

05-651-CD

Mortgage Elec. vs. W. Smeal etal

Netbank as Successor v. William Smeal
2005-651-CD

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

June 20, 2005 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

FILED *444 pd 85.00*
m/13:25
MAY 09 2005 *8cc Ashff*
William A. Shaw
Prothonotary/Clerk of Courts

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
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YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: _____

/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 1 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 48 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

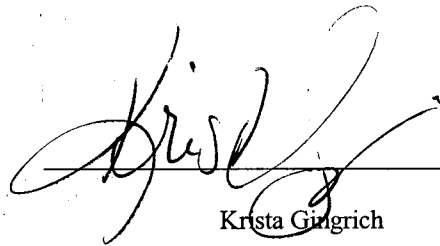
BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA

LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Krista', is written over a horizontal line.

Krista Gingrich

Vice President

DATE:

4/19/8

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464

NO: 05-651-CD

SERVICE # 1 OF 6

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 11, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL.

NOW, August 03, 2005 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

FILED

019:44/31
OCT 13 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 2 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
vs.
DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 11, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL a/k/a PEGGY J. SMEAL.

NOW, August 03, 2005 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL a/k/a PEGGY J. SMEAL, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO **ATTACHED** AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464

NO: 05-651-CD

SERVICE # 3 OF 6

COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 23, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL DEFENDANT AT 258 FLEGAL ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO WILLIAM I. SMEAL, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 6 Services

Sheriff Docket # **100464**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

Case # 05-651-CD

vs.

WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURNS

NOW August 11, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT. 6058 Morrisdale/Allport Hy.Morrisdale "EMPTY".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 5 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

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SERVED BY: HUNTER / NEVLING

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 6 of 6 Services

Sheriff Docket # **100464**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

Case # 05-651-CD

vs.

WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURNS

NOW August 11, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT. RR#2 Box 184, Morrisdale "EMPTY". NEW: 6085 Anthony Highway, Waynesboro, Pa. 17268.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICES 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
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DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

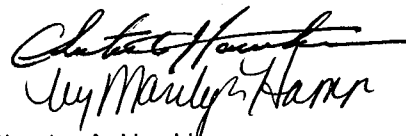
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	422806	20.00
SURCHARGE	PHELAN	422844	40.00
SHERIFF HAWKINS	PHELAN	422844	60.00
SHERIFF HAWKINS			17.06
FRANKLIN SO.	PHELAN	422848	73.96

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff

CASE NO: 2005-00100 T
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

WILLIAM I/MARGARET J SMEAL

GUS ALEXIOU, Deputy Sheriff, who being duly sworn according to law, says, that he made a diligent search and inquiry for the within named DEFENDANT, to wit: _____

SMEAL WILLIAM I but was unable to locate Him in his bailiwick. He therefore returns the COMP MORT FORE,

_____, NOT FOUND, as to the within named DEFENDANT, SMEAL WILLIAM I

7085 ANTHONY HIGHWAY

WAYNESBORO, PA 17268

DEF MOVED TO 59 FLEGLE RD

MORRISDALE PA 16858

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So answers:

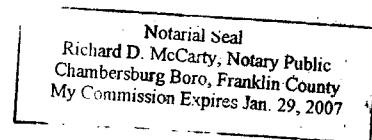
GUS ALEXIOU
ROBERT WOLLYUNG, Sheriff

PHELAN HALLINAN AND SCHMIEG
 08/03/2005

Sworn and subscribed to before me

this 3rd day of August

2005 A.D.
Richard D. McCarty
 Notary



CASE NO: 2005-00100 T
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

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GUS ALEXIOU, Deputy Sheriff, who being duly sworn according to law, says, that he made a diligent search and inquiry for the within named DEFENDANT, to wit:

SMEAL MARGARET J but was unable to locate Her in his bailiwick. He therefore returns the COMP MORT FORE

NOT SERVED, as to the within named DEFENDANT, SMEAL MARGARET J

7085 ANTHONY HIGHWAY

WAYNESBORO, PA 17268

UNABLE TO LOCATE DEFENDANT

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So answers:

Gus Alexiou, Deputy Sheriff

PHELAN HALLINAN AND SCHMIEG
 08/03/2005

Sworn and subscribed to before me

this 3rd day of August
2005 Richard D. McCarty

Notary

Notarial Seal
 Richard D. McCarty, Notary Public
 Chambersburg Boro, Franklin County
 My Commission Expires Jan. 29, 2007

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
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TERM

NO. 05-651-CD

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MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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

MAY 09 2005

Defendants

Attest.

William L. Schaefer
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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800-692-7375

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David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN

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ADDRESS OF THE ORIGINAL CREDITOR WITHIN
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EFFORTS (THROUGH LITIGATION OR
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1. Plaintiff is

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REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
6 4085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:  /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

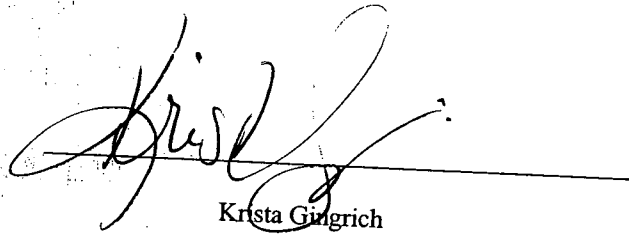
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BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO 05-651-CD

CLEARFIELD COUNTY

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

MAY 09 2005

Defendants

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN**

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

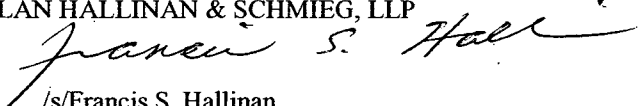
6: The following amounts are due on the mortgage:

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Credit	0.00
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TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:  /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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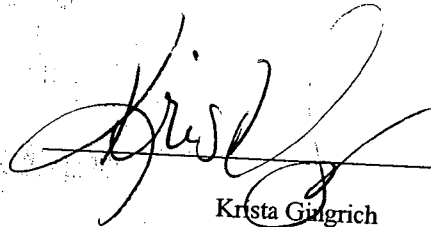
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BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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

MAY 09 2005

Defendants

Attest.

William B. Shaw
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

RECEIVED
MAY 16 2005

FRANKLIN COUNTY SHERIFF'S OFFICE

We hereby certify the
within to be a true and
correct copy of the

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
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REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
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PHELAN HALLINAN & SCHMIEG, LLP

By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

All those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 29 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

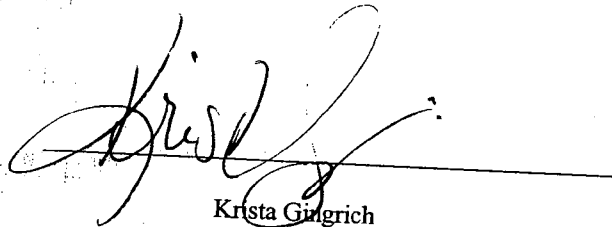
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA
LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to
take this Verification, and that the statements made in the foregoing Civil Action in Mortgage
Foreclosure are true and correct to the best of his/her knowledge, information and belief. The
undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec.
4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Plaintiff

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

Franklin 05-100T

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

MAY 09 2005

Attest.

William D. Shaw
Prothonotary/
Clerk of Courts

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

RECEIVED
MAY 16 2005

FRANKLIN COUNTY SHERIFF'S OFFICE

We hereby certify the
within to be a true and
correct copy of the
original filed of record
PERMANENT

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 
/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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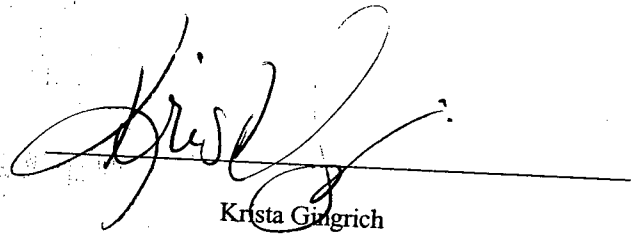
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PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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

MAY 09 2005

Defendants

Attest

William A. Schmieg
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify that
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN
File #: 107694

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
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1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
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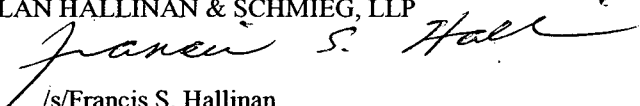
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Cost of Suit and Title Search	\$ 550.00
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TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 

/s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

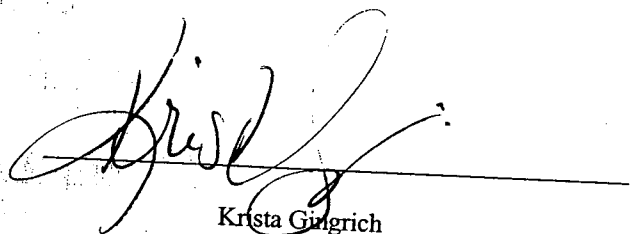
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Krista', is written over a horizontal line.

Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651CD

CLEARFIELD COUNTY

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

MAY 03 2005

Defendants

Attest.

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

Christine E. 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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN.**

File #: 107694

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

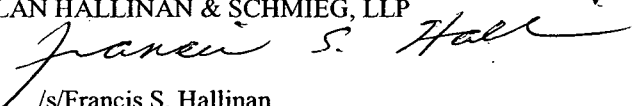
6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:  /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

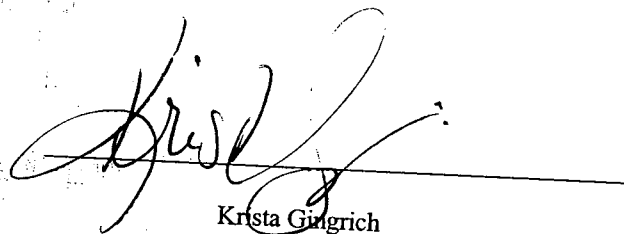
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 765.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: CLEARFIELD County

Plaintiff

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

: No. 2005-651-CD
:
:
:

Defendants

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By:

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: June 14, 2005

/mmt, Svc Dept.
File# 107694

FILED No CC
M 110:07694 2 Reinstated to
JUN 20 2005 Shff
William A. Shaw Atty pd. 7.00
Prothonotary/Clerk of Courts
(64)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against WILLIAM I. SMEAL and MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, Defendant(s) 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	\$172,482.94
Interest (4/23/05 to 11/28/05)	<u>3,982.00</u>
TOTAL	\$176,464.94

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.

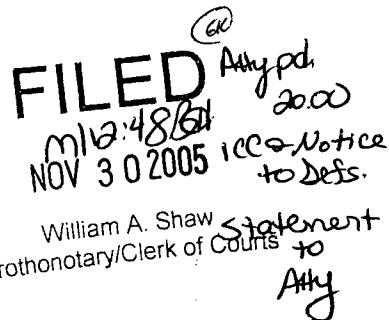

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 11/30/05


PRO PROTHY

PMB


William A. Shaw
Prothonotary/Clerk of Courts
Statement to
Atty

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/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.

(b) that defendant, WILLIAM I. SMEAL, is over 18 years of age, and resides at RR 2 BOX 184, MORRISDALE, PA 16858 .

(c) that defendant, MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, is over 18 years of age, and resides at 7085 ANTHONY HIGHWAY, WAYNESBORO, PA 17268.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

PHELAN, HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Plaintiff

Vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 2005-651-CD

TO: WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

DATE OF NOTICE: AUGUST 9, 2005

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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.

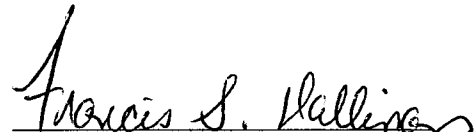
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN, HALLINAN AND SCHMIEG

By: Lawrence T. Phelan, Esq., Id. No. 32227

Francis S. Hallinan, Esq., Id. No. 62695

Daniel G. Schmieg, Esq., Id. No. 62205

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19103

(215) 563-7000

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Plaintiff

Vs.

WILLIAM I. SMEAL

MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 2005-651-CD

TO: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

DATE OF NOTICE: AUGUST 9, 2005

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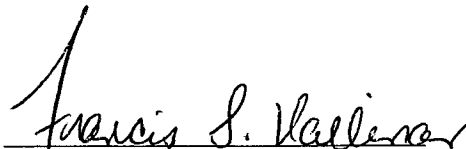
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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

Plaintiff

No.: 2005-651-CD

vs.


WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

Defendant(s)


Notice is given that a Judgment in the above captioned matter has been entered
against you on November 30, 2005.


By: _____ DEPUTY

If you have any questions concerning this matter please contact:


DANIEL G. SCHMIEG, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

**THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE
PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD
NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY
ENFORCEMENT OF A LIEN AGAINST PROPERTY.**


COPY

 COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2005-00651-CD

Real Debt: \$176,464.94

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

William I. Smeal
Margaret J. Smeal
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: November 30, 2005

Expires: November 30, 2010

Certified from the record this 30th day of November, 2005.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100574
NO: 05-651-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL & MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, July 06, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL aka PEGGY J. SMEAL.

NOW, July 18, 2005 AT 3:38 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL aka PEGGY J. SMEAL, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO **ATTACHED** AND MADE PART OF THIS RETURN.

FILED
019,443/1
OCT 13 2005
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100574
NO: 05-651-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL & MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

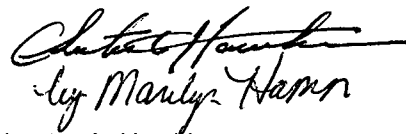
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	433493	10.00
SHERIFF HAWKINS	PHELAN	433527	21.00
FRANKLIN CO.	PHELAN	433536	53.48

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff

SHERIFF'S RETURN - REGULAR

CASE NO: 2005-00149 T

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

MARGARET J SMEAL ET AL

WILLIAM M KAUFFMAN, Deputy Sheriff of FRANKLIN
County, Pennsylvania, who being duly sworn according to law,
says, the within COMP MORT FORE was served upon
SMEAL MARGARET J the
DEFENDANT, at 0015:38 Hour, on the 18th day of July, 2005
at 7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268 by handing to
MARGARET J. SMEAL

a true and attested copy of COMP MORT FORE together with

and at the same time directing Her attention to the contents thereof.

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So Answers:

WILLIAM M KAUFFMAN

By *William M Kauffman*

Deputy Sheriff

07/20/2005

PHELAN HALLINA AND SCHMIEG

Sworn and Subscribed to before

me this 20th day of

&00

July, 2005 A.D.

Richard D. McCarty
Notary

~~Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
Commission Expires Jan. 29, 2007~~

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

COPY

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

FILED
3:25
MAY 09 2005

William L. Shaw
Prothonotary/Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify that
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN

File #: 107694

6-20-05 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William L. Shaw
Deputy Prothonotary

FEDERMAN AND PHELAN
ATTORNEY FIRM
PLEASE RETURN

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

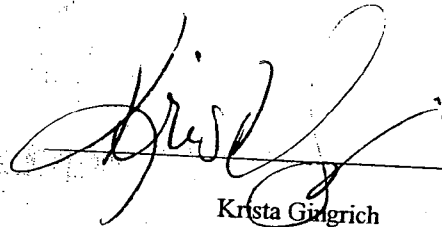
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 43 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA
LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to
take this Verification, and that the statements made in the foregoing Civil Action in Mortgage
Foreclosure are true and correct to the best of his/her knowledge, information and belief. The
undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec.
4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

FILED NO CC
m 11:12 AM
APR 26 2006
William A. Shaw
Prothonotary/Clerk of Courts

SERVE MARGARET J. SMEAL A/K/A PRGGY
J. SMEAL AT:
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: May 5, 2006

SERVED

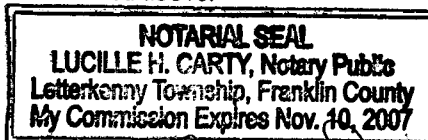
Served and made known to Margaret J. Smeal, Defendant on the 28th day of March, 2006, at 5:57 o'clock P. M., at 7085 Anthony Highway, Wayneboro, Commonwealth of Pennsylvania, in the manner described below:

- Defendant personally served.
☒ Adult family member with whom Defendant(s) reside(s). Jeff Wilson
Relationship is husband
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
☐ an officer of said Defendant's company.
☐ Other:

Description: Age 45 Height 6' Weight 200 lbs Race W Sex M Other Mustache

I, Clarence L. Carty Jr, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 28th day
of March, 2006.



Notary: [Signature] By: [Signature]

NOT SERVED

On the ___ day of ___, 200_, at ___ o'clock ___ M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other:

Sworn to and subscribed
before me this ___ day
of ___, 200_.

By:

Notary:

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
ID.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2005

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

**PRAECIPE FOR IN REM JUDGMENT
ANSWER AND ASSESSMENT**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the
and MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
to Plaintiff's Complaint within 20 days from service the
mortgaged premises, and assess Plaintiff's damages as

As set forth in Complaint
Interest (4/23/05 to 11/28/05)

TOTAL

I hereby certify that (1) the addresses o
above, and (2) that notice has been given in accordan

Damages are hereby assessed as indicated.

