBY IN A SOUTHEASTERLY DIRECTIONS DISTANCE OF 15 FEET TO A STAKE IN THE SOUTHERLY RIGHT OF WAY LINE OF THE OLD WOODWARD SIDING; THENCE THEREBY A CURVE TO THE RIGHT OF THE RADIUS OF WHICH IS 610 FEET IN A SOUTHEASTERLY DIRECTION A DISTANCE OF 380 FEET TO A STAKE IN THE RIGHT WAY LINE OF THE MOSHANNON AND CLEARFIELD BRANCH OF THE PENNSYLVANIA RAILROAD AND THENCE THEREBY PARALLEL TO A AND 33 FEET DISTANT FROM THE CENTER LINE THEREOF SOUTH 64° 00' WEST 290 FEET TO THE PLACE OF BEGINNING.

CONTAINING 82/100 OF AN ACRE AND BEING PART OF THE THOMAS EDMONDSON TRACT. ALL COURSES ACCORDING TO MAGNETIC MERIDIAN OF 1891.

BEING KNOWN AS PARCEL NUMBERS: 130-M15-17 & 130M15-64

TOGETHER WITH ALL RIGHTS AND PRIVILEGES AND UNDER AND SUBJECT TO THE COVENANTS, EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD.

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, PENNSYLVANIA

DOCKET # 104855
NO: 08-2078-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK NATIONAL ASSOCIATION, as TRUSTEE for FIRST FRANKLIN MORTGAGE
LOAN TRUST 2004-FF5

vs.

DEFENDANT: EDWARD HOLDEN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	UDREN	122414	10.00
SHERIFF HAWKINS	UDREN	122414	9.00

FILED
09:00 AM
FEB 13 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2009

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

CHANDRA M. ARKEMA, ESQUIRE - ID #203437

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

856-669-5400

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-2078-CD

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint on the above-captioned matter.

DATE: August 4, 2009

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

5 FILED

MTJ:0934
AUG 06 2009

William A. Shaw
Prothonotary/Clerk of Courts

Atty pd.
7.00
Comp. Reinstated
to Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-2078-CD

WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE FIRST FRANKLIN MORTGAGE LOAN TRUST
vs
EDWARD HOLDEN

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 09/05/2009 HEARING: PAGE: 106022

DEFENDANT: EDWARD HOLDEN
ADDRESS: 177 WAYNE LANE
HOUTZDALE, PA 16651

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

Past set on
left.

FILED
03/15/09
AUG 31 2009
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 8-31-09 AT 10:23 AM (PM) SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON EDWARD HOLDEN, DEFENDANT

BY HANDING TO Edward Holden, Defendant

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

ADDRESS SERVED 177 Wayne lane Houtzdale, Pa. 16651

NOW AT AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR EDWARD HOLDEN

AT (ADDRESS)

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

I MAKE RETURN OF NOT FOUND AS TO EDWARD HOLDEN

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2009

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Newlin
Deputy Signature
Jerome M. Newlin
Print Deputy Name

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
ADAM L. KAYES, ESQUIRE - ID #86408
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

FILED

OCT 05 2009

William A. Shaw
Prothonotary/Clerk of Courts

Any pd 20.00
Notice to Def.
GU

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

v.

Edward Holden
177 Wayne Lane
Houtzdale, PA 16651
Defendant(s)

NO. 2008-2078-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) **Edward Holden** 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	\$62,454.78
Interest Per Complaint	4,754.22
From 10/15/08 to 10/3/09	
Late charges per Complaint	276.24
From 10/15/08 to 10/3/09	
Escrow payment per Complaint	<u>1,326.24</u>
From 10/15/08 to 10/3/09	
TOTAL	<u>\$68,811.48</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: 

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

ADAM L. KAYES, ESQUIRE

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 10/5/09


PRO PROTHY

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
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

pleadings@udren.com

ATTORNEY FOR PLAINTIFF

FILED
OCT 30 2008

William A. Shaw
Prothonotary/Clerk of Courts

Wells Fargo Bank National
Association, as Trustee for First
Franklin Mortgage Loan Trust
2004-FP5
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Edward Holden
177 Wayne Lane
Houtzdale, PA 16651
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

NO. 2008-2078-CD

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

08/00296-1Jmb
COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-2078-CD

WELLS FARGO BANK NATIONAL ASSOCIATION, as TRUSTEE for FIRST FRANKLIN MORTGAGE LOAN TRUST
2004-FF5

vs
EDWARD HOLDEN

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 11/29/2008 HEARING: PAGE: 104855

