

# NOTICE OF DEFAULT AND FORECLOSURE SALE

**WHEREAS**, on November 14, 2003, a certain Mortgage was executed by Jeannine H. Durick as mortgagor in favor of Financial Freedom Senior Funding Corporation, a Subsidiary of Lehman Brothers Bank, FSB as mortgagee, and was recorded in the Office of the Recorder of Deeds of Allegheny County on November 19, 2003 as Book 26527, Page 110, as Instrument No. 2003-218376, (Mortgage); and **WHEREAS**, the Mortgage encumbers property located at 2017 Hulton Road, Verona, PA 15147, Parcel Number 532-P-58 (Property); and **WHEREAS**, the Property was owned by Jeannine H. Durick, by virtue of a deed dated May 6, 1997, and recorded on December 17, 1997, in Book 10099, Page 176, as Instrument No. 179492, and **WHEREAS**, record owner Jeannine H. Durick departed this life on August 28, 2022, thereby vesting title in Her Personal Representatives, Heirs and Assigns, and Jeannine H. Durick, deceased, is hereby released from liability pursuant to Pa. R.C.P. No. 1144); and **WHEREAS**, the Property was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing Act for the purpose of providing single family housing; and **WHEREAS**, the Mortgage is now owned by the Secretary, pursuant to an assignment to Mortgage Electronic Registration Systems, Inc., as Nominee for Financial Freedom Acquisition, LLC dated October 31, 2009, and recorded on December 7, 2009, in Book 37520, Page 348, as Instrument No. 2009-112808, November 17, 2015, and a further assignment from Mortgage Electronic Registration Systems, Inc., as Nominee for Financial Freedom Acquisition, LLC to the Secretary dated November 17, 2015 and recorded on December 10, 2015, in Book 45915, Page 410, as Instrument No. 2015-92717, in the Office of the Recorder of Deeds, Allegheny County, Pennsylvania; and **WHEREAS**, a default has been made in the covenants and conditions of the Mortgage in that it appears the Property has ceased to be the principal residence the Borrower, and the entire principal balance becomes due and owing, and that no payment was made, and remains wholly unpaid as of the date of this Notice; and **WHEREAS**, the entire amount delinquent as of May 23, 2024 is \$167,727.64, plus interest, costs and other charges through the sale date; and **WHEREAS**, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Mortgage to be immediately due and payable; **NOW THEREFORE**, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. §§ 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on March 14, 2023 as Instrument Number: 2023-287, in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, notice is hereby given that on August 19 at 10:00 AM local time, all real property and personal property at or used in connection with the following described premises (Property) will be sold at public auction to be held as an in person public auction at the front steps of the Allegheny Courthouse located at 436 Grant Street, Pittsburgh, PA, 15219, all real property and personal property at or used in connection with the following described premises (Property) will be sold at public auction to the highest bidder. Commonly known as: 2017 Hulton Road, Verona, PA 15147. ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE BOROUGH OF PLUM, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, BEING PART OF LOT NUMBERED 12 IN A CERTAIN PLAN OF LOTS LAID OUT BY THE HULTON LAND COMPANY OF RECORD IN THE RECORDER'S OFFICE OF ALLEGHENY COUNTY, PENNSYLVANIA, IN PLAN BOOK VOLUME 35, PAGES 43 TO 46, BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:- BEGINNING AT A POINT ON THE SOUTHWESTERLY SIDE OF HULTON ROAD, WIDENED TO 60 FEET, AS SHOWN ON THE SAID PLAN, SAID POINT BEING DISTANT SOUTH 26 DEGREES 41' EAST 105.04 FEET FROM THE LINE DIVIDING LOTS NUMBERED 11 AND 12 IN THE SAID PLAN; THENCE SOUTH 26 DEGREES 41' EAST ALONG THE SOUTHWESTERLY LINE OF HULTON ROAD SO WIDENED, 97.48 FEET TO A POINT; THENCE SOUTH 63 DEGREES 19' WEST, PARALLEL WITH THE LINE DIVIDING SAID LOTS NUMBERED 11 AND 12, 220 FEET TO PLUM WAY, WIDENED TO 60 FEET AS HEREINAFTER SET FORTH; THENCE BY THE EASTERLY LINE OF PLUM WAY WIDENED TO 60 FEET, NORTH 26 DEGREES 41' WEST 97.48 FEET TO A POINT; THENCE NORTH 63 DEGREES 19' EAST 220 FEET TO SOUTHWESTERLY LINE OF HULTON ROAD WIDENED TO 60 FEET, AT THE PLACE OF BEGINNING. DESIGNATED AS BLOCK AND LOT 532-P-58 IN THE DEED REGISTRY OFFICE OF ALLEGHENY COUNTY, PENNSYLVANIA. BEING KNOWN AS 2017 HULTON ROAD, VERONA, PA 15147 BEING THE SAME PROPERTY WHICH JEANNINE H. DURICK, EXECUTRIX OF THE ESTATE OF BEULAH T. HELWIG, BY HER DEED DATED AUGUST 19, 2003 AND RECORDED IN THE RECORDER'S OFFICE OF ALLEGHENY COUNTY, PENNSYLVANIA, IN DEED BOOK VOLUME 10099, PAGE 175, GRANTED AND CONVEYED UNTO JEANNINE H. DURICK, MORTGAGOR HERIN. The sale will be held on August 19, 2024, at 10:00 AM at the Allegheny County Courthouse. The Secretary of Housing and Urban Development will bid \$167,727.64 plus interest, costs and other charges through the sale date. Ten percent (10%) of the highest bid is the deposit required at the sale. The amount that must be paid to HUD by the mortgagors or someone acting on their behalf so that the sale may be stayed is the total delinquent amount of \$167,727.64 as of May 23, 2024, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred and giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement. There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his pro rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale. When making their bid, all bidders, except the Secretary, must have previously submitted a deposit totaling ten percent (10%) of the Secretary's bid as set forth above in the form of a wire, certified check or cashier's check made out to the Secretary of HUD. Each individual bid need not be accompanied by a deposit. If the successful bid is oral, a deposit of ten (10%) percent must be presented before the bidding is closed. The deposit paid by the successful bidder is nonrefundable. The remainder of the purchase price must be delivered within thirty (30) days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a wire, certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveyance fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them. The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments, and a fee will be charged in the amount of \$500.00, paid in advance, for each fifteen (15) day extension requested. The extension fee shall be paid in the form of a certified or cashier's check made payable to the Secretary of Husing and Urban Development. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due. This amount, like the bid deposits, must be delivered in the form of a wire, certified or cashier's check. If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder's deposit will be forfeited, and the Commissioner may, at the direction of the Foreclosure Commissioner after consultation with the HUD Field Office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder. There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacat. The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than three (3) days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this Notice of Default and Foreclosure Sale, or all payments due under the mortgage agreement, are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the Property is completed. Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner: Jeannine H. Durick, Foreclosure Commissioner, 215-855-9521