DATE: 11/30/05

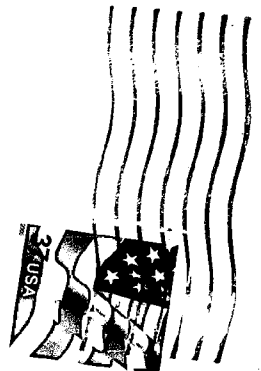
FILED
3/11/28/05
DEC 05 2005
William A. Shaw
Prothonotary/Clerk of Courts

Office of the Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830

16430-2444-33 0004

☐ A ☐ INSUFFICIENT ADDRESS
☐ C ☐ ATTEMPTED NOT KNOWN
☒ S ☐ NO SUCH NUMBER/STREET
☐ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD
☐ OTHER

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

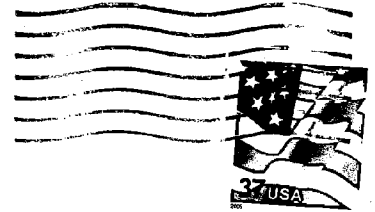
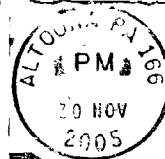


Office of the Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830

FILED

DEC 05 2005
11:28 AM

William A. Shaw
Prothonotary/Clerk of Courts



UTF
RR2

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

- ☐ A
☐ C
☐ S
- ☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☒ NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD
- ☐ OTHER



16830-2448-99 0004



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against WILLIAM I. SMEAL and MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, Defendant(s) 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	\$172,482.94
Interest (4/23/05 to 11/28/05)	<u>3,982.00</u>
TOTAL	\$176,464.94

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 11/30/05

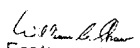

PRO PROTHY

PMB

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

NOV 30 2005

Attest.


Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL

MARGARET J. SMEAL A/K/A

PEGGY J. SMEAL

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/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.

(b) that defendant, WILLIAM I. SMEAL, is over 18 years of age, and resides at RR 2 BOX 184, MORRISDALE, PA 16858 .

(c) that defendant, MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, is over 18 years of age, and resides at 7085 ANTHONY HIGHWAY, WAYNESBORO, PA 17268.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

Plaintiff

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on November 30, 2005.

By: William I. Smeal ~~at~~ DEPUTY

If you have any questions concerning this matter please contact:

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

****THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.****

PHELAN, HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: NO. 2005-651-CD

TO: WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

DATE OF NOTICE: AUGUST 9, 2005

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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.

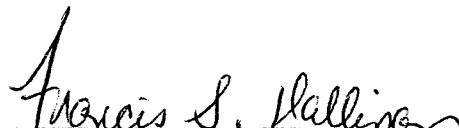
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN, HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: NO. 2005-651-CD

TO: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

DATE OF NOTICE: AUGUST 9, 2005

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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.


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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG LLP
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COURT OF COMMON PLEAS

CIVIL DIVISION

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

No.: 2005-651-CD

CERTIFICATION OF SERVICE

I, Daniel G. Schmieg, hereby certify that a copy of the Motion for Postponement of
Sheriff's Sale has been sent to the individuals indicated below on May 3, 2006.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

PHELAN HALLINAN & SCHMIEG, LLP

Daniel G. Schmieg

JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by John R. Lhota,
Co-Counsel to

Plaintiff

FILED

MAY 03 2006

0/11:40/w

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

1 Cert to Att

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT OF COMMON PLEAS

CIVIL DIVISION

CLEARFIELD COUNTY

No.: 2005-651-CD

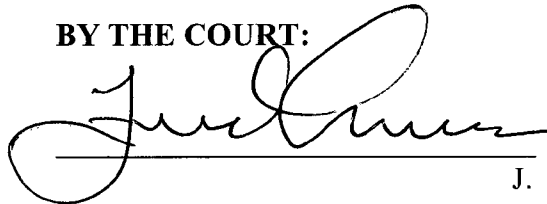
ORDER

AND NOW, this 3rd day of May, 2006, after consideration of
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD
COUNTY Sheriff's Sale dated JULY 7, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

FILED 2cc
0/10:38/311 Atty Zhotz
MAY 04 2006 rec Sheriff
William A. Shaw (without
Prothonotary/Clerk of Courts Notice)
(GR)

PHELAN HALLINAN & SCHMIEG LLP
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COURT OF COMMON PLEAS

CIVIL DIVISION

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

No.: 2005-651-CD

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for a postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for May 5, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendant(s) within the thirty day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.
3. A two month postponement of the Sheriff's sale will allow Plaintiff a sufficient amount of time to serve the notice of sheriff's sale upon the Defendant(s).

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to July 7, 2006.

FILED
MAY 03 2006
01:11:35 PM
William A. Shaw
Prothonotary/Clerk of Courts
3 CENTS TO ATT

PHELAN HALLINAN & SCHMIEG, LLP

Daniel G. Schmieg
JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by John R. Lhota
co-counsel to
Plaintiff

VERIFICATION

Daniel G. Schmieg, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

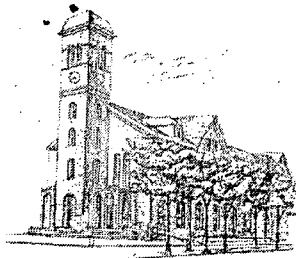
The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: May 3, 2006

Daniel G. Schmieg

JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by John R. Lhota,
Esquire
Counsel to
Plaintiff



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 5/4/06

X You are responsible for serving all appropriate parties.

_____ The Prothonotary's office has provided service to the following parties:

_____ Plaintiff(s)/Attorney(s)

_____ Defendant(s)/Attorney(s)

_____ Other

_____ Special Instructions:

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

FILED
m/10:48 AM Any
MAY 08 2006
William A. Shaw
Prothonotary/Clerk of Courts

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

**MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, DANIEL G. SCHMIEG, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."

2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B."

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.


DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COUNTY CLEARFIELD

ACCT. #0104875562

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
33 RR 3 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MAY 5, 2006

SERVED

Served and made known to William Smeal, Defendant, on the ____ day of _____, 200__, at _____, o'clock __. M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed before me
this ____ day of _____, 200__.

Notary:

By:

NOT SERVED

On the 14th day of April, 2006, at 3:07 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Jayce Bell, Postmaster, Morrisdale, says the smeals moved approx 1 yr ago

Sworn to and subscribed
before me this 17th day of APRIL, 2006. By Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
RR 2 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

Served and made known to William I. Smeal, Defendant on the 28th day of Feb., 2006, at 2:25 o'clock P. M., at RR 2 Box 184 Morrisdale, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 2006.

Notary:

By:

NOT SERVED

On the 28th day of Feb., 2006, at 2:25 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☐ Vacant Postmaster Joyce Bell claims Mr. Smeal no longer resides at this address. Moved in 2003

Other:

Sworn to and subscribed
before me this 28th day
of February, 2006.

By: Thomas Holmberg

Notary:

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: 107694
Attorney Firm: **Phelan, Hallinan & Schmieg, LLP**
Subject: William I. Smeal & Margaret J. Smeal

Property Address: RR 2 Box 184, Morrisdale, PA 16858
Possible Mailing Address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858
(Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

William I. Smeal - 171-44-5004

Margaret J. Smeal - 103-40-8257

B. EMPLOYMENT SEARCH

William I. Smeal & Margaret J. Smeal - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that William I. Smeal reside(s) at 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal reside(s) at: 7085 Anthony Highway # Y, Waynesboro, PA 17268.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for William I. Smeal & Margaret J. Smeal.

B. On 03-24-06 our office made a telephone call to the phone number (814) 342-0892 and received the following information: fax tone. On 03-24-06 our office made several telephone calls to the phone number (814) 342-3065 and received the following information: no answer.

III. INQUIRY OF NEIGHBORS

On 03-24-06 our office made several phone calls in an attempt to contact M.J. Ostrom (814) 342-7335, RR 2 Box 157, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Paula S. Sweetser (814) 343-4584, RR 2 Box 165, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Larry Williams (814) 342-6198, RR 2 Box 171, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact William T. Guiher (814) 342-4694, RR 3 Box 113, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Anna Jane Hoover (814) 345-5016, RR 3 Box 132, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Diana M. Timko (814) 345-6888, RR 3 Box 136, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made a phone call in an attempt to contact William H. Geesaman (717) 749-5244, 7080 Anthony Highway # Y, Waynesboro, PA 17268: spoke with an unidentified female who could not confirm that the subject reside(s) at 7085 Anthony Highway # Y, Waynesboro, PA 17268.

On 03-24-06 our office made several phone calls in an attempt to contact Audrey E. Minnich (717) 749-5247, 7053 Anthony Highway # Y, Waynesboro, PA 17268: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Norma L. Miller (717) 749-7604, 7128 Anthony Highway # Y, Waynesboro, PA 17268: no answer.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 03-24-06 we reviewed the National Address database and found the following information: William I. Smeal - 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal - 7085 Anthony Highway # Y, Waynesboro, PA 17268.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858 & (Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on William I. Smeal & Margaret J. Smeal.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 03-24-06 Vital Records and all public databases have no death record on file for William I. Smeal & Margaret J. Smeal.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for William I. Smeal & Margaret J. Smeal residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

William I. Smeal -not available

Margaret J. Smeal - not available

B. A.K.A.

Peggie J. Smeal

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.



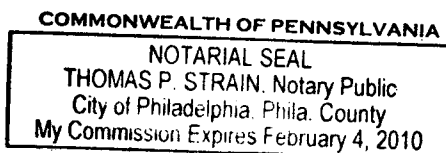
AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 24th day of March, 2006



The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND



PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

CERTIFICATION OF SERVICE

I, DANIEL G. SCHMIEG, ESQUIRE, hereby certify that a copy of the Motion
for Service Pursuant to Special Order of Court has been sent to the individuals indicated
below on

May 5, 2006.

WILLIAM I. SMEAL
RR2 BOX 184
MORRISDALE, PA 16858
&
33 RR 3 BOX 184
MORRISDALE, PA 16858


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205

ATTORNEY FOR PLAINTIFF

ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

ORDER

AND NOW, this ____ day of _____, 200____, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), **WILLIAM I. SMEAL**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,

Plaintiff

vs.

WILLIAM I. SMEAL and
MARGARET J. SMEAL a/k/a PEGGY
J. SMEAL,

Defendants

)
)
) No. 2005-651-CD
)
) Type of Pleading:
) Certificate of Service
)
) Filed on Behalf of:
) Mortgage Electronic Registration
) Systems, Inc., Plaintiff
)
) Counsel of Record for this
) Party:
)
) PHELAN HALLINAN & SCHMIEG LLP
) BY: DANIEL G. SCHMIEG, ESQUIRE
) IDENTIFICATION No. 62205
) ONE PENN CENTER AT SUBURBAN STATION
) 1617 JOHN F. KENNEDY BLVD, STE. 1400
) PHILADELPHIA, PA 19103-1814
) (215) 563-7000

FILED

JUN 16 2006

Q131012cc atty
William A. Shaw
Prothonotary/Clerk of Court
Khotu


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC.,)	
Plaintiff)	No. 2005-651-CD
vs.)	
)	Type of Pleading:
WILLIAM I. SMEAL and)	Certificate of Service
MARGARET J. SMEAL a/k/a PEGGY)	
J. SMEAL,)	
Defendants)	

CERTIFICATE OF SERVICE

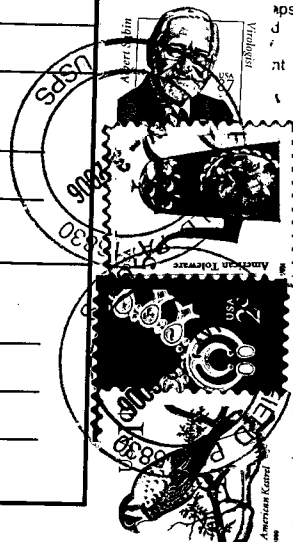
I, John R. Lhota, Attorney at Law, co-counsel to Plaintiff in the above captioned matter, hereby certify that a certified copy of an Order dated May 3, 2006, postponing the sheriff's sale in the above captioned matter to July 7, 2006 was sent to the individuals indicated below on May 4, 2006, by regular United States first class mail. Original certificates of mailing evidencing the foregoing are attached hereto and made a part hereof as Exhibit A hereto.

William I. Smeal and
Margaret J. Smeal a/k/a Peggy J. Smeal
R.R. 2, Box 184
Morrisdale, PA 16858


John R. Lhota, Attorney at Law
for Daniel G. Schmieg, Attorney at Law,
counsel to plaintiff.

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: John R. Lhota, P.C.	
110 North Second Street Clearfield, PA 16830	
One piece of ordinary mail addressed to:	
William I. Smeal	
Margaret J. Smeal a/k/a Peggy J. Smeal	
R.R. 2, Box 184	
Morrisdale, PA 16858	

PS Form 3817, January 2001



U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From: John R. Lhota, P.C.	
110 North Second Street	
Clearfield, PA 16830	
One piece of ordinary mail addressed to:	
William I. Smeal	
Margaret J. Smeal a/k/a Peggy J. Smeal	
R.R. 2, Box 184	
Morrisdale, PA 16858	

PS Form 3817, January 2001

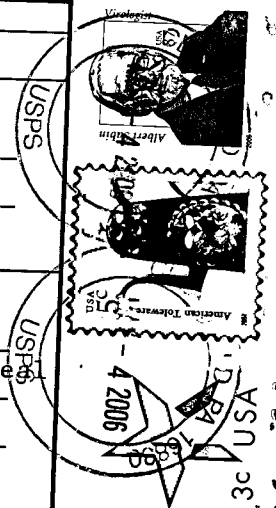


Exhibit A

SEP 21 2006

William A Shaw
Prothonotary/Clerk of Courts

CA

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

Mortgage Electronic Registration
Systems, Inc. *
Plaintiff, *

vs. *

William I Smeal, and *
Margaret J. Smeal,, a/k/a Peggy Smeal *
Defendant(s) *

No. 2005-651-CD


Type of Pleading:
Motion for Postponement of
Sheriff's Sale


Filed on behalf of:
Mortgage Electronic Registrations
Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

John R. Lhota, Attorney at Law
John R. Lhota, P. C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

Supreme Court No. 22492

By: 
John R. Lhota, Attorney at Law
John R. Lhota, P. C.

FILED *2cc*
012:2005
JUL 06 2006 *Any Lhota*

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG
BY: DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY I.D. NO. 62205
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, PHELAN HALLINAN & SCHMIEG, petitions this Honorable Court for a two month postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for July 7, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendant(s) within the thirty day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.
3. A two month postponement of the Sheriff's Sale will allow plaintiff a sufficient amount of time to serve the notice of sheriff's sale upon the Defendant(s).

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to September 1, 2006.

PHELAN HALLINAN & SCHMIEG

BY: 

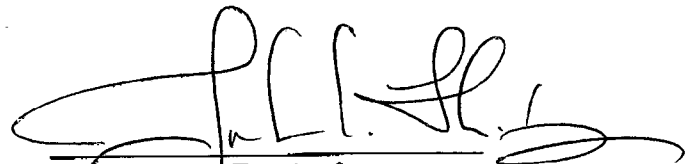
John R. Lhota, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

DANIEL G. SCHMIEG, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: July 6, 2006



John R. Lhota, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

100

100

100

CA

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

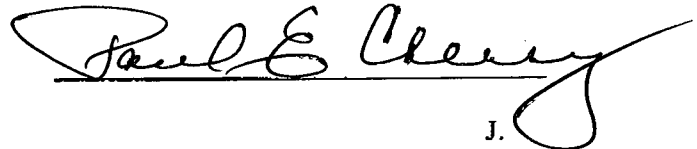
ORDER

AND NOW, this 6th day of July, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended two month(s) to the regularly scheduled CLEARFIELD County Sheriff's Sale dated September 1, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

FILED 200
012:3581 Amy Lhotak
JUL 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

Mortgage Electronic Registration
Systems, Inc.

Plaintiff,

vs.

William I Smeal, and
Margaret J. Smeal,, a/k/a Peggy Smeal
Defendant(s)

*
*
*
*
*
*
*
*
*

No. 2005-651-CD

Type of Pleading:
Certificate of Service

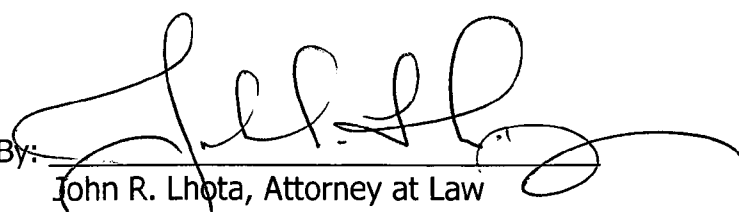
Filed on behalf of:
Mortgage Electronic Registrations
Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

John R. Lhota, Attorney at Law
John R. Lhota, P. C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

Supreme Court No. 22492

By:


John R. Lhota, Attorney at Law
John R. Lhota, P. C.