COPY

DEFENDANT: EDWARD HOLDEN
ADDRESS: 177 WAYNE LANE
HOUTZDALE, PA 16651

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON EDWARD HOLDEN, 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

COMPLAINT IN MORTGAGE FORECLOSURE FOR EDWARD HOLDEN

AT (ADDRESS) _____

NOW 12-2-08 AT 10:06 (AM) PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO EDWARD HOLDEN

REASON UNABLE TO LOCATE PAPER RAN OUT TO SERVE

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: James E. Davis
Deputy Signature

James E. Davis
Print Deputy Name

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
ADAM L. KAYES, ESQUIRE - ID #86408
MARGUERITE L. THOMAS, ESQUIRE - ID #204460
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003
856-669-5400
pleadings@udren.com

Wells Fargo Bank National Association, as
Trustee for First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-2078-CD

TO: Edward Holden
177 Wayne Lane
Houtzdale, PA 16651

Date of Notice: September 22, 2009

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.

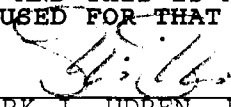
LAWYER REFERRAL SERVICE
David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

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.


MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE
LOUIS A. SIMONI, ESQUIRE
ADAM L. KAYES, ESQUIRE
MARGUERITE L. THOMAS, 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
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
LOUIS A. SIMONI, ESQUIRE - ID #200869
ADAM L. KAYES, ESQUIRE - ID #86408
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF NEW JERSEY

:

SS

COUNTY OF CAMDEN

:

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: Edward Holden
Age: Over 18
Residence: As captioned above
Employment: Unknown

Name: 
Title: ATTORNEY FOR PLAINTIFF
Company: UDREN LAW OFFICES, P.C.

Sworn to and subscribed
before me this 3rd day
of October, 2009.


Notary Public

CARA STEARS
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 10/15/2013

COPY

ATTORNEY FOR PLAINTIFF

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
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ADAM L. KAYES, ESQUIRE - ID #86408
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

TO: Edward Holden
177 Wayne Lane
Houtzdale, PA 16651

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

[Signature] 10/5/09
BT

- ☒ 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

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
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Please issue Writ of Execution in the above matter:

Amount due

\$68,811.48

142.00

Prothonotary costs

Interest From 10/4/09

to Date of Sale _____

Ongoing Per Diem of \$13.43

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

(Costs to be added)

\$ _____

FILED

OCT 05 2009

William A. Shaw
Prothonotary/Clerk of Courts

Any pd.
20.00

ICC & law firms

W/prop. desc.

to Sheriff

(64)

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
LOUIS A. SIMONI, ESQUIRE
ADAM L. KAYES, 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
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-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
~~LOUIS A. SIMONI, ESQUIRE~~
ADAM L. KAYES, 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
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WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

Wells Fargo Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2004-FF5, 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: 177 Wayne Lane, Houtzdale, PA 16651

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

Name

Address

Edward Holden

177 Wayne Lane
Houtzdale, PA 16651

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

Arrow Financial Serv.

PO Box C3800
Southeastern, PA 19398

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

Name

Address

Wells Fargo Bank
National Association,
as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

4708 Mercantile Drive
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

177 Wayne Lane
Houtzdale, PA 16651

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: October 3, 2009

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~~
ADAM L. KAYES, 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
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WOODCREST CORPORATE CENTER
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CHERRY HILL, NJ 08003-3620
856-669-5400
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Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

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:

177 Wayne Lane
(Woodward Township)
Houtzdale, PA 16651
SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$68,811.48

42.00

Prothonotary costs

Interest From 10/4/09

to Date of Sale _____

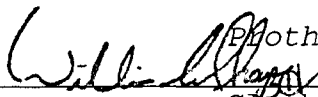
Ongoing Per Diem of \$13.43

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

(Costs to be added)

\$ _____

By


Clerk

Prothonotary

Date

10/5/09

COURT OF COMMON PLEAS

NO. 2008-2078-CD

=====

Wells Fargo Bank National Association, as Trustee for First Franklin
Mortgage Loan Trust 2004-FF5

vs.

