## FILED: SCHOHARIE COUNTY CLERK 10/04/2028 01:16 PM

NYSCEF DOC. NO. 3

Index #: 2023-365 RECEIVED NYSCEF: 10/04/2023 10/04/2023 01:16:20 PM

M. Indica Jaycox, Schoharie County Clerk

#### SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF SCHOHARIE

Wells Fargo Bank, N.A.,

Plaintiff,

-against-

Jarrett Chichester a/k/a Jarrett S. Chichester; New York State Department of Taxation and Finance, and "JOHN DOE", said name being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein, and any parties, corporations or entities, if any, having or claiming an interest or lien upon the mortgaged premises,

# NOTICE OF PENDENCY OF ACTION

Index No.

Mortgage Servicer: Wells Fargo Asset Management Call Center

Mortgage Servicer Phone: 803-396-6899

Defendants.

NOTICE IS HEREBY GIVEN that an action has been commenced and is pending in this Court upon a complaint of the above named Plaintiff against the above named Defendants for the foreclosure of a Mortgage dated February 20, 2013, executed by Jarrett Chichester, as Mortgagor(s), to Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for Homestead Funding Corp., its successors and assigns, to secure the sum of \$142,577.00, and recorded in the Schoharie County Clerk's Office on February 21, 2013, at Book 1576 of Mortgages, page 226. The Mortgage was transferred to Wells Fargo Bank, N.A., and said transfer was memorialized by an Assignment of Mortgage executed on May 22, 2023 and recorded May 24, 2023 at Book 2039, page 284.

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In addition, the underlying Note was indorsed by the original lender or its agent, successor, or assign, and was delivered to Plaintiff prior to the commencement of this action.

NOTICE IS FURTHER GIVEN that the mortgaged premises affected by said foreclosure action, at the time of the commencement of said action and at the time of the filing of this notice, was situated at 221 Main Street, Schoharie, NY 12157, the County of Schoharie and the State of New York, and is more particularly described in said Mortgage and in Schedule "A" attached hereto and made a part hereof.

Dated: September 22, 2023

Andrew Loete, Esq. Associate Attorney LOGS LEGAL GROUP LLP Attorneys for Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (585) 247-9000 Fax: (585) 247-7380 Our File No. 23-094447

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NYSCEF DOC. NO. 3

All that certain piece or parcel of land situate, lying and being in the Village of Schoharie, County of Schoharie and State of New York, bounded and described as follows:

Beginning at a point in the westerly boundary of Bridge Street, said point also being in the Northerly boundary of Main Street; running thence South 48° 17' West along said Northerly boundary of Main Street a distance of 200.8 feet to a point in the Easterly boundary of lands of John and Evelyn Porteus; thence North 39° 43' West along said Easterly boundary of Porteus a distance of 205.8 feet to a point in the Southerly boundary of lands of St. Joseph's Church; thence North 49° 40' East along said Southerly boundary of St. Joseph's Church a distance of 205.3 feet to a point in the aforementioned Westerly boundary of Bridge Street; thence South 38° 25' East along said Westerly boundary of Bridge Street a distance of 201.1 feet to the point and place of beginning.

Excepting and Reserving from the above described parcel all enforceable covenants, conditions, restrictions and easements of record.

Being more particularly shown on a map thereof by Richard A. Papa, P.L.S. #49009, dated May 2, 1985, filed in the Schoharie County Clerk's Office as Map No. 2269, File No. 1.

### TO: THE CLERK OF THE COUNTY OF SCHOHARIE:

You are hereby directed to index the within Notice of Pendency of Action to the

name(s) of all of the Defendant(s) herein and the Section, Block and Lot(s) and/or property

address as set forth below:

Section 72.17 Block 3 Lot 6 Property Address: 221 Main Street, Schoharie, NY 12157

Dated: September 22, 2023

Andrew Loete, Esq. Associate Attorney LOGS LEGAL GROUP LLP Attorneys for Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (585) 247-9000 Fax: (585) 247-7380

### **CERTIFICATION BY ATTORNEY**

I, Andrew Loete, am an attorney duly admitted to the practice of law in the State of New York. I am an associate of LOGS Legal Group LLP, the attorneys for Plaintiff, Wells Fargo Bank, N.A., in the above captioned civil action.

I HEREBY CERTIFY, pursuant to Sec. 130-1.1-a of the Rules of the Chief Administrator (22 NYCRR), to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the presentation of the Notice of Pendency in this action, or the contentions therein, are not frivolous as defined in subsection (c) of Sec. 130-1.1 of the Rules of the Chief Administrator (22NYCRR).

Dated: September 22, 2023

Andrew Loete, Esq. Associate Attorney LOGS LEGAL GROUP LLP Attorneys for Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (585) 247-9000 Fax: (585) 247-7380