FILED
06:20 AM
JUL 06 2006

John Lhota

CR

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG
BY: DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY I.D. NO. 62205
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 553-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

CLEARFIELD COUNTY

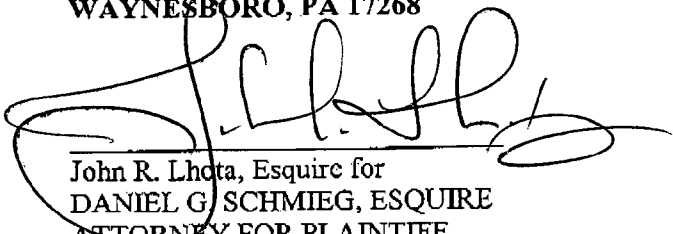
CERTIFICATION OF SERVICE

I, DANIEL G. SCHMIEG, Esquire, hereby certify that a copy of the Motion to Postpone
Sheriff's Sale relative to the above matter has been sent to the individuals indicated below on

July 6, 2006.

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268


John R. Lhotka, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

July 6 2006

AFFIDAVIT OF SERVICE

CQS

FILED *na cc*

PLAINTIFF MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD County *m/2:35 PM*
No. 2005-651-CD **AUG 17 2006**
Our File #: 107694

DEFENDANT(S) WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J. SMEAL

William A. Shaw *(S)*
Type of Action Prothonotary/Clerk of Courts
- Notice of Sheriff's Sale

Please serve upon: WILLIAM I. SMEAL

Sale Date: SEPTEMBER 1, 2006

SERVE AT: RR 3 BOX 194
MORRISDALE, PA 16858

SERVED

Served and made known to William L. Smeal, Defendant, on the 5th day of August,
2006 at 3:50 o'clock P.m., at RR3 Box 194 Morrisdale

Commonwealth of Pennsylvania, in the manner described below:

X Defendant personally served.
____ Adult family member with whom Defendant(s) reside(s). Relationship is ____.
____ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
____ Agent or person in charge of Defendant(s)'s office or usual place of business.
____ an officer of said Defendant(s)'s company.
____ Other: _____

Description: Age 50 Height 5'11" Weight 200 Race W Sex M Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 7th day
of AUGUST, 2006

Notary:

By: Thomas Holmberg

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock ____m., Defendant **NOT FOUND** because:
____ Moved ____ Unknown ____ No Answer ____ Vacant
1st attempt _____, 2nd attempt _____, 3rd attempt _____

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200__.

Notary:

By: _____

Attorney for Plaintiff

Daniel G. Schmieg, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

F&P. #107694

DEFENDANT
WILLIAM L. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

FILED
m/2:35 PM
AUG 17 2006

William A. Shaw
Prothonotary/Clerk of Courts

NO CC

SERVE MARGARET J. SMEAL A/K/A PRGGY J. SMEAL AT:
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

Served and made known to Margaret J. Smeal Wilson, Defendant on the 28th day of Feb, 2006, at 2:25 o'clock P. M., at 7085 Anthony Hwy., Waynesboro, Commonwealth of Pennsylvania, in the manner described below:

☒ Defendant personally served.

☐ Adult family member with whom Defendant(s) reside(s).

Relationship is _____.

☐ Adult in charge of Defendant's residence who refused to give name or relationship.

☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).

☐ Agent or person in charge of Defendant's office or usual place of business.

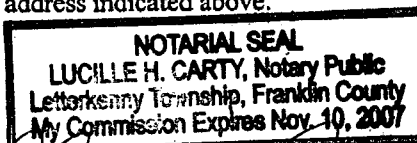
☐ _____ an officer of said Defendant's company.

☐ Other: _____

Description: Age 50 Height 5'6" Weight 160 Race Wh Sex F Other long hair
No glasses

I, Clarence L. Carty, Jr., a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 28th day
of Feb, 2006.



Notary: Lucille H. Carty

By: Clarence L. Carty, Jr.

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock _____ M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200____.

By: _____

Notary: _____

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,**
Plaintiff,

vs.

**WILLIAM I. SMEAL and
MARGARET J. SMEAL, a/k/a
PEGGY SMEAL,**
Defendants.

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No. 2005-651-CD

Type of Pleading:

Motion for Postponement of Sheriff's Sale
And Order

Filed on behalf of:

Mortgage Electronic Registrations Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

John R. Lhota, Attorney at Law

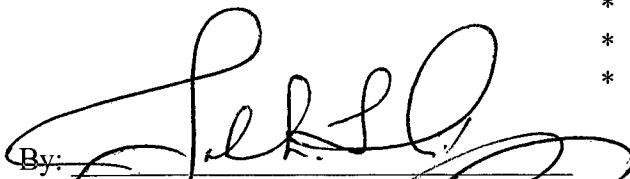
John R. Lhota, P.C.


110 North Second Street

Clearfield, PA 16830

(814) 765-9611

Supreme Court No. 22492

By: 
John R. Lhota, Attorney at Law
John R. Lhota, P.C.

FILED ^{2cc}
013:00/61 Atty Lhota
AUG 31 2006 

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
By: MICHELE BRADFORD, ESQUIRE
IDENTIFICATION NO. 69849
PLAINTIFF
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I. SMEAL MARGARET J. SMEAL	COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD	

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

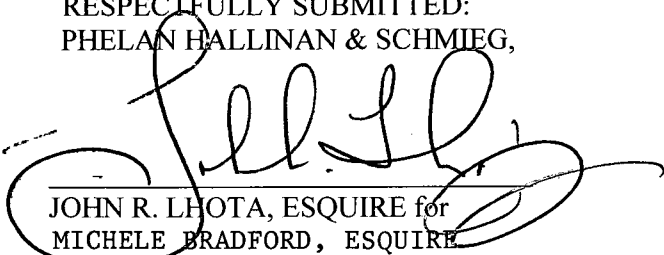
Plaintiff, by its counsel, PHELAN HALLINAN & SCHMIEG, LLP, petitions this Honorable Court for a postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for SEPTEMBER 1, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendants within the thirty-day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.2.
3. A one-month postponement of the Sheriff's sale will enable Plaintiff to have the Notice of Sale served upon the Defendants.

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to OCTOBER 6, 2006.

LLP

RESPECTFULLY SUBMITTED:
PHELAN HALLINAN & SCHMIEG,


JOHN R. LHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

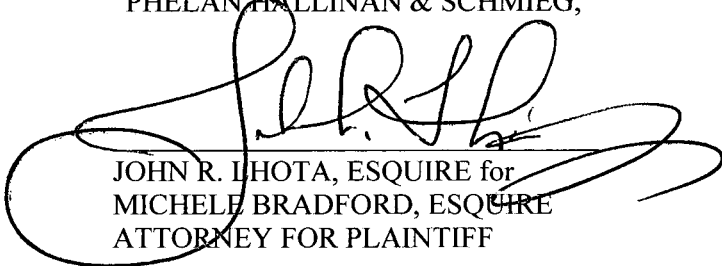
MICHELE BRADFORD, ESQUIRE, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

LLP

Date: August 31, 2006

RESPECTFULLY SUBMITTED:
PHELAN HALLINAN & SCHMIEG,



JOHN R. IHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I.
SMEAL MARGARET J. SMEAL COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

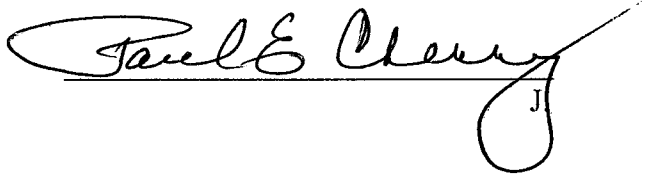
ORDER

AND NOW, this 31st day of August, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD County Sheriff's Sale dated OCTOBER 6, 2006.

No further advertising or additional notice to lienholder or defendants is required.

BY THE COURT:


J

FILED 2cc
07/31/2006 Atty Chota
AUG 31 2006 (will serve)
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

By: MICHELE BRADFORD, ESQUIRE

IDENTIFICATION NO. 69849

PLAINTIFF

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I.

SMEAL MARGARET J. SMEAL

COURT OF COMMON PLEAS

CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

CERTIFICATION OF SERVICE

I, MICHELE BRADFORD, hereby certify that a copy of the Motion for

Postponement of Sheriff's Sale has been sent to the individuals indicated below on

August 31, 2006.

WILLIAM I. SMEAL

RR 3 BOX 194

MORRISDALE PA 16858

MARGARET J. SMEAL

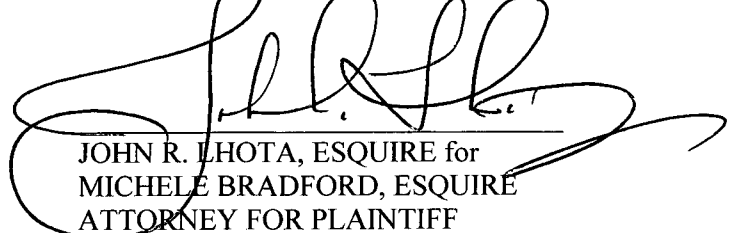
7085 ANTHONY HIGHWAY

WAYNESBORO PA 17268

LLP

RESPECTFULLY SUBMITTED:

PHELAN HALLINAN & SCHMIEG,



JOHN R. LHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED 2cc
013:4261 Atty Lhota
SEP 01 2005

William A. Shaw
Prothonotary/Clerk of Courts

FILED NO CC
M 12:53 PM
OCT 04 2006

William A. Shaw
Prothonotary/Clerk of Courts

SALE DATE: OCTOBER 6, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

No.: 2005-651-CD

vs.

**WILLIAM I. SMEAL
MARGARET J. SMEAL**

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at:

RR 2 BOX 184, MORRISDALE, PA 16858.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.


DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

October 3, 2006

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	--

WILLIAM I. SMEAL	RR 2 BOX 184 MORRISDALE, PA 16858
------------------	--------------------------------------

MARGARET J. SMEAL A/K/A PEGGY J. SMEAL	7085 ANTHONY HIGHWAY WAYNESBORO, PA 17268
--	--

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

PNC BANK, NATIONAL ASSOCIATION

PNC CONSUMER BUILDING
2730 LIBERTY AVENUE
PITTSBURGH, PA 15222

PNC BANK, NATIONAL ASSOCIATION

8800 TINICUM BOULEVARD
PHILADELPHIA, PA 15153

5. Name and address of every other person who has any record lien on the property:

Name

Last Known Address (if address cannot be
reasonable ascertained, please indicate)

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

RR 2 BOX 184
MORRISDALE, PA 16858

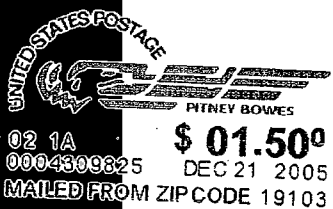
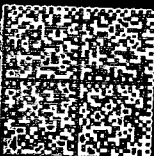
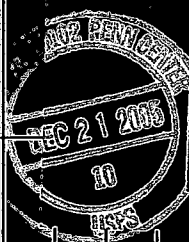
I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

Name and Address of Sender
 PHILAN HALLINAN & SCHMIEG
 One Penn Center at Suburban Station
 Philadelphia, PA 19103-1814
 Suite 1400
 SANDRA COOPER/PMB

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	WILLIAM I. SMEAL	Tenant/Occupant, RR 2 BOX 184, MORRISDALE, PA 16858		
2	0104875562	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830		
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105		
4		PNC BANK, NATIONAL ASSOCIATION PNC CONSUMER BUILDING 2730 LIBERTY AVENUE PITTSBURGH, PA 15222		
5		PNC BANK, NATIONAL ASSOCIATION 8800 TINCUM BOULEVARD PHILADELPHIA, PA 15153		
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name Of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900.S913 and S921 for limitations of coverage.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20256
NO: 05-651-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 12/01/2005

LEVY TAKEN 12/29/2005 @ 11:27 AM

POSTED 12/29/2005 @ 11:27 AM

SALE HELD 10/06/2006

SOLD TO DEBORAH K. SMEAL AND WILLIAM I. SMEAL

SOLD FOR AMOUNT \$128,000.00 PLUS COSTS

WRIT RETURNED 11/02/2006

DATE DEED FILED 11/02/2006

PROPERTY ADDRESS RR 2, BOX 184 POSSIBLE 911 6058 MORRISDALE-ALLPORT HWY MORRISDALE , PA 16858

FILED
01/11/06/07
NOV 02 2006
William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

01/04/2006 @ 9:14 AM SERVED WILLIAM I. SMEAL

SERVED WILLIAM I. SMEAL, DEFENDANT, AT HIS RESIDENCE 6058 MORRISDALE-ALLPORT HWY, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DEBBIE SMEAL WIFE/AAR

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.

01/26/2006 @ 2:40 PM SERVED MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

FRANKLIN COUNTY SERVED MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT, AT HER RESIDENCE 7085 ANTHONY HIGHWAY, WAYNESBORO, PA BY HANDING TO JEFFREY WILSON, HUSBAND OF DEFENDNT

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, MARCH 1, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR MARCH 3, 2006 TO MAY 5, 2006.

@ SERVED

NOW, MAY 4, 2006 RECEIVED AN ORDER OF COURT TO CONTINUE THE SHERIFF SALE SCHEDULED FOR MAY 5, 2006 TO JULY 7, 2006 WITHOUT FURTHER ADVERTISING.

@ SERVED

NOW, JULY 6, 2006 RECEIVED A FAX COPY OF COURT ORDER TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JULY 7, 2006 TO SEPTEMBER 1, 2006 WITHOUT FURTHER ADVERTISING.

@ SERVED

NOW, SEPTEMBER 1, 2006 RECEIVED AN ORDER OF COURT TO CONTINUE THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 1, 2006 TO OCTOBER 6, 2006 WITHOUT FURTHER ADVERTISING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20256
NO: 05-651-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.

DEFENDANT: WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

Execution REAL ESTATE

SHERIFF RETURN


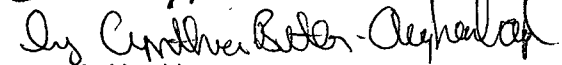
SHERIFF HAWKINS \$2,928.02

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,

Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA**

vs.

NO.: 2005-651-CD

**WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL**

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Premises: RR 2 BOX 184, MORRISDALE, PA 16858

(See legal description attached.)

Amount Due

\$176,464.94

Interest from 11/28/05 to
Date of Sale (\$29.01 per diem)

\$ _____

Total

\$ _____ Plus costs as endorsed.

132.00

Prothonotary costs

[Signature]
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 11/30/05

(SEAL)

By _____

Deputy

PMB

*Received December 1, 2005 @ 3:00 P.M.
Cheston A. Hanks*

By Cynthia Butler-Aughenbaugh

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

DESCRIPTION

ALL THOSE CERTAIN pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

PARCEL NO. 1:

BEGINNING at a point at the Northeastern corner of lands of the Methodist Church, said point being on the Eastern right of way of Pennsylvania State Route SR-0053, said place of beginning being the Southwest corner of the parcel herein conveyed; thence along the Eastern right of way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 138.17 feet, the chord of said arc running North 17 Degrees 22 Minutes 26 Seconds East a distance of 138.17 feet to a point, said point being South 73 Degrees 12 Minutes 41 Seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantor South 73 Degrees 12 Minutes 41 Seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantor North 09 Degrees 34 Minutes 40 Seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 Degrees 26 Minutes 57 Seconds East a distance of 312.37 feet to a 5/8" pipe (found), said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantor; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 Degrees 46 Minutes 28 Seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 Degrees 23 Minutes 44 Seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of William I. Smeal and Margaret J. Smeal South 3 Degrees 24 Minutes 09 Seconds West a distance of 552.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 Degrees 19 Minutes 28 Seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 Degrees 13 Minutes 31 Seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 Degrees 31 Minutes 29 Seconds East a distance of 100.00

feet to a 3/4" rebar (set); North 37 Degrees 00 Minutes 57 Seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 Degrees 46 Minutes 28 Seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 Degrees 55 Minutes 34 Seconds West passing through a 1" square pin (found) at a distance of 385.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

PARCEL NO. 2

BEGINNING at a post of stone on the right of way of New York Central and Hudson River Railroad; thence North 04 Degrees 33 Minutes East a distance of 977 feet to a post on lands now or formerly John Czesky; thence along the line of lands of John Czesky and lands of the estate of O.L. Schomover, deceased, South 83 Degrees 45 Minutes East a distance of 785.00 feet to a post; thence South 07 Degrees 50 Minutes West a distance of 963.00 feet to a post; thence North 85 Degrees 05 Minutes West a distance of 729.00 feet to a post and place of beginning. Containing 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1991 and revised on July 8, 1993.