Edward Holden

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 68,811.48

INTEREST \$ _____

from 10/4/09

to Date of Sale _____

Ongoing Per Diem of \$13.43

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

COSTS PAID:

PROTHY \$ 142.00

SHERIFF \$ _____

STATUTORY \$ _____

COSTS DUE PROTHY. \$ _____

PREMISES TO BE SOLD:

177 Wayne Lane

(Woodward Township)

Houtzdale, PA 16651


UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

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ADAM L. KAYES, ESQUIRE

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

ALL THOSE CERTAIN PIECES, PARCELS, OR LOTS OF LAND SITUATE, LYING AND BEING IN THE TOWNSHIP OF WOODWARD, COUNTY OF CLEARFIELD, AND STATE OF PENNSYLVANIA, BEING BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

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BEGINNING AT A STAKE 33 FEET FROM THE CENTER LINE OF THE MOSHANNON AND CLEARFIELD RAILROAD, BEARING NORTH 64° EAST 200 FEET FROM THE NORTHEAST CORNER OF RAILROAD AVENUE AND IRONWOOD STREET; THENCE BY SAID AVENUE, NORTH 64° EAST 100 FEET TO LOT NO. 10; THENCE THEREBY NORTH 2620 WEST 256.3 FEET TO RIGHT OF WAY OF BRANCH RAILROAD TO WOODWARD COLLIERY; THENCE THEREBY THE CENTER OF WHITESIDE RUN; THENCE MEANDERING THE SAME 100 FEET, MORE OR LESS, TO LOT NO. 12; THENCE THEREBY SOUTH 26° EAST 394.2 FEET TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING ALL THE COAL, FIRE CLAY, IRON AND OTHER MINERALS AND ALL SPRINGS AND STREAMS, TOGETHER WITH MINING RIGHTS AND RIGHT TO DIVERT, USE OF PIPE WATERS AS SET FORTH IN GRANTOR'S CHAIN OF TITLE.

THE SECOND THEREOF:

BEGINNING AT A STAKE AT THE SOUTHEASTERLY CORNER OF LOT NO. 11 OF WOODWARD VILLAGE, CONVEYED TO GEORGE STEIN BY DEED DATED MAY 6TH, 1897; THENCE THEREBY NORTH 26° 00' WEST 256.3 FEET TO A STAKE ON THE SOUTHERLY BANK OF WHITESIDE RUN; THENCE THEREBY IN A SOUTHEASTERLY DIRECTIONS DISTANCE OF 15 FEET TO A STAKE IN THE SOUTHERLY RIGHT OF WAY LINE OF THE OLD WOODWARD SIDING; THENCE THEREBY A CURVE TO THE RIGHT OF THE RADIUS OF WHICH IS 610 FEET IN A SOUTHEASTERLY DIRECTION A DISTANCE OF 380 FEET TO A STAKE IN THE RIGHT WAY LINE OF THE MOSHANNON AND CLEARFIELD BRANCH OF THE PENNSYLVANIA RAILROAD AND THENCE THEREBY PARALLEL TO A AND 33 FEET DISTANT FROM THE CENTER LINE THEREOF SOUTH 64° 00' WEST 290 FEET TO THE PLACE OF BEGINNING.

CONTAINING 82/100 OF AN ACRE AND BEING PART OF THE THOMAS EDMONDSON TRACT. ALL COURSES ACCORDING TO MAGNETIC MERIDIAN OF 1891.

BEING KNOWN AS PARCEL NUMBERS: 130-M15-17 & 130M15-64

TOGETHER WITH ALL RIGHTS AND PRIVILEGES AND UNDER AND SUBJECT TO THE COVENANTS, EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD.

BEING KNOWN AS: 177 Wayne Lane, Houtzdale, PA 16651

PROPERTY ID NO.: 130-M15-17 AND 130-M15-64

TITLE TO SAID PREMISES IS VESTED IN EDWARD HOLDEN BY DEED FROM KELLY M. TOMCHICK DATED 4/27/2004 RECORDED 10/08/2004 INSTRUMENT NO.: 200416532.

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
ADAM KAYES, ESQUIRE - ID #86408
MARGUERITE THOMAS, ESQUIRE - ID #204460
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400 pleadings@udren.com

FILED

DEC 21 2009

William A. Shaw
Prothonotary/Clerk of Courts

1 cent to Att

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-2078-CD

PRAECIPE TO WITHDRAW JUDGMENT AND DISCONTINUE WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter JUDGMENT
WITHDRAWN and ACTION DISCONTINUED WITHOUT PREJUDICE.

DATED: December 8, 2009

UDREN LAW OFFICES, P.C.

BY: Adam Kayes
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
ADAM KAYES, ESQUIRE
MARGUERITE THOMAS, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 106022
NO: 08-2078-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE FIRST FRANKLIN
MORTGAGE LOAN TRUST
vs.
DEFENDANT: EDWARD HOLDEN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	UDREN	135766	10.00
SHERIFF HAWKINS	UDREN	135766	28.80

FILED

01/15/2010
JAN 15 2010

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2010

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21048

NO: 08-2078-CD

PLAINTIFF: WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE
LOAN TRUST 2004-FF5

vs.

