

# NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on January 28, 2010, a certain mortgage was executed by Shirley H. Sye, as mortgagor in favor of WELLS FARGO BANK, N.A. as mortgagee and was recorded in Office of the Recorder of Deeds of Allegheny County in Mortgage Book M VL 37725 Page 407 Instrument # 22010-10559 (Mortgage); and WHEREAS, the Mortgage encumbers property located at 740 McDonald Street Sewickley, PA 15143, parcel number 0421-J-00151-0000-00 (Property); and WHEREAS, Mortgagor/Record Owner SHIRLEY H. SYE died on 02/21/24 and Letters Testamentary were granted to Tracey S. McClung on 04/26/24 by the Register of Wills of Allegheny County, File No.: 022402854; and WHEREAS, the Property was owned by Shirley H. Sye by virtue of deed dated January 28, 2010 and recorded February 12, 2010 in Book 14177; Page 112; and WHEREAS, the Mortgage is now owned by the Secretary of the United States Department of Housing and Urban Development (Secretary), pursuant to an assignment recorded on 12/21/2023 in Book M VL 58312 Page 98 Instrument # 2023-64107, in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania; and WHEREAS, a default has been made in the covenants and conditions of the Mortgage (paragraph 9 (a)(i)), as SHIRLEY H. SYE died on 2/21/2024, and that upon the death 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 September 3, 2024 is \$199,724.91 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 29, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on 6/28/2012 in Misc. Bk-DE, VI-14933, Pg 17, in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, notice is hereby given that on November 21, 2024 at 10:00 AM at the Main Entrance of the Allegheny County Courthouse located at 436 Grant St, Pittsburgh, PA 15219 all real property and personal property at or used in connection with the following described premises will be sold at public action to the highest bidder: ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE THIRD WARD OF THE BOROUGH OF SEWICKLEY, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, BEING LOT NO. 41 IN ALBION E. BEST'S MAPLE GROVE PLAN OF LOT AS RECORDED IN THE RECORDER'S OFFICE OF ALLEGHENY COUNTY IN PLAN BOOK VOLUME 21, PAGE 125, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF MCDONALD STREET AT THE CORNER OF LOT NO. 42 IN SAID PLAN, DISTANT TWO HUNDRED EIGHTY AND 54/100 (280.54) FEET FROM THE EASTERLY LINE OF PINE STREET; THENCE EXTENDING ALONG THE SOUTHERLY SIDE OF MCDONALD STREET, SOUTHEASTWARDLY A DISTANCE OF FORTY (40) FEET TO LIEN OF LOT NO. 40; THENCE IN A SOUTHWESTERLY DIRECTION AND MAINTAINING AN EVEN WIDTH OF FORTY (40) FEET, A DISTANCE OF ONE HUNDRED TEN (110) FEET TO THE NORTHERLY LINE OF LOT NO. 56 IN SAID PLAN. APN: 0421-J-00151-0000-00 BEING KNOWN AS 740 MCDONALD STREET, SEWICKLEY, PA 15143. The sale will be held on November 21, 2024 at 10:00 AM at the Main Entrance of the Allegheny County Courthouse located at 436 Grant St, Pittsburgh, PA 15219. The Secretary of Housing and Urban Development will bid \$199,724.91 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 \$199,724.91 as of September 3, 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 in 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 prorata 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 submit a deposit totaling ten percent 10% of the Secretary's bid as set forth above in the form of a certified check or cashier's check made out to the Secretary of HUD. Each oral 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 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 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 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 fifteen (15) days, and a fee will be charged in the amount of \$150.00 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 Housing 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. 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 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.

KML LAW GROUP, P.C. Foreclosure Commissioner