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Margaret J. Smeal by reason of the following:

BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Deed dated 10/26/1988 and recorded 10/26/1988 in the County of Clearfield in Deed Book Volume 1250 Page 449 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Corrective Deed dated 4/29/1992 and recorded 4/30/1992 in the county of Clearfield in Deed Book Volume 1457 Page 280 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

NOTE: The above recited Corrective Deed was recorded to eliminate an error in the legal description from prior Deed.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 10/1/1993 and recorded _____ in the County of Clearfield in Deed Book Volume 1561 Page 339 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 6/9/1995 and recorded 6/9/1995 in the County of Clearfield in Deed Book Volume 1681 Page 398 conveyed unto Margaret J. Smeal.

AND BEING AS TO PARCEL NO. 1 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102306 conveyed unto Margaret J. Smeal.

AND ALSO BEING AS TO PARCEL NO. 2 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102307 conveyed unto Margaret J. Smeal.

PREMISES BEING: RR 2 BOX 184, MORRISDALE, PA 16858

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME WILLIAM I. SMEAL

NO. 05-651-CD

NOW, November 02, 2006, 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 October 06, 2006, I exposed the within described real estate of William I. Smeal and Margaret J. Smeal A/K/A Peggy J. Smeal to public venue or outcry at which time and place I sold the same to DEBORAH K. Smeal AND WILLIAM I. SMEAL he/she being the highest bidder, for the sum of \$128,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	12.61
LEVY	15.00
MILEAGE	12.61
POSTING	15.00
CSDS	10.00
COMMISSION	2,560.00
POSTAGE	8.58
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	25.22
ADD'L LEVY	
BID AMOUNT	128,000.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	50.00
CONTINUED SALES	60.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$2,928.02

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	35.50
TRANSFER TAX 2%	3,000.30
TOTAL DEED COSTS	\$3,035.80

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	176,464.94
INTEREST @ 29.0100 %	9,051.12
FROM 11/28/2005 TO 10/06/2006	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	2,500.00
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$188,056.06

COSTS:

ADVERTISING	2,749.22
TAXES - COLLECTOR	3,057.89
TAXES - TAX CLAIM	452.72
DUE	
LIEN SEARCH	300.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	3,035.80
SHERIFF COSTS	2,928.02
LEGAL JOURNAL COSTS	702.00
PROTHONOTARY	132.00
MORTGAGE SEARCH	120.00
MUNICIPAL LIEN	988.73
TOTAL COSTS	\$14,471.38

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



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

2006-117

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20256

TERM & NO. 05-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ~~JAN. 6, 2006~~

1-19-6
per Clearfield
Co. Sheriff's office.
MAKE REFUND PAYABLE TO ATTY OFFICE PHELAN HALLINAN & SCHMI
RETURN TO BE SENT TO THIS OFFICE

SERVE: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

ADDRESS: 7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

RECEIVED
JAN 11 2006

FRANKLIN COUNTY SHERIFF'S OFFICE

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF FRANKLIN COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Monday, January 9, 2006.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S RETURN - REGULAR

CASE NO: 2006-00011 T

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

WILLIAM AND MARGARET SMEAL

WILLIAM D MCCOY, Deputy Sheriff of FRANKLIN
County, Pennsylvania, who being duly sworn according to law,
says, the within NOTICE OF SHERIFF SALE was served upon
SMEAL MARGARET J AKA PEGGY J S MEAL the
DEFENDANT, at 0014:40 Hour, on the 26th day of January, 2006
at 7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268 by handing to

JEFFREY WILSON HUSBAND

a true and attested copy of NOTICE OF SHERIFF SALE together with

and at the same time directing His attention to the contents thereof.

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So Answers:

WILLIAM D MCCOY

By William D McCoy
Deputy Sheriff

01/30/2006

PHELAN HALLINAN & SCHMIEG

Sworn and Subscribed to before

me this 30th day of
&00 January, 2006 A.D.

Richard D. McCarty
Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

Federman and Phelan is now

Law Offices

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Sandra.Cooper@fedphe.com

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

March 1, 2006

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.
WILLIAM L SMEAL MARGARET J. SMEAL A/K/A PRGGY J. SMEAL
No. 2005-651-CD
RR 2 BOX 184, MORRISDALE, PA 16858

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for March 3, 2006.

The property is to be relisted for the May 5, 2006 Sheriff's Sale.

Very truly yours,
SMC
Sandra Coover

VIA TELECOPY (814) 765-5915

CC: WILLIAM L SMEAL MARGARET J. SMEAL

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT OF COMMON PLEAS

CIVIL DIVISION

CLEARFIELD COUNTY

No.: 2005-651-CD

ORDER

AND NOW, this 3rd day of May, 2006, after consideration of
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD
COUNTY Sheriff's Sale dated JULY 7, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:

/s/ Fredric J. Ammerman

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

MAY 04 2006

Attest:

William J. Ammerman
Prothonotary/
Clerk of Courts

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

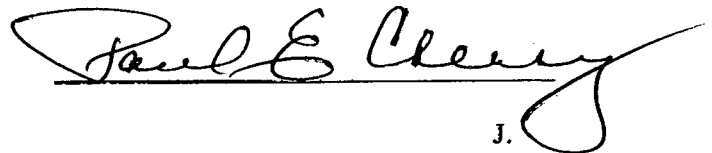
ORDER

AND NOW, this 6th day of July, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended two month(s) to the regularly scheduled CLEARFIELD County Sheriff's Sale dated September 1, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I.
SMEAL MARGARET J. SMEAL COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

ORDER

AND NOW, this 31st day of August, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD County Sheriff's Sale dated OCTOBER 6, 2006.

No further advertising or additional notice to lienholder or defendants is required.

BY THE COURT:

/s/ Paul E. Cherry

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

SEP 01 2006

Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

FILED
013:00261
AUG 31 2006

2cc
Atty Chota
(will serve)

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR WRIT OF EXECUTION--(MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

vs.

**WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL**

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA**

No. 2005-651-CD

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$176,464.94

Interest from 11/28/05 to
Date of Sale (\$29.01 per diem)

_____ and Costs.

132.00

Prothonotary costs

Daniel G. Schmieg

Daniel G. Schmieg, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

PMB

FILED

NOV 30 2005

CP
ICC & lwn ts
to shff

William A. Shaw *Atty pd. 20.00*
Prothonotary/Clerk of Courts

CLEARFIELD COUNTY

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

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

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

WILLIAM I. SMEAL

RR 2 BOX 184
MORRISDALE, PA 16858

MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

CLEARFIELD COUNTY

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

PNC BANK, NATIONAL ASSOCIATION	PNC CONSUMER BUILDING 2730 LIBERTY AVENUE PITTSBURGH, PA 15222
--------------------------------	--

PNC BANK, NATIONAL ASSOCIATION	8800 TINICUM BOULEVARD PHILADELPHIA, PA 15153
--------------------------------	--

5. Name and address of every other person who has any record lien on the property:

Name

Last Known Address (if address cannot be
reasonable ascertained, please indicate)

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

RR 2 BOX 184
MORRISDALE, PA 16858

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.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2005-651-CD

vs.

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is 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 Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180 to 3183 and Rule 3257

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA**

vs.

NO.: 2005-651-CD

**WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL**

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Premises: RR 2 BOX 184, MORRISDALE, PA 16858

(See legal description attached.)

Amount Due

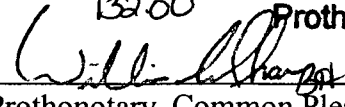
\$176,464.94

Interest from 11/28/05 to
Date of Sale (\$29.01 per diem)

\$ _____

Total

\$ _____ Plus costs as endorsed.

132.00 Prothonotary costs

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 11/30/05
(SEAL)

By:

Deputy

PMB

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

DESCRIPTION

ALL THOSE CERTAIN pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

PARCEL NO. 1:

BEGINNING at a point at the Northeastern corner of lands of the Methodist Church, said point being on the Eastern right of way of Pennsylvania State Route SR-0053, said place of beginning being the Southwest corner of the parcel herein conveyed; thence along the Eastern right of way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 138.17 feet, the chord of said arc running North 17 Degrees 22 Minutes 26 Seconds East a distance of 238.17 feet to a point, said point being South 73 Degrees 12 Minutes 41 Seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantor South 73 Degrees 12 Minutes 41 Seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantor North 09 Degrees 34 Minutes 40 Seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 Degrees 26 Minutes 57 Seconds East a distance of 311.37 feet to a 5/8" pipe (found), said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantor, thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 Degrees 46 Minutes 28 Seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 Degrees 25 Minutes 44 Seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of William I. Smeal and Margaret I. Smeal South 3 Degrees 24 Minutes 09 Seconds West a distance of 552.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 Degrees 19 Minutes 28 Seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 Degrees 13 Minutes 31 Seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 Degrees 31 Minutes 29 Seconds East a distance of 100.00

feet to a 3/4" rebar (set); North 37 Degrees 00 Minutes 57 Seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 Degrees 46 Minutes 28 Seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 Degrees 55 Minutes 34 Seconds West passing through a 1" square pin (found) at a distance of 385.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

PARCEL NO. 2

BEGINNING at a post of stone on the right of way of New York Central and Hudson River Railroad; thence North 04 Degrees 33 Minutes East a distance of 977 feet to a post on lands now or formerly John Czefsky; thence along the line of lands of John Czefsky and lands of the estate of O.L. Schoonover, deceased, South 83 Degrees 45 Minutes East a distance of 785.00 feet to a post; thence South 07 Degrees 50 Minutes West a distance of 963.00 feet to a post; thence North 85 Degrees 05 Minutes West a distance of 729.00 feet to a post and place of beginning. Containing 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1991 and revised on July 8, 1993.

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Margaret I. Smeal by reason of the following:

BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Deed dated 10/26/1988 and recorded 10/26/1988 in the County of Clearfield in Deed Book Volume 1250 Page 449 conveyed unto William I. Smeal and Margaret I. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Corrective Deed dated 4/29/1992 and recorded 4/30/1992 in the County of Clearfield in Deed Book Volume 1457 Page 280 conveyed unto William I. Smeal and Margaret I. Smeal, his wife.

NOTE: The above recited Corrective Deed was recorded to eliminate an error in the legal description from prior Deed.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret I. Smeal, his wife by Deed dated 10/1/1993 and recorded _____ in the County of Clearfield in Deed Book Volume 1561 Page 339 conveyed unto William I. Smeal and Margaret I. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret I. Smeal, his wife by Deed dated 6/9/1995 and recorded 6/9/1995 in the County of Clearfield in Deed Book Volume 1681 Page 398 conveyed unto Margaret I. Smeal.

AND BEING AS TO PARCEL NO. 1 the same premises which Margaret I. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102306 conveyed unto Margaret I. Smeal.

AND ALSO BEING AS TO PARCEL NO. 2 the same premises which Margaret I. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102307 conveyed unto Margaret I. Smeal.

PREMISES BEING: RR 2 BOX 184, MORRISDALE, PA 16858

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
Plaintiff

VS.

WILLIAM I. SMEAL,
MARGARET J. SMEAL, a/k/a
PEGGY J. SMEAL,
Defendants

NO. 05-651-CD

William A. Shaw
Prothonotary/Clerk of Courts

FILED 3cc
01/4/2006/01 Amy
MAY 19 2006 Schmitz
g

ORDER

NOW, this 18th day of May, 2006, the Court is in receipt of the Plaintiff's Motion for Service Pursuant to Special Order of Court and notes the below information after a review of the file:

1) The Plaintiff is attempting to serve Defendant William I. Smeal at RR 2, Box 184, Morrisdale, PA, the property in question, which is vacant;

2) The Sheriff Return filed with the record on October 13, 2005 indicates William I. Smeal was served with the Complaint in Mortgage Foreclosure at the address of 258 Flegal Road, Morrisdale, PA;

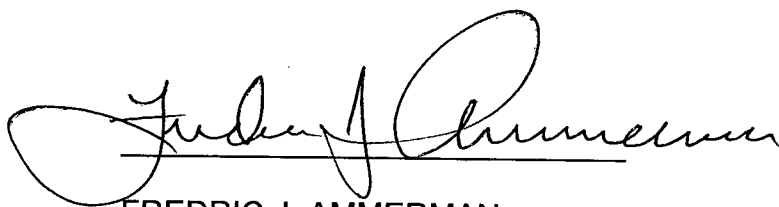
3) The Court, through contact with the Morrisdale Post Office, has confirmed that the physical address of William I. Smeal is 258 Flegal Road, Morrisdale, PA and his mailing address is P.O. Box 33, Morrisdale, PA 16858;

4) The Court has verified with the Clearfield County Election Office that William I. Smeal has been registered to vote since 1997 and that his address information is 258 Flegal Road, PO Box 33, Morrisdale, PA 16858. The Court notes that the Affidavit of Good Faith Investigation by Full Spectrum Legal Services (March 24, 2006) included by the Plaintiff with the Motion for Service Pursuant to Special Order of Court

indicates in Section VI, B that it was unable to confirm a voter registration for William A. Smeal. This averment is clearly incorrect.

In consideration of the above information, it is the ORDER of this Court that the Plaintiff's Motion for Service Pursuant to Special Order of Court be and is hereby DENIED. The Plaintiff is advised to take the above information into consideration and re-attempt service.

BY THE COURT,

A handwritten signature in cursive script, reading "Fredric J. Ammerman", written over a horizontal line.

FREDRIC J. AMMERMAN
President Judge

PHILAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

RECEIVED

MAY 8 2006

COURT ADMINISTRATOR'S
OFFICE

MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant and the reasons why service cannot be made.

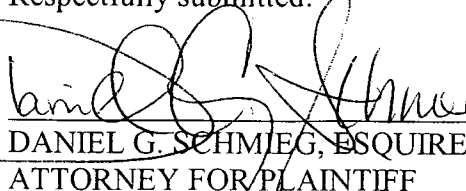
Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address." Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

WHEREFORE, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:


DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COUNTY CLEARFIELD

ACCT. #0104875562

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
33 RR 3 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MAY 5, 2006

SERVED

Served and made known to William Smeal, Defendant, on the ____ day of _____, 200__, at _____, o'clock __. M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed before me
this ____ day of _____, 200__.

Notary:

By:

NOT SERVED

On the 14th day of April, 2006, at 3:07 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Jayce Bell, Postmaster, Morrisdale, says the smeals moved approx 1 yr ago

Sworn to and subscribed
before me this 17th day of APRIL, 2006.

By Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center, at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
RR 2 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

Served and made known to William I. Smeal, Defendant on the 28th day of Feb., 2006, at 2:25 o'clock P. M., at RR 2 Box 184 Morrisdale, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
 Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
☐ _____ an officer of said Defendant's company.
☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
 before me this _____ day
 of _____, 2006.

Notary: _____ By: _____

NOT SERVED

On the 28th day of Feb., 2006, at 2:25 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Postmaster Joyce Bell claims Mr. Smeal no longer resides at this address. Moved in 2003

Other: _____

Sworn to and subscribed
 before me this 28th day
 of February, 2006.

By: Thomas Holmberg

Notary: _____

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
 I.D.#62205
 One Penn Center at Suburban Station
 1617 John F. Kennedy Blvd., Suite 1400
 Philadelphia, PA 19103-1814
 (215) 563-7000

Marilyn A. Campbell
 COMMONWEALTH OF PENNSYLVANIA
 Notarial Seal
 Marilyn A. Campbell, Notary Public
 City of Altoona, Blair County
 My Commission Expires Oct. 28, 2007
 Member, Pennsylvania Association of Notaries

FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: 107694
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: William I. Smeal & Margaret J. Smeal

Property Address: RR 2 Box 184, Morrisdale, PA 16858
Possible Mailing Address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858
(Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct
William I. Smeal - 171-44-5004
Margaret J. Smeal - 103-40-8257

B. EMPLOYMENT SEARCH

William I. Smeal & Margaret J. Smeal - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that William I. Smeal reside(s) at 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal reside(s) at: 7085 Anthony Highway # Y, Waynesboro, PA 17268.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for William I. Smeal & Margaret J. Smeal.

B. On 03-24-06 our office made a telephone call to the phone number (814) 342-0892 and received the following information: fax tone. On 03-24-06 our office made several telephone calls to the phone number (814) 342-3065 and received the following information: no answer.

III. INQUIRY OF NEIGHBORS

On 03-24-06 our office made several phone calls in an attempt to contact M.J. Ostrom (814) 342-7335, RR 2 Box 157, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Paula S. Sweetser (814) 343-4584, RR 2 Box 165, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Larry Williams (814) 342-6198, RR 2 Box 171, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact William T. Guiher (814) 342-4694, RR 3 Box 113, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Anna Jane Hoover (814) 345-5016, RR 3 Box 132, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Diana M. Timko (814) 345-6888, RR 3 Box 136, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made a phone call in an attempt to contact William H. Geesaman (717) 749-5244, 7080 Anthony Highway # Y, Waynesboro, PA 17268: spoke with an unidentified female who could not confirm that the subject reside(s) at 7085 Anthony Highway # Y, Waynesboro, PA 17268.