DEFENDANT: EDWARD HOLDEN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 10/5/2009

LEVY TAKEN 10/19/2009 @ 9:30 AM

POSTED 10/19/2009 @ 10:30 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/16/2010

DATE DEED FILED **NOT SOLD**

DETAILS

11/19/2009 @ 3:05 PM SERVED EDWARD HOLDEN

SERVED EDWARD HOLDEN, DEFENDANT, AT HIS RESIDENCE 177 WAYNE LANE, HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA
BY HANDING TO EDWARD HOLDEN

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

@ SERVED

NOW, JANUARY 6, 2010 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR
JANURAY 8, 2010 DUE TO LOAN REINSTATEMENT.

FILED

078:5387Y
FEB 16 2010

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21048

NO: 08-2078-CD

PLAINTIFF: WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR FIRST FRANKLIN MORTGAGE
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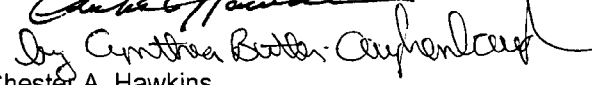
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$269.08

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
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pleadings@udren.com

Wells Fargo Bank National
Association, as Trustee for
First Franklin Mortgage Loan
Trust 2004-FF5

Plaintiff

v.

Edward Holden

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-2078-CD

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:

177 Wayne Lane
(Woodward Township)
Houtzdale, PA 16651
SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$68,811.48

42.00

Prothonotary costs

Interest From 10/4/09

to Date of Sale _____

Ongoing Per Diem of \$13.43

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

(Costs to be added)

\$ _____

Received this writ this 7th day
of October A.D. 2009
At 3:00 A.M./P.M.

By

Willie L. Hays
Prothonotary
Clerk

Date

10/5/09

Charles A. Hankins
Sheriff by Cynthia R. B. O'Connell

COURT OF COMMON PLEAS
NO. 2008-2078-CD

=====

Wells Fargo Bank National Association, as Trustee for First Franklin
Mortgage Loan Trust 2004-FF5
vs.
Edward Holden

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 68,811.48

INTEREST \$ _____
 from 10/4/09
to Date of Sale _____
 Ongoing Per Diem of \$13.43
 to actual date of sale including if sale is
 held at a later date

COSTS PAID:

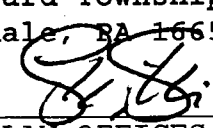
 PROTHY \$ 142.00

 SHERIFF \$ _____

 STATUTORY \$ _____

COSTS DUE PROTHY. \$ _____

PREMISES TO BE SOLD:
177 Wayne Lane
(Woodward Township)
Houtzdale, PA 16651



UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
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TITLE TO SAID PREMISES IS VESTED IN EDWARD HOLDEN BY DEED FROM KELLY M. TOMCHICK DATED 4/27/2004 RECORDED 10/08/2004 INSTRUMENT NO.: 200416532.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME EDWARD HOLDEN

NO. 08-2078-CD

NOW, February 16, 2010, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on January 08, 2010, I exposed the within described real estate of Edward Holden to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	19.80
LEVY	15.00
MILEAGE	19.80
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.28
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	79.20
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00

BILLING/PHONE/FAX
CONTINUED SALES
MISCELLANEOUS

TOTAL SHERIFF COSTS \$269.08

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	68,811.48
INTEREST @ 13.4300	1,289.28
FROM 10/04/2009 TO 01/08/2010	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

TOTAL DEBT AND INTEREST \$70,120.76

COSTS:

ADVERTISING	548.50
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	269.08
LEGAL JOURNAL COSTS	324.00
PROTHONOTARY	142.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	

TOTAL COSTS \$1,423.58

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

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

PENNSYLVANIA OFFICE
215-568-9500

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PLEASE RESPOND TO NEW JERSEY OFFICE

January 6, 2010

Sent via telefax #814-765-5915

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

Re: Wells Fargo Bank National Association, as Trustee for First
Franklin Mortgage Loan Trust 2004-PF5
vs.
Edward Holden
Clearfield County C.C.P. No. 2008-2078-CD
Premises: 177 Wayne Lane
(Woodward Township)
Houtzdale, PA 16651
SS Date: January 8, 2010

Dear Cindy:

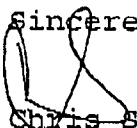
Please Stay the Sheriff's Sale scheduled for January 8, 2010.

Sale is Stayed for the following reason:

Loan Reinstatement.

Thank you for your attention to this matter.

Sincerely yours,


Chris Stears
Foreclosure Manager

/jld