On 03-24-06 our office made several phone calls in an attempt to contact Audrey E. Minnich (717) 749-5247, 7053 Anthony Highway # Y, Waynesboro, PA 17268: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Norma L. Miller (717) 749-7604, 7128 Anthony Highway # Y, Waynesboro, PA 17268: no answer.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 03-24-06 we reviewed the National Address database and found the following information: William I. Smeal - 33 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal - 7085 Anthony Highway # Y, Waynesboro, PA 17268.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (William I. Smeal) 33 RR 3 Box 184, Morrisdale, PA 16858 & (Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on William I. Smeal & Margaret J. Smeal.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 03-24-06 Vital Records and all public databases have no death record on file for William I. Smeal & Margaret J. Smeal.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for William I. Smeal & Margaret J. Smeal residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

William I. Smeal - not available
Margaret J. Smeal - not available

B. A.K.A.

Peggie J. Smeal

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.



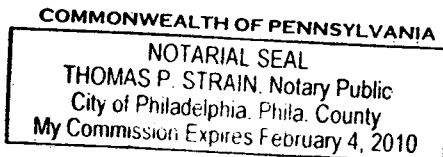
AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 24th day of March, 2006



The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND



VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

Date: 10/1/2019

Time: 11:36 AM

Page 1 of 3

Clearfield County Court of Common Pleas

ROA Report

User: ARICHARDS1

Case: 2005-00651-CD

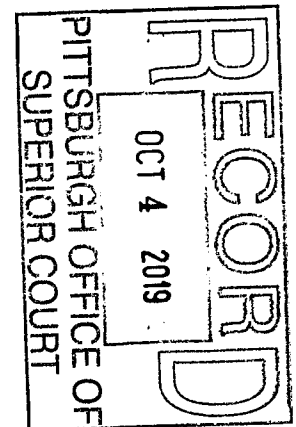
Current Judge: No Judge

Netbank as Successor in Interest to RBMG, Inc. vs. William I. Smeal, et al

COPY

Mortgage Foreclosures

Date		Judge
5/9/2005	New Case Filed.	No Judge
* 5/9/2005	Filing: Complaint in Mortgage Foreclosure Paid by: Hallinan, Francis S. (attorney for Mortgage Electronic Registration Systems, Inc.) Receipt number: 1901020 Dated: 05/09/2005 Amount: \$85.00 (Check) Property located in the Township of Morris, Clearfield County, PA. Eight CC Sheriff	No Judge
* 6/20/2005	Filing: Praeipe To Reinstate Civil Action/Mortgage Foreclosure Paid by: Hallinan, Francis S. (attorney for Mortgage Electronic Registration Systems, Inc.) Receipt number: 1903133 Dated: 06/20/2005 Amount: \$7.00 (Check). Filed by s/ Francis S. Hallinan, Esquire. No CC, 2 Reinstated to Shff.	No Judge
* 10/13/2005	Sheriff Return, May 11, 2005 Sheriff of Franklin County was Deputized. August 3, 2005 Attempted to serve the within Complaint in Mortgage Foreclosure on William I. Smeal and Margaret J. Smeal a/k/a Peggy J. Smeal "NOT FOUND" May 23, 2005 served the within Complaint in Mortgage Forecloure on William I. Smeal. August 11, 2005 after diligent search in my bailwick I returned the within Complaint in Mortgae Foreclosure on Margaret J. Smeal a/k/a Peggy J. Smeal 'NOT FOUND' 'EMPTY' So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by atty for plf f \$137.06; Franklin County costs \$73.96	No Judge
	Sheriff Return, July 6, 2005, Sheriff of Franklin County was deputized. July 18, 2005 served the within Complaint in Mortgage Foreclosure on Margaret J. Smeal aka Peggy J. Smeal. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by atty for plff \$31.00, Franklin County Costs pd by atty for plff \$53.48	No Judge
* 11/30/2005	Filing: Praeipe For In Rem Judgment For Failure to Answer and Assessment of Damages Paid by: Hallinan, Francis S. (attorney for Mortgage Electronic Registration Systems, Inc.) Receipt number: 1911476 Dated: 11/30/2005 Amount: \$20.00 (Check) Judgment in favor of the Plaintiff and against William I. Smeal and Margaret J. Smeal a/k/a Peggy J. Smeal, Defendants in the amount of \$176,464.94. Filed by s/Daniel G. Schmieg, Esquire. 1CC & Notice to Defs., Statement to Atty	No Judge
	Filing: Praeipe For Writ of Execution (Mortgage Foreclosure) Paid by: Hallinan, Francis S. (attorney for Mortgage Electronic Registration Systems, Inc.) Receipt number: 1911476 Dated: 11/30/2005 Amount: \$20.00 (Check) Judgment Amount: \$176,464.94 Filed by s/ Daniel G. Schmieg, Esquire. 1CC & 6 Writs to Shff	No Judge
12/5/2005	Returned mail of Preacipe for in Rem Judgment for Failure to answer and Assessment of Damages to William I. Smeal, filed.	No Judge
4/26/2006	Affidavit of Service filed. Served Margaret J. Smeal on the 28th day of March 2006 a true and correct copy of the Notice of Sheriff's Sale, filed by s/ Daniel G. Schmieg Esq. No CC.	No Judge
5/3/2006	Motion for Postponement of Sheriff's Sale, filed by Atty. Lhota 3 Cert. to Atty.	No Judge



Date: 10/1/2019

Time: 11:36 AM

Page 2 of 3

Clearfield County Court of Common Pleas

ROA Report

Case: 2005-00651-CD

Current Judge: No Judge

Netbank as Successor in Interest to RBMG, Inc. vs. William I. Smeal, et al

User: ARICHARDS1

Mortgage Foreclosures

Date		Judge
5/3/2006	Certificate of Service, copy of the Motion for Postponement of Sheriff's Sale, served upon William I. Smeal and Margaret J. Smeal a/k/a Peggy J. Smeal, on May 3, 2006. Filed by s/ John R. Lhota, Esquire for Daniel G. Schmieg, Esquire. 1CC to Atty	No Judge
5/4/2006	Order, NOW, this 3rd day of May, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is Ordered that the said sale is extended to the regularly scheduled Clfd. Co. Sheriff's Sale dated July 7, 2006. No further advertising or additional notice to lienholder or defendants is required. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Lhota, 1CC sheriff (without notice)	No Judge
5/8/2006	Motion For Service Pursuant to Special Order of Court, filed by s/ Daniel G. Schmieg, Esquire. 1CC Atty	No Judge
5/19/2006	Order, NOW, this 18th day of May, 2006, the Court is in receipt of the Plaintiff's Motion for Service Pursuant to Special Order of court and notes the below information after review of the file: (see original). In consideration of the above information, Ordered that the Plaintiff's Motion for Service Pursuant to Special Order of Court be and is hereby Denied. The plaintiff is advised to take the above information into consideration and re-attempt service. By the Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Schmieg	Fredric Joseph Ammerman
6/16/2006	Certificate of Service, filed. Hereby certify that a certified copy of an Order dated May 3, 2006, postponing the sheriff's sale in the above captioned matter to July 7, 2006 was sent to William I Smeal and Margaret J. Smeal a/k/a Peggy J. Smeal, filed by s/ John R. Lhota Esq. 2 CC atty Lhota.	No Judge
7/6/2006	Motion For Postponement of Sheriff's Sale, filed by s/ John R. Lhota Esq.	No Judge
	Order AND NOW, this 6th day of July 2006, after consideration of Plaintiffs Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby ORDERED that the said is extended two month(s) to the regularly scheduled Clearfield County Sheriff's Sale dated September 1, 2006. No further advertising or additional notice to lienholder of defendant(s) is required. bY THE COURT: /s/ Paul E. Cherry, Judge. 2 CC Lhota.	No Judge
	Certificate of Service, copy of the Motion to Postpone Sheriff's Sale sent to William Smeal and Margaret J. Smeal A/K/A Peggy J. Smeal on July 6, 2006. Filed by s/ John R. Lhota, Esquire for Daniel G. Schmieg, Esquire. 2 CC Atty. Lhota	No Judge
8/17/2006	Affidavit of Service filed. Served and made known to William L. Smeal a true and correct copy of the Notice of Sheriff's Sale, filed by s/ Daniel G. Schmieg Esq. No CC.	No Judge
	Affidavit of Service filed. Served and made known to Margaret J. Smeal Wilson a true and correct copy to the Notice of Sheriff's Sale, filed by s/ Daniel G. Schmieg Esq. No CC.	No Judge
8/31/2006	Motion For Postponement of Sheriff's Sale, filed by s/ John R. Lhota, Esquire. 2CC Atty. Lhota	No Judge
	Order, NOW, this 31st day of August, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is Ordered that the said sale is extended to the regularly scheduled Clfd. Co. sheriff's Sale dated Oct. 6, 2006. No further advertising or additional notice to lienholder or defendants is required. By The Court, /s/ Paul E. Cherry, Judge. 2CC Atty. Lhota (will serve)	Paul E. Cherry

Date: 10/1/2019

Time: 11:36 AM

Page 3 of 3

Clearfield County Court of Common Pleas

ROA Report

Case: 2005-00651-CD

Current Judge: No Judge

User: ARICHARDS1

Netbank as Successor in Interest to RBMG, Inc. vs. William I. Smeal, et al

Mortgage Foreclosures

Date		Judge
9/1/2006	Certification of Service, filed. I, Michele Bradford, hereby certify that a copy of the Motion for Postponement of Sheriff's Sale has been sent to William I. Smeal and Margaret J. Smeal, filed by s/ John R. Lhota Esq. 2CC Atty Lhota.	No Judge
10/4/2006	Affidavit Pursuant to Rule 3129.1 and Return of Service Pursuant to Pa.R.C.P. 405 of Notice of Sale, filed by s/ Daniel Schmieg Esq. No CC.	No Judge
11/2/2006	Sheriff Return, Sale Held: 10/06/2006: Date Deed Filed: 11/02/2006 So Answers, Chester A. Hawkins, Sheriff by s/Cynthia Bulter-Aughenbaugh. Shff Hawkins costs pd by atty \$2,968.02	No Judge

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

June 20, 2005 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

FILED
MAY 09 2005
William A. Shaw
Prothonotary/Clerk of Courts

IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 

/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

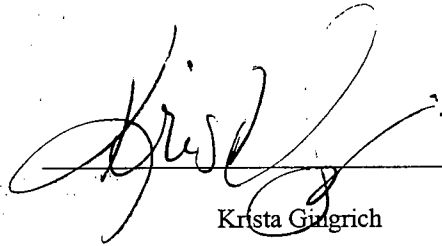
BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA

LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Krista', is written over a horizontal line.

Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: CLEARFIELD County

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

Defendants

: No. 2005-651-CD
:
:
:

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP

By:

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: June 14, 2005

/mmt, Svc Dept.
File# 107694

FILED

No CC

M 110:07694
JUN 20 2005

2 Reinstated to
Shff

William A. Shaw
Prothonotary/Clerk of Courts

Atty fee 7.00

GR

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 1 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
vs.
DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 11, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL.

NOW, August 03, 2005 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

FILED
019:44/81
OCT 13 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 2 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 11, 2005, SHERIFF OF FRANKLIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL a/k/a PEGGY J. SMEAL.

NOW, August 03, 2005 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MARGARET J. SMEAL a/k/a PEGGY J. SMEAL, DEFENDANT. THE RETURN OF FRANKLIN COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 3 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
vs.
DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 23, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL DEFENDANT AT 258 FLEGAL ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO WILLIAM I. SMEAL, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 6 Services

Sheriff Docket # **100464**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

Case # **05-651-CD**

vs.

WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURNS

NOW August 11, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT. 6058 Morrisdale/Allport Hy. Morrisdale "EMPTY".

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICE # 5 OF 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN

NOW, May 23, 2005 AT 9:45 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON WILLIAM I. SMEAL DEFENDANT AT 258 FLEGAL ROAD, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO WILLIAM I. SMEAL, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 6 of 6 Services

Sheriff Docket # **100464**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

Case # **05-651-CD**

vs.

WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURNS

NOW August 11, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT. RR#2 Box 184, Morrisdale "EMPTY". NEW: 6085 Anthony Highway, Waynesboro, Pa. 17268.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100464
NO: 05-651-CD
SERVICES 6
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
vs.
DEFENDANT: WILLIAM I. SMEAL, MARGARET J. SMEAL a/k/a PEGGY J. SMEAL

SHERIFF RETURN


RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	422806	20.00
SURCHARGE	PHELAN	422844	40.00
SHERIFF HAWKINS	PHELAN	422844	60.00
SHERIFF HAWKINS			17.06
FRANKLIN SO.	PHELAN	422848	73.96

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,


Chester A. Hawkins
Sheriff

CASE NO: 2005-00100 T
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

WILLIAM I/MARGARET J SMEAL

GUS ALEXIOU, Deputy Sheriff, who being duly sworn according to law, says, that he made a diligent search and inquiry for the within named DEFENDANT, to wit: SMEAL WILLIAM I but was unable to locate Him in his bailiwick. He therefore returns the COMP MORT FORE,

_____, NOT FOUND, as to the within named DEFENDANT, SMEAL WILLIAM I

7085 ANTHONY HIGHWAYWAYNESBORO, PA 17268DEF MOVED TO 59 FLEGLE RDMORRISDALE PA 16858

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So answers:

GUS ALEXIOU
ROBERT WOLLYUNG, Sheriff

PHELAN HALLINAN AND SCHMIEG
08/03/2005

Sworn and subscribed to before me

this 3d day of August

2005 A.D.

Richard D. McCarty
 Notary

Notarial Seal
 Richard D. McCarty, Notary Public
 Chambersburg Boro, Franklin County
 My Commission Expires Jan. 29, 2007

CASE NO: 2005-00100 T
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF FRANKLIN

MORTGAGE ELECTRONIC REGISTRATI

VS

WILLIAM I/MARGARET J SMEAL

GUS ALEXIOU, Deputy Sheriff, who being duly sworn according to law, says, that he made a diligent search and inquiry for the within named DEFENDANT, to wit:

SMEAL MARGARET J but was unable to locate Her in his bailiwick. He therefore returns the COMP MORT FORE

NOT SERVED, as to the within named DEFENDANT, SMEAL MARGARET J

7085 ANTHONY HIGHWAY

WAYNESBORO, PA 17268

UNABLE TO LOCATE DEFENDANT

Sheriff's Costs:

Docketing .00
Service .00
Affidavit .00
Surcharge .00

So answers:

Gus Alexiou
Gus Alexiou, Deputy Sheriff
PHELAN HALLINAN AND SCHMIEG
08/03/2005

Sworn and subscribed to before me

this 3^d day of August
2005
Richard D. McCarty

Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

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

MAY 09 2005

Attest.

William L. Schmieg
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify the
within is a true and
correct copy of the
statement of record
FEDERMAN AND PHELAN

IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
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THE LAW DOES NOT REQUIRE US TO WAIT
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IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
6 2085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

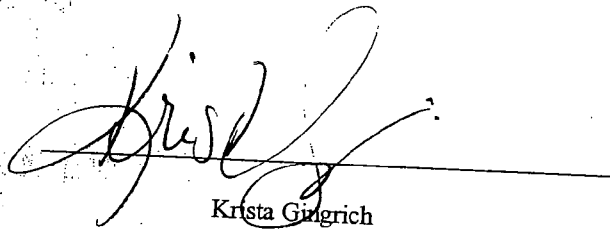
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 961.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1991 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
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FRANCIS S. HALLINAN, ESQ., Id. No. 62695
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ATTORNEY FOR PLAINTIFF

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REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO 05-651-CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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MAY 09 2005

Defendants

Attest.

William D. Allen
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

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6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
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By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

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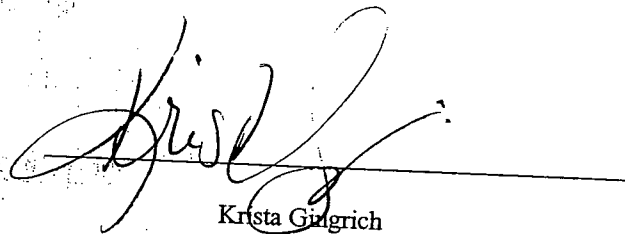
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PREMISES: RR 2 BOX 184

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Krista Gingrich

Vice President

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William L. Shaw
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PO Box 186
Harrisburg, PA 17105
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

RECEIVED
MAY 16 2005

FRANKLIN COUNTY SHERIFF'S OFFICE

IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
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UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	<u>\$ 0.00</u>
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: *Francis S. Hallinan*
/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL those certain pieces or parcels of land situate, 1, and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

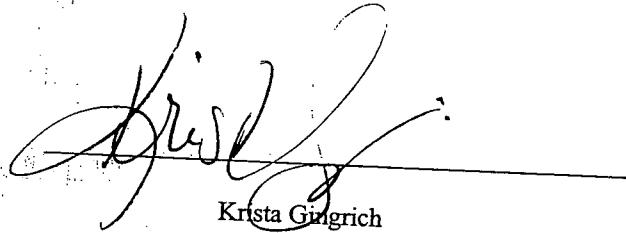
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA
LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to
take this Verification, and that the statements made in the foregoing Civil Action in Mortgage
Foreclosure are true and correct to the best of his/her knowledge, information and belief. The
undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec.
4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHILAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHILAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

Franklin 05-1107

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

MAY 09 2005

Defendants

Attest.

William D. Shaw
Prothonotary/
Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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, 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.

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DERMAN

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1. Plaintiff is

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REGISTRATION SYSTEMS, INC.
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MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

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MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
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4. The premises subject to said mortgage is described as attached.

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Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
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TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
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PHELAN HALLINAN & SCHMIEG, LLP

By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

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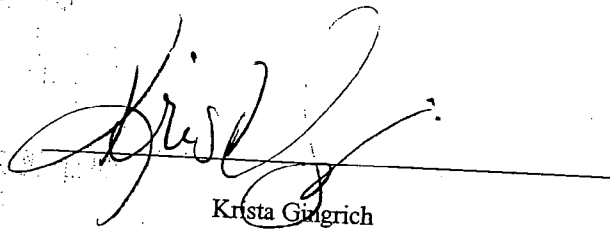
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PREMISES: RR 2 BOX 184

VERIFICATION

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Krista Gingrich

Vice President

DATE:

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MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651-CD

CLEARFIELD COUNTY

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Defendants

Attest

Wanda D. R.
Prothonotary/
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FEDERMAN AND PHELAN
File #: 107694

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7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: 

/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

those certain pieces or parcels of land situate ing and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 23 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

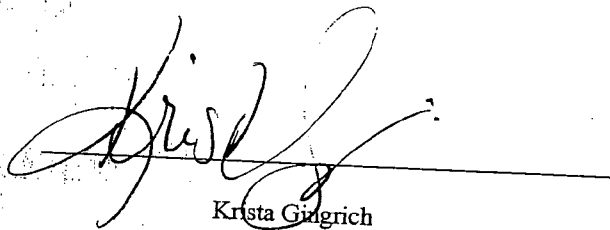
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-651CD

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

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

MAY 09 2005

Defendants

Attest.

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

William I. Smeal
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, 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:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

We hereby certify the
within to be a true and
correct copy of the
original filed of record
FEDERMAN AND PHELAN.

File #: 107694

IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

AURORA LOAN SERVICES, INC.
601 5TH AVENUE
SCOTTSBLUFF, NE 69361

2. The name(s) and last known address(es) of the Defendant(s) are:

WILLIAM I. SMEAL
6058 MORRISDALE ALPORT HIGHWAY
MORRISDALE, PA 16858

MARGARET J. SMEAL
A/K/A PEGGY J SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 01/18/1994 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MELLON BANK, N.A. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book: 1583, Page: 420. By Assignment of Mortgage recorded 06/14/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument# 200209529.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$165,122.38
Interest	5,357.60
07/01/2004 through 04/22/2005 (Per Diem \$18.10)	
Attorney's Fees	1,250.00
Cumulative Late Charges	202.96
01/18/1994 to 04/22/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 172,482.94
Escrow	
Credit	0.00
Deficit	0.00
Subtotal	\$ 0.00
TOTAL	\$ 172,482.94

7. The attorney's fees 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.
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 the 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.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 172,482.94, together with interest from 04/22/2005 at the rate of \$18.10 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

those certain pieces or parcels of land situated and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the northeastern corner of lands of the Methodist Church, said point being on the eastern right-of-way of Pennsylvania State Route SR-0053, said place of beginning being the southwestern corner of the parcel herein conveyed; thence along the eastern right-of-way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 degrees 22 minutes 26 seconds East a distance of 238.17 feet to a point, said point being South 73 degrees 12 minutes 41 seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantors South 73 degrees 12 minutes 41 seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantors North 09 degrees 34 minutes 40 seconds East a distance of 161.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 degrees 26 minutes 57 seconds East a distance of 312.37 feet to a 5/8" pipe (found); said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantors; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 degrees 46 minutes 28 seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 degrees 25 minutes 44 seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of Grantors South 3 degrees 24 minutes 09 seconds West a distance of 562.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 degrees 19 minutes 28 seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 degrees 13 minutes 31 seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 degrees 31 minutes 29 seconds East a distance of 100.00 feet to a 3/4" rebar (set); North 37 degrees 00 minutes 57 seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 degrees 46 minutes 28 seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 degrees 55 minutes 34 seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

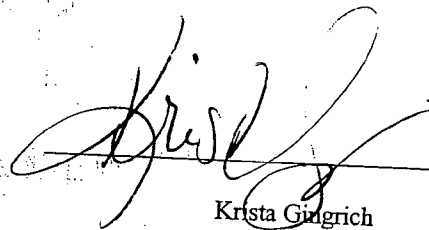
BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning. CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981 and revised on July 8, 1993.

BEING the same premises as were granted and conveyed unto Grantors herein by Deed of William I. Smeal and Margaret J. Smeal, dated October 1, 1993, and recorded in Clearfield County Deed Book Volume 1561, page 339.

PREMISES: RR 2 BOX 184

VERIFICATION

Krista Gingrich hereby states that he/she is VICE PRESIDENT of AURORA LOAN SERVICES mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Krista Gingrich

Vice President

DATE:

4/19/8

PRAECIPE FOR WRIT OF EXECUTION--(MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**

vs.

**WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL**

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA**

No. 2005-651-CD

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$176,464.94

Interest from 11/28/05 to
Date of Sale (\$29.01 per diem)

and Costs.

133.00

Prothonotary costs

Daniel G. Schmieg

Daniel G. Schmieg, Esquire
Attorney for Plaintiff

One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

PMB

FILED

NOV 30 2005

William A. Shaw
Prothonotary/Clerk of Courts

CP
ICC & 60 cents
to Shff.

Att'y pd. 20.00

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

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

Name

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

WILLIAM I. SMEAL

RR 2 BOX 184
MORRISDALE, PA 16858

MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name

Last Known Address (if address cannot be reasonably
ascertained, please indicate)

None.

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

Name

Last Known Address (if address cannot be reasonable
ascertained, please indicate)

PNC BANK, NATIONAL ASSOCIATION

PNC CONSUMER BUILDING
2730 LIBERTY AVENUE
PITTSBURGH, PA 15222

PNC BANK, NATIONAL ASSOCIATION

8800 TINICUM BOULEVARD
PHILADELPHIA, PA 15153

5. Name and address of every other person who has any record lien on the property:

Name

Last Known Address (if address cannot be
reasonable ascertained, please indicate)

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

Last Known Address (if address cannot be
reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

RR 2 BOX 184
MORRISDALE, PA 16858

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.



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

PHILAN H. LINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2005-651-CD

vs.

CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is 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 Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

DESCRIPTION

ALL THOSE CERTAIN pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

PARCEL NO. 1:

BEGINNING at a point at the Northeastern corner of lands of the Methodist Church, said point being on the Eastern right of way of Pennsylvania State Route SR-0053, said place of beginning being the Southwestern corner of the parcel herein conveyed; thence along the Eastern right of way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 Degrees 22 Minutes 26 Seconds East a distance of 238.17 feet to a point, said point being South 73 Degrees 12 Minutes 41 Seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantor South 73 Degrees 12 Minutes 41 Seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantor North 09 Degrees 34 Minutes 40 Seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 Degrees 26 Minutes 57 Seconds East a distance of 312.37 feet to a 5/8" pipe (found), said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantor; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances: South 18 Degrees 46 Minutes 28 Seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 Degrees 25 Minutes 44 Seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of William I. Smeal and Margaret J. Smeal South 3 Degrees 24 Minutes 09 Seconds West a distance of 552.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances: North 86 Degrees 19 Minutes 28 Seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 Degrees 13 Minutes 31 Seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 Degrees 31 Minutes 29 Seconds East a distance of 100.00

feet to a 3/4" rebar (set); North 37 Degrees 00 Minutes 57 Seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 Degrees 46 Minutes 28 Seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Coble and lands of the Methodist Church North 36 Degrees 55 Minutes 34 Seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

PARCEL NO. 2

BEGINNING at a post of stone on the right of way of New York Central and Hudson River Railroad; thence North 04 Degrees 33 Minutes East a distance of 977 feet to a post on lands now or formerly John Czefsky; thence along the line of lands of John Czefsky and lands of the estate of O.L. Schomover, deceased, South 83 Degrees 45 Minutes East a distance of 785.00 feet to a post; thence South 07 Degrees 50 Minutes West a distance of 963.00 feet to a post; thence North 85 Degrees 05 Minutes West a distance of 729.00 feet to a post and place of beginning. Containing 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1991 and revised on July 8, 1993.

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Margaret J. Smeal by reason of the following:

BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Deed dated 10/26/1988 and recorded 10/26/1988 in the County of Clearfield in Deed Book Volume 1250 Page 449 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Corrective Deed dated 4/29/1992 and recorded 4/30/1992 in the County of Clearfield in Deed Book Volume 1457 Page 280 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

NOTE: The above recited Corrective Deed was recorded to eliminate an error in the legal description from prior Deed.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 10/1/1993 and recorded _____ in the County of Clearfield in Deed Book Volume 1561 Page 339 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 6/9/1995 and recorded 6/9/1995 in the County of Clearfield in Deed Book Volume 1681 Page 398 conveyed unto Margaret J. Smeal.

AND BEING AS TO PARCEL NO. 1 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102306 conveyed unto Margaret J. Smeal.

AND ALSO BEING AS TO PARCEL NO. 2 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102307 conveyed unto Margaret J. Smeal.

PREMISES BEING: RR 2 BOX 184, MORRISDALE, PA 16858

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
Plaintiff

vs.

WILLIAM I. SMEAL,
MARGARET J. SMEAL, a/k/a
PEGGY J. SMEAL,
Defendants

*
*
*
*
*
*
*
*

NO. 05-651-CD

FILED 3cc
01420301 Amy
MAY 19 2006 Schmitz

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

NOW, this 18th day of May, 2006, the Court is in receipt of the Plaintiff's Motion for Service Pursuant to Special Order of Court and notes the below information after a review of the file:

1) The Plaintiff is attempting to serve Defendant William I. Smeal at RR 2, Box 184, Morrisdale, PA, the property in question, which is vacant;

2) The Sheriff Return filed with the record on October 13, 2005 indicates William I. Smeal was served with the Complaint in Mortgage Foreclosure at the address of 258 Flegal Road, Morrisdale, PA;

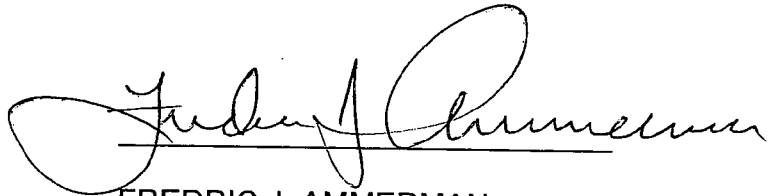
3) The Court, through contact with the Morrisdale Post Office, has confirmed that the physical address of William I. Smeal is 258 Flegal Road, Morrisdale, PA and his mailing address is P.O. Box 33, Morrisdale, PA 16858;

4) The Court has verified with the Clearfield County Election Office that William I. Smeal has been registered to vote since 1997 and that his address information is 258 Flegal Road, PO Box 33, Morrisdale, PA 16858. The Court notes that the Affidavit of Good Faith Investigation by Full Spectrum Legal Services (March 24, 2006) included by the Plaintiff with the Motion for Service Pursuant to Special Order of Court

indicates in Section VI, B that it was unable to confirm a voter registration for William A. Smeal. This averment is clearly incorrect.

In consideration of the above information, it is the ORDER of this Court that the Plaintiff's Motion for Service Pursuant to Special Order of Court be and is hereby DENIED. The Plaintiff is advised to take the above information into consideration and re-attempt service.

BY THE COURT,

A handwritten signature in cursive script, reading "Fredric J. Ammerman", written over a horizontal line.

FREDRIC J. AMMERMAN
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against WILLIAM I. SMEAL and MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, Defendant(s) 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	\$172,482.94
Interest (4/23/05 to 11/28/05)	<u>3,982.00</u>
TOTAL	\$176,464.94

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.

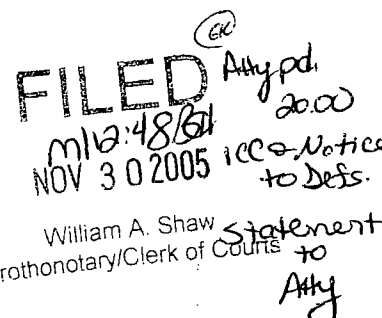

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 11/30/05


PRO PROTHY

PMB


FILED
mjb:4861
NOV 30 2005
Att'y pd.
20.00
1cc - Notice
to Defs.
William A. Shaw
Prothonotary/Clerk of Courts
Statement
to
Att'y

PHELAN HALLINAN & SCHMIEG
By: DANIEL SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/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.

(b) that defendant, WILLIAM I. SMEAL, is over 18 years of age, and resides at RR 2 BOX 184, MORRISDALE, PA 16858.

(c) that defendant, MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, is over 18 years of age, and resides at 7085 ANTHONY HIGHWAY, WAYNESBORO, PA 17268.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

PHELAN, HALLINAN AND SCHMIEG
By: Lawrence P. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: NO. 2005-651-CD

TO: WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

DATE OF NOTICE: AUGUST 9, 2005

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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.

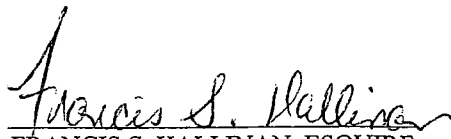
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

4
PHELAN, HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Plaintiff

Vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 2005-651-CD

TO: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

DATE OF NOTICE: AUGUST 9, 2005

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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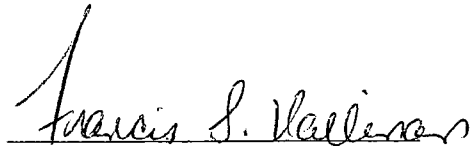
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DAVID S. MEHOLICK, COURT
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CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
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PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
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HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

Plaintiff

No.: 2005-651-CD

vs.


WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on November 30, 2005.

By: _____ DEPUTY

If you have any questions concerning this matter please contact:


DANIEL G. SCHMIEG, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

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INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE
PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD
NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY
ENFORCEMENT OF A LIEN AGAINST PROPERTY.**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

COPY

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2005-00651-CD

Real Debt: \$176,464.94

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

William I. Smeal
Margaret J. Smeal
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: November 30, 2005

Expires: November 30, 2010

Certified from the record this 30th day of November, 2005.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

Office of the Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830

FILED

DEC 05 2005

William A. Shaw
Prothonotary/Clerk of Courts

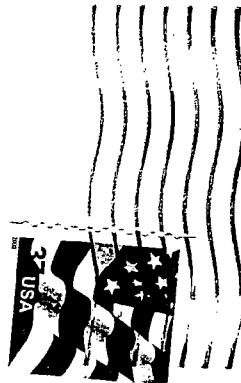
16830-2448-33 0004

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

☐ A ☐ INSUFFICIENT ADDRESS
☐ C ☐ ATTEMPTED NOT KNOWN
☒ S ☐ NO SUCH NUMBER/STREET
☐ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD

☐ OTHER

RTS
RETURN TO SENDER



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against WILLIAM I. SMEAL and MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, Defendant(s) 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	\$172,482.94
Interest (4/23/05 to 11/28/05)	<u>3,982.00</u>
TOTAL	\$176,464.94

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 11/30/05

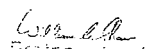

PRO PROTHY

PMB

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

NOV 30 2005

Attest.


Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/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.

(b) that defendant, WILLIAM I. SMEAL, is over 18 years of age, and resides at RR 2 BOX 184, MORRISDALE, PA 16858 .

(c) that defendant, MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, is over 18 years of age, and resides at 7085 ANTHONY HIGHWAY, WAYNESBORO, PA 17268.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

Plaintiff

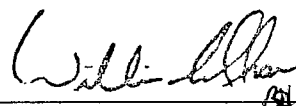
No.: 2005-651-CD

vs.


WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on November 30, 2005.

By:  ~~SA~~ DEPUTY

If you have any questions concerning this matter please contact:


DANIEL G. SCHMIEG, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

****THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.****

PHELAN, HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: NO. 2005-651-CD

TO: WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

DATE OF NOTICE: AUGUST 9, 2005

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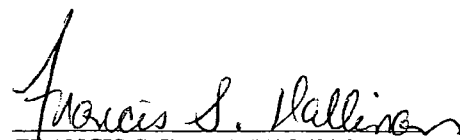
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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN, HALLIN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
Defendants

: NO. 2005-651-CD

TO: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

DATE OF NOTICE: AUGUST 9, 2005

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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.

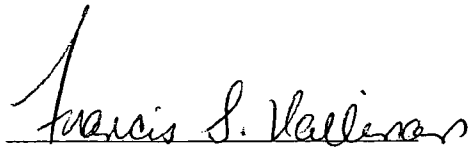
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375

FILE COPY


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

F&P. #107694

COURT NO.: 2005-651-CD

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

FILED ^{NO CC}
M 11:12 AM
APR 26 2006
William A. Shaw
Prothonotary/Clerk of Courts

SERVE MARGARET J. SMEAL A/K/A PRGGY
J. SMEAL AT:
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: May 5, 2006

SERVED

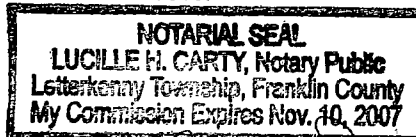
Served and made known to Margaret J. Smeal, Defendant on the 28th day of March, 2006, at 5:57
o'clock P. M., at 7085 Anthony Highway, Waynesboro, Commonwealth of Pennsylvania, in the manner
described below:

- ☒ Defendant personally served.
☒ Adult family member with whom Defendant(s) reside(s). Jeff Wilson
Relationship is husband
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
☐ _____ an officer of said Defendant's company.
☐ Other: _____

Description: Age 45 Height 6' Weight 200 ^{lbs} Race W Sex M Other Mus to che

I, Cherice L. Carty, Jr, a competent adult, being duly sworn according to law, depose and state that I
personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued
in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 28th day
of March, 2006.



Notary: _____ By: _____

NOT SERVED

On the _____ day of _____, 200__, at _____ o'clock __ M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200__.

By: _____

Notary: _____

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

PHELAN HALLINAN & SCHMIEG LLP
By: DANIEL G. SCHIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COURT OF COMMON PLEAS

CIVIL DIVISION

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

No.: 2005-651-CD

CERTIFICATION OF SERVICE

I, Daniel G. Schmieg, hereby certify that a copy of the Motion for Postponement of
Sheriff's Sale has been sent to the individuals indicated below on May 3, 2006.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

PHELAN HALLINAN & SCHMIEG, LLP

Daniel G. Schmieg

JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by John R. Lhota,
Co-Counsel to

Plaintiff

FILED

MAY 03 2006

0/11:40/W

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

1 Cert to Att

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT OF COMMON PLEAS
CIVIL DIVISION

CLEARFIELD COUNTY

No.: 2005-651-CD

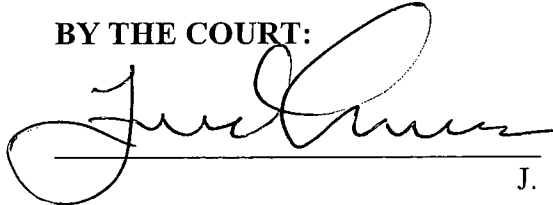
ORDER

AND NOW, this 3RD day of May, 2006, after consideration of
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD
COUNTY Sheriff's Sale dated JULY 7, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

FILED 2CC
010:38/311 Atty Gen
MAY 04 2006 JCC
Sheriff
William A. Shaw (without
Prothonotary/Clerk of Courts notice)
(GR)

PHELAN HALLINAN & SCHMIEG LLP
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COURT OF COMMON PLEAS

CIVIL DIVISION

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

No.: 2005-651-CD

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for a postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for May 5, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendant(s) within the thirty day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.
3. A two month postponement of the Sheriff's sale will allow Plaintiff a sufficient amount of time to serve the notice of sheriff's sale upon the Defendant(s).

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to July 7, 2006.

FILED
MAY 03 2006
01:11:35/W
William A. Shaw
Prothonotary/Clerk of Courts
3 CENTS TO ATT

PHELAN HALLINAN & SCHMIEG, LLP

Daniel G. Schmieg
JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by *John R. Lhota*
co-counsel to
Plaintiff

VERIFICATION

Daniel G. Schmieg, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

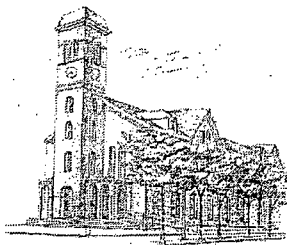
Date:

May 3, 2006

Daniel G. Schmieg

JOHN R. LHOTA, ESQUIRE
FOR DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

by John R. Lhota,
Counsel to
Plaintiff



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 5/4/06

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s)/Attorney(s)

☐ Defendant(s)/Attorney(s)

☐ Other

☐ Special Instructions:

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

FILED^{cc}
m/10:48/By Any
MAY 08 2006

William A. Shaw
Prothonotary/Clerk of Courts

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

**MOTION FOR SERVICE PURSUANT TO
SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, DANIEL G. SCHMIEG, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."

2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B."

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.


DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COUNTY CLEARFIELD

ACCT. #0104875562

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
33 RR 3 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MAY 5, 2006

SERVED

Served and made known to William Smeal, Defendant, on the ____ day of _____, 200__, at _____, o'clock __. M.,
at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed before me
this _____ day of _____, 200__.

Notary:

By:

NOT SERVED

On the 14th day of April, 2006, at 3:07 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Jayne Bell, Postmaster, Morrisdale, says the smeals moved approx 1 yr ago

Sworn to and subscribed
before me this 17th day of APRIL, 2006. By Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
RR 2 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

Served and made known to William I. Smeal, Defendant on the 28th day of Feb., 2006, at 2:25 o'clock P. M., at RR 2 Box 184 Morrisdale, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
- ☐ Adult family member with whom Defendant(s) reside(s).
 Relationship is _____.
- ☐ Adult in charge of Defendant's residence who refused to give name or relationship.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
- ☐ Agent or person in charge of Defendant's office or usual place of business.
- ☐ _____ an officer of said Defendant's company.
- ☐ Other: _____.

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
 before me this _____ day
 of _____, 2006.

Notary:

By:

NOT SERVED

On the 28th day of Feb., 2006, at 2:25 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☐ Vacant Postmaster Joyce Bell claims Mr. Smeal no longer resides at this address. moved in 2003

Other:

Sworn to and subscribed
 before me this 28th day
 of February, 2006.

By: Thomas Holmberg

Notary:

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
 I.D.#62205
 One Penn Center at Suburban Station
 1617 John F. Kennedy Blvd., Suite 1400
 Philadelphia, PA 19103-1814
 (215) 563-7000

Marilyn A. Campbell
 COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
 Marilyn A. Campbell, Notary Public
 City of Altoona, Blair County
 My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

**FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 107694
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: William I. Smeal & Margaret J. Smeal

Property Address: RR 2 Box 184, Morrisdale, PA 16858
Possible Mailing Address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858
(Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

William I. Smeal - 171-44-5004

Margaret J. Smeal - 103-40-8257

B. EMPLOYMENT SEARCH

William I. Smeal & Margaret J. Smeal - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that William I. Smeal reside(s) at 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal reside(s) at: 7085 Anthony Highway # Y, Waynesboro, PA 17268.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for William I. Smeal & Margaret J. Smeal.

B. On 03-24-06 our office made a telephone call to the phone number (814) 342-0892 and received the following information: fax tone. On 03-24-06 our office made several telephone calls to the phone number (814) 342-3065 and received the following information: no answer.

III. INQUIRY OF NEIGHBORS

On 03-24-06 our office made several phone calls in an attempt to contact M.J.Ostrom (814) 342-7335, RR 2 Box 157, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Paula S. Sweetser (814) 343-4584, RR 2 Box 165, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Larry Williams (814) 342-6198, RR 2 Box 171, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact William T. Guiher (814) 342-4694, RR 3 Box 113, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Anna Jane Hoover (814) 345-5016, RR 3 Box 132, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Diana M. Timko (814) 345-6888, RR 3 Box 136, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made a phone call in an attempt to contact William H. Geesaman (717) 749-5244, 7080 Anthony Highway # Y, Waynesboro, PA 17268: spoke with an unidentified female who could not confirm that the subject reside(s) at 7085 Anthony Highway # Y, Waynesboro, PA 17268.

On 03-24-06 our office made several phone calls in an attempt to contact Audrey E. Minnich (717) 749-5247, 7053 Anthony Highway # Y, Waynesboro, PA 17268: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Norma L. Miller (717) 749-7604, 7128 Anthony Highway # Y, Waynesboro, PA 17268: no answer.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 03-24-06 we reviewed the National Address database and found the following information: William I. Smeal - 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal - 7085 Anthony Highway # Y, Waynesboro, PA 17268.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858 & (Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on William I. Smeal & Margaret J. Smeal.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 03-24-06 Vital Records and all public databases have no death record on file for William I. Smeal & Margaret J. Smeal.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for William I. Smeal & Margaret J. Smeal residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

William I. Smeal - not available

Margaret J. Smeal - not available

B. A.K.A.

Peggie J. Smeal

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.



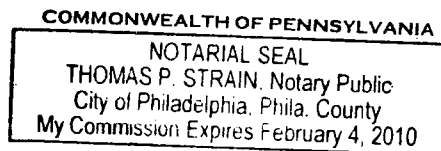
AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 24th day of March, 2006



The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND



PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400

PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

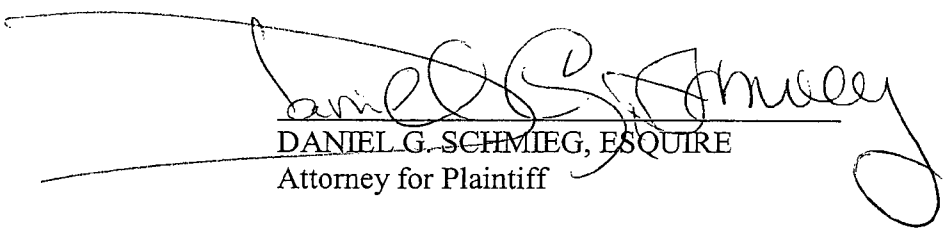
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

CERTIFICATION OF SERVICE

I, DANIEL G. SCHMIEG, ESQUIRE, hereby certify that a copy of the Motion
for Service Pursuant to Special Order of Court has been sent to the individuals indicated
below on

May 5, 2006.

WILLIAM I. SMEAL
RR2 BOX 184
MORRISDALE, PA 16858
&
33 RR 3 BOX 184
MORRISDALE, PA 16858



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400

PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

ORDER

AND NOW, this ____ day of _____, 200____, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), **WILLIAM I. SMEAL**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,

Plaintiff

vs.

WILLIAM I. SMEAL and
MARGARET J. SMEAL a/k/a PEGGY
J. SMEAL,

Defendants

)
)
) No. 2005-651-CD
)
) Type of Pleading:
) Certificate of Service
)
) Filed on Behalf of:
) Mortgage Electronic Registration
) Systems, Inc., Plaintiff
)
) Counsel of Record for this
) Party:
)
) PHELAN HALLINAN & SCHMIEG LLP
) BY: DANIEL G. SCHMIEG, ESQUIRE
) IDENTIFICATION No. 62205
) ONE PENN CENTER AT SUBURBAN STATION
) 1617 JOHN F. KENNEDY BLVD, STE. 1400
) PHILADELPHIA, PA 19103-1814
) (215) 563-7000

FILED

JUN 16 2006

Q131012cc atty
William A. Shaw
Prothonotary/Clerk of Court
Lhoza

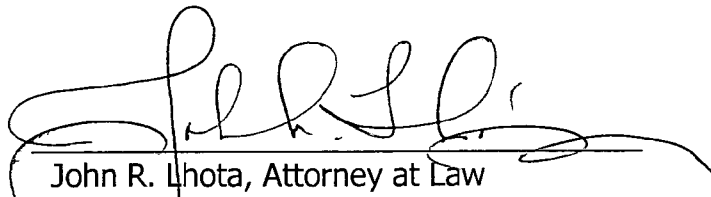
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC.,)	
Plaintiff)	No. 2005-651-CD
vs.)	
)	Type of Pleading:
WILLIAM I. SMEAL and)	Certificate of Service
MARGARET J. SMEAL a/k/a PEGGY)	
J. SMEAL,)	
Defendants)	

CERTIFICATE OF SERVICE

I, John R. Lhota, Attorney at Law, co-counsel to Plaintiff in the above captioned matter, hereby certify that a certified copy of an Order dated May 3, 2006, postponing the sheriff's sale in the above captioned matter to July 7, 2006 was sent to the individuals indicated below on May 4, 2006, by regular United States first class mail. Original certificates of mailing evidencing the foregoing are attached hereto and made a part hereof as Exhibit A hereto.

William I. Smeal and
Margaret J. Smeal a/k/a Peggy J. Smeal
R.R. 2, Box 184
Morrisdale, PA 16858


John R. Lhota, Attorney at Law
for Daniel G. Schmieg, Attorney at Law,
counsel to plaintiff.

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:
John R. Lhota, P.C.

110 North Second Street
Clearfield, PA 16830

One piece of ordinary mail addressed to:

William I. Smeal
Margaret J. Smeal a/k/a Peggy J. Smeal
R.R. 2, Box 184
Morrisdale, PA 16858

PS Form 3817, January 2001



U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:
John R. Lhota, P.C.

110 North Second Street
Clearfield, PA 16830

One piece of ordinary mail addressed to:

William I. Smeal
Margaret J. Smeal a/k/a Peggy J. Smeal
R.R. 2, Box 184
Morrisdale, PA 16858

PS Form 3817, January 2001

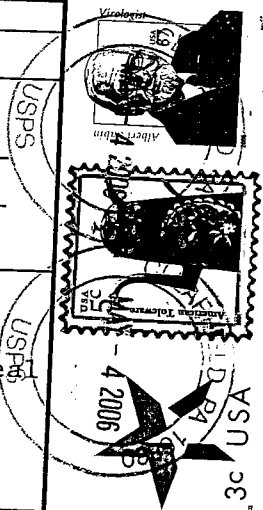


Exhibit A

CA

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

Mortgage Electronic Registration
Systems, Inc.

Plaintiff,

vs.

William I Smeal, and
Margaret J. Smeal,, a/k/a Peggy Smeal
Defendant(s)

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No. 2005-651-CD

Type of Pleading: .
Motion for Postponement of
Sheriff's Sale

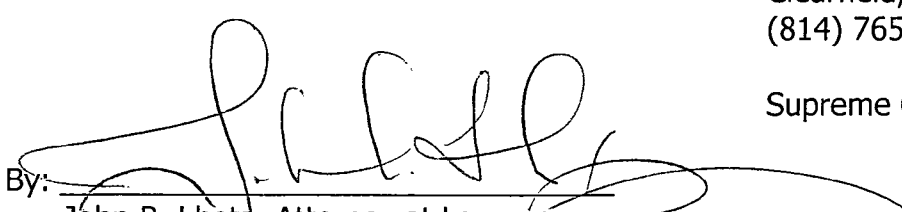
Filed on behalf of:
Mortgage Electronic Registrations
Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

John R. Lhota, Attorney at Law
John R. Lhota, P. C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

Supreme Court No. 22492

By:


John R. Lhota, Attorney at Law
John R. Lhota, P. C.

FILED
012:20/04
JUL 06 2006

2cc
Amy Lhota

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG
BY: DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY I.D. NO. 62205
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

Plaintiff, by its counsel, PHELAN HALLINAN & SCHMIEG, petitions this Honorable Court for a two month postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for July 7, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendant(s) within the thirty day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.
3. A two month postponement of the Sheriff's Sale will allow plaintiff a sufficient amount of time to serve the notice of sheriff's sale upon the Defendant(s).

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to **September 1, 2006**.

PHELAN HALLINAN & SCHMIEG

BY: 

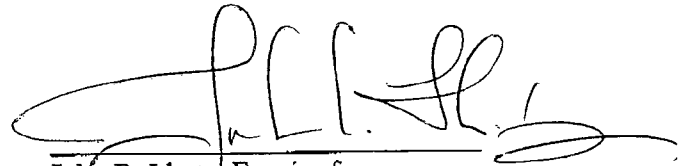
John R. Lhota, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

DANIEL G. SCHMIEG, Esquire, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

Date: July 6, 2006



John R. Lhota, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

CP

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

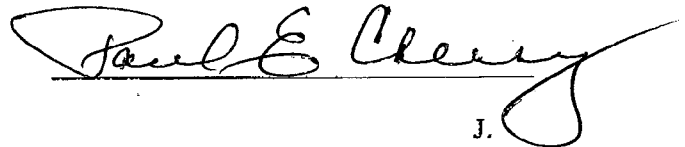
ORDER

AND NOW, this 16th day of July, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended two month(s) to the regularly scheduled CLEARFIELD County Sheriff's Sale dated September 1, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

FILED 200
012:3581 Atty Lhotka
JUL 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

Mortgage Electronic Registration
Systems, Inc.

Plaintiff,

vs.

William I Smeal, and
Margaret J. Smeal,, a/k/a Peggy Smeal
Defendant(s)

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*
*
*

No. 2005-651-CD

Type of Pleading:
Certificate of Service

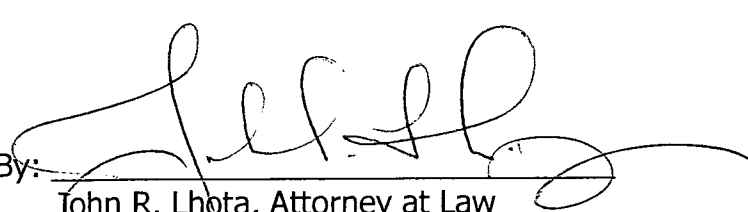
Filed on behalf of:
Mortgage Electronic Registrations
Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

John R. Lhota, Attorney at Law
John R. Lhota, P. C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

Supreme Court No. 22492

By:


John R. Lhota, Attorney at Law
John R. Lhota, P. C.

FILED
JUL 06 2006

2cc
06/20/06
Amey Lhota
@

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG
BY: DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY I.D. NO. 62205
ONE PENN CENTER AT SUBURBAN
STATION, SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 553-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

CLEARFIELD COUNTY

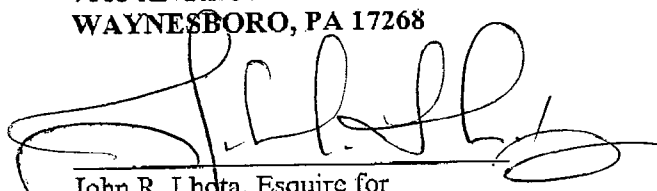
CERTIFICATION OF SERVICE

I, DANIEL G. SCHMIEG, Esquire, hereby certify that a copy of the Motion to Postpone
Sheriff's Sale relative to the above matter has been sent to the individuals indicated below on

July 6, 2006.

WILLIAM I. SMEAL
RR 2 BOX 184
MORRISDALE, PA 16858

MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268



John R. Lhota, Esquire for
DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

July 6, 2006

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

FILED
m/2:35 PM
AUG 17 2006

William A. Shaw
Prothonotary/Clerk of Court
No CC

SERVE MARGARET J. SMEAL A/K/A PRGGY J. SMEAL AT:
7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

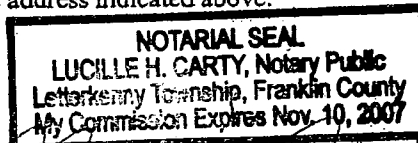
Served and made known to Margaret J. Smeal Wilson Defendant on the 28th day of Feb, 2006, at 2:25 o'clock P. M., at 7085 Anthony Hwy., Commonwealth of Pennsylvania, in the manner described below:

- ☒ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age 50 Height 5'6" Weight 160 Race W Sex F Other long hair
No glasses

I, Clarence L. Carty, Jr., a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 28th day
of Feb, 2006.



Notary: Lucille H. Carty

By: Clarence L. Carty, Jr.

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock ____ M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200____.

By: _____

Notary: _____

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

CQS

FILED

NOCC

PLAINTIFF MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

CLEARFIELD County No. 2005-651-CD Our File #: 107694

DEFENDANT(S) WILLIAM I. SMEAL
MARGARET J. SMEAL
A/K/A PEGGY J. SMEAL

William A. Shaw
Type of Action Prothonotary/Clerk of Courts
- Notice of Sheriff's Sale

Please serve upon: WILLIAM I. SMEAL

Sale Date: SEPTEMBER 1, 2006

SERVE AT: RR 3 BOX 194
MORRISDALE, PA 16858

SERVED

Served and made known to William L. Smeal, Defendant, on the 5th day of August, 2006 at 3:50 o'clock P.m., at RR 3 Box 194 Morrisdale

Commonwealth of Pennsylvania, in the manner described below:

X Defendant personally served.
____ Adult family member with whom Defendant(s) reside(s). Relationship is ____
____ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
____ Agent or person in charge of Defendant(s)'s office or usual place of business.
____ an officer of said Defendant(s)'s company.
____ Other: _____

Description: Age 50 Height 5'11" Weight 200 Race W Sex M Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 7th day
of AUGUST, 2006

Notary:

By: Thomas Holmberg
NOT SERVED

On the _____ day of _____, 200__, at _____ o'clock ____m., Defendant NOT FOUND because:
____ Moved ____ Unknown ____ No Answer ____ Vacant
1st attempt _____, 2nd attempt _____, 3rd attempt _____

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200__.

Notary:

By:

Attorney for Plaintiff
Daniel G. Schmieg, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,**
Plaintiff,

vs.

**WILLIAM I. SMEAL and
MARGARET J. SMEAL, a/k/a
PEGGY SMEAL,**
Defendants.

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No. 2005-651-CD

Type of Pleading:

Motion for Postponement of Sheriff's Sale
And Order

Filed on behalf of:

Mortgage Electronic Registrations Systems, Inc.
Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

John R. Lhota, Attorney at Law

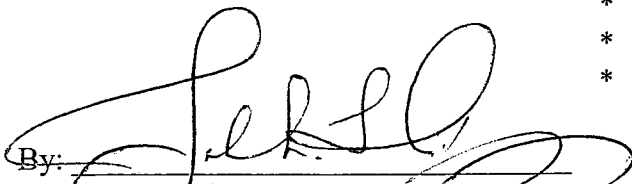
John R. Lhota, P.C.


110 North Second Street

Clearfield, PA 16830

(814) 765-9611

Supreme Court No. 22492

By: 
John R. Lhota, Attorney at Law
John R. Lhota, P.C.

FILED *2CC*
013:00/61 *Atty Lhota*
AUG 31 2005 

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
By: MICHELE BRADFORD, ESQUIRE
IDENTIFICATION NO. 69849
PLAINTIFF
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR

MORTGAGE ELECTRONIC REGISTRATION	SYSTEMS, INC vs. WILLIAM I.
SMEAL MARGARET J. SMEAL	COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD	

MOTION FOR POSTPONEMENT OF SHERIFF'S SALE

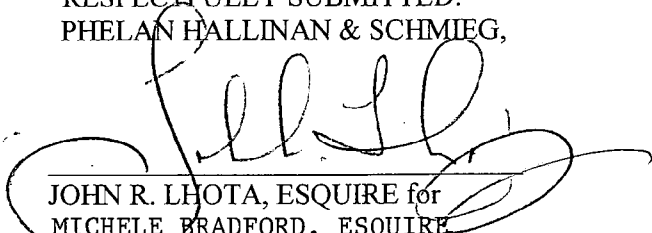
Plaintiff, by its counsel, PHELAN HALLINAN & SCHMIEG, LLP, petitions this Honorable Court for a postponement of its Sheriff's Sale scheduled in the above captioned matter and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for SEPTEMBER 1, 2006.
2. Plaintiff has been unable to have the Notice of Sale served upon the Defendants within the thirty-day time limit set forth by Pennsylvania Rule of Civil Procedure 3129.2.
3. A one-month postponement of the Sheriff's sale will enable Plaintiff to have the Notice of Sale served upon the Defendants.

WHEREFORE, Plaintiff respectfully requests that the Sheriff's Sale of the mortgaged premises be continued to OCTOBER 6, 2006.

LLP

RESPECTFULLY SUBMITTED:
PHELAN HALLINAN & SCHMIEG,


JOHN R. LHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

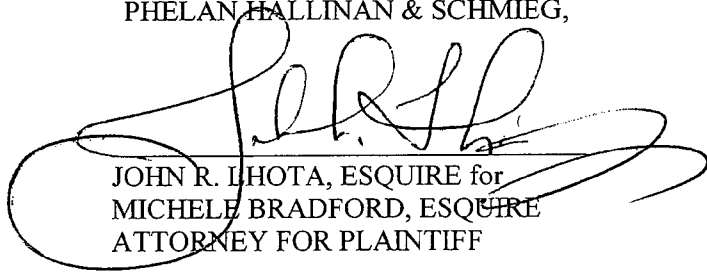
MICHELE BRADFORD, ESQUIRE, hereby states that he is the attorney for the plaintiff in this action, that he is authorized to take this verification, and that the statements made in the foregoing **Motion for Postponement of Sheriff's Sale** are true and correct to the best of his knowledge, information and belief.

The undersigned also understands that this statement herein is made subject to the penalties of 18 Pa. Sec. 4904 relating to unsworn falsification to authorities.

LLP

Date: August 31, 2006

RESPECTFULLY SUBMITTED:
PHELAN HALLINAN & SCHMIEG,



JOHN R. LHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I.
SMEAL MARGARET J. SMEAL COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

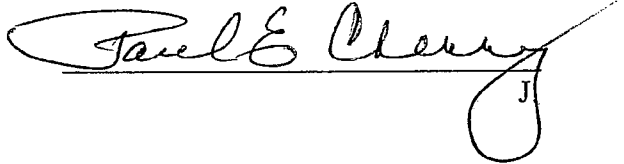
ORDER

AND NOW, this 31st day of August, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD County Sheriff's Sale dated OCTOBER 6, 2006.

No further advertising or additional notice to lienholder or defendants is required.

BY THE COURT:


J

FILED 2cc
01/31/06/201 Atty Lhota
AUG 31 2006 (will serve)
William A. Shaw
Prothonotary/Clerk of Courts ER

PHELAN HALLINAN & SCHMIEG, LLP
By: MICHELE BRADFORD, ESQUIRE
IDENTIFICATION NO. 69849
PLAINTIFF
ONE PENN CENTER AT SUBURBAN STATION
1617 JOHN F. KENNEDY BLVD., SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM I.
SMEAL MARGARET J. SMEAL COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

CERTIFICATION OF SERVICE

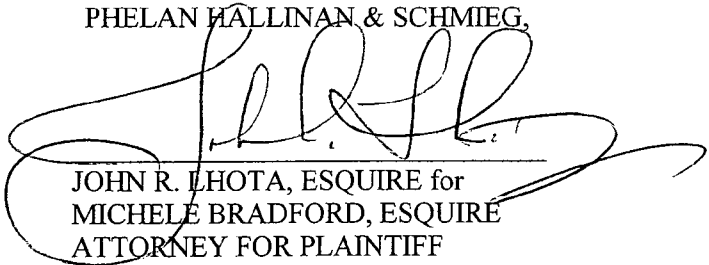
I, MICHELE BRADFORD, hereby certify that a copy of the Motion for
Postponement of Sheriff's Sale has been sent to the individuals indicated below on
August 31, 2006.

WILLIAM I. SMEAL
RR 3 BOX 194
MORRISDALE PA 16858

MARGARET J. SMEAL
7085 ANTHONY HIGHWAY
WAYNESBORO PA 17268

LLP

RESPECTFULLY SUBMITTED:
PHELAN HALLINAN & SCHMIEG,


JOHN R. LHOTA, ESQUIRE for
MICHELE BRADFORD, ESQUIRE
ATTORNEY FOR PLAINTIFF

FILED 2cc
013:42/61 Atty Lhota
SEP 01 2006

William A. Shaw
Prothonotary/Clerk of Courts

FILED NO CC
M 12:53 PM
OCT 04 2006

William A. Shaw
Prothonotary/Clerk of Courts

SALE DATE: OCTOBER 6, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at:

RR 2 BOX 184, MORRISDALE, PA 16858.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

Daniel G. Schmieg
DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

October 3, 2006

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
WILLIAM I. SMEAL	RR 2 BOX 184 MORRISDALE, PA 16858
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL	7085 ANTHONY HIGHWAY WAYNESBORO, PA 17268

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at RR 2 BOX 184, MORRISDALE, PA 16858:

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

PNC BANK, NATIONAL ASSOCIATION

PNC CONSUMER BUILDING
2730 LIBERTY AVENUE
PITTSBURGH, PA 15222

PNC BANK, NATIONAL ASSOCIATION

8800 TINICUM BOULEVARD
PHILADELPHIA, PA 15153

5. Name and address of every other person who has any record lien on the property

Name

Last Known Address (if address cannot be reasonably ascertained, please indicate)

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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Clearfield County Domestic Relations

Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

Last Known Address (if address cannot be reasonably ascertained, please indicate)

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant

RR 2 BOX 184
MORRISDALE, PA 16858

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.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

November 28, 2005

Name and Address of Sender
 PHELAN HALLINAN & SCHMIEG
 One Penn Center at Suburban Station
 Philadelphia, PA 19103-1814
 Suite 1400
 SANDRA COOPER/PMB

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	WILLIAM I. SMEAL	Tenant/Occupant, RR 2 BOX 184, MORRISDALE, PA 16858		
2	0104875562	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830		
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105		
4		PNC BANK, NATIONAL ASSOCIATION PNC CONSUMER BUILDING 2730 LIBERTY AVENUE PITTSBURGH, PA 15222		
5		PNC BANK, NATIONAL ASSOCIATION 8800 TINICUM BOULEVARD PHILADELPHIA, PA 15153		
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name Of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20256
NO: 05-651-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 12/01/2005

LEVY TAKEN 12/29/2005 @ 11:27 AM

POSTED 12/29/2005 @ 11:27 AM

SALE HELD 10/06/2006

SOLD TO DEBORAH K. SMEAL AND WILLIAM I. SMEAL

SOLD FOR AMOUNT \$128,000.00 PLUS COSTS

WRIT RETURNED 11/02/2006

DATE DEED FILED 11/02/2006

PROPERTY ADDRESS RR 2, BOX 184 POSSIBLE 911 6058 MORRISDALE-ALLPORT HWY MORRISDALE, PA 16858

FILED
01/11/06/01
NOV 02 2006
William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

01/04/2006 @ 9:14 AM SERVED WILLIAM I. SMEAL

SERVED WILLIAM I. SMEAL, DEFENDANT, AT HIS RESIDENCE 6058 MORRISDALE-ALLPORT HWY, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DEBBIE SMEAL WIFE/AAR

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.

01/26/2006 @ 2:40 PM SERVED MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

FRANKLIN COUNTY SERVED MARGARET J. SMEAL A/K/A PEGGY J. SMEAL, DEFENDANT, AT HER RESIDENCE 7085 ANTHONY HIGHWAY, WAYNESBORO, PA BY HANDING TO JEFFREY WILSON, HUSBAND OF DEFENDANT

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, MARCH 1, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR MARCH 3, 2006 TO MAY 5, 2006.

@ SERVED

NOW, MAY 4, 2006 RECEIVED AN ORDER OF COURT TO CONTINUE THE SHERIFF SALE SCHEDULED FOR MAY 5, 2006 TO JULY 7, 2006 WITHOUT FURTHER ADVERTISING.

@ SERVED

NOW, JULY 6, 2006 RECEIVED A FAX COPY OF COURT ORDER TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JULY 7, 2006 TO SEPTEMBER 1, 2006 WITHOUT FURTHER ADVERTISING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20256
NO: 05-651-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.
DEFENDANT: WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

Execution REAL ESTATE

SHERIFF RETURN


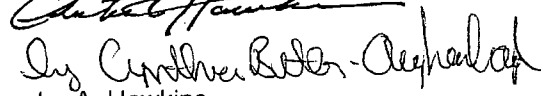
SHERIFF HAWKINS \$2,928.02

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,



Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 2005-651-CD

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A
PEGGY J. SMEAL

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Premises: RR 2 BOX 184, MORRISDALE, PA 16858

(See legal description attached.)

Amount Due

\$176,464.94

Interest from 11/28/05 to
Date of Sale (\$29.01 per diem)

\$ _____

Total

\$ _____ Plus costs as endorsed.

132.00

Prothonotary costs

[Signature]
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 11/30/05
(SEAL)

By: _____

Deputy

PMB

Received December 1, 2005 @ 3:00 P.M.
Charles A. Hunkler
By Cynthia Butler-Aughenbaugh

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

DESCRIPTION

ALL THOSE CERTAIN pieces or parcels of land situate, lying and being in the Township of Morris, Clearfield County, Pennsylvania, bounded and described as follows:

PARCEL NO. 1.

BEGINNING at a point at the Northeastern corner of lands of the Methodist Church, said point being on the Eastern right of way of Pennsylvania State Route SR-0053, said place of beginning being the Southeastern corner of the parcel herein conveyed; thence along the Eastern right of way of Pennsylvania State Route SR-0053 along the arc of a curve to the left 844.02 feet in radius, an arc distance of 238.17 feet, the chord of said arc running North 17 Degrees 22 Minutes 26 Seconds East a distance of 238.17 feet to a point, said point being South 73 Degrees 12 Minutes 41 Seconds East a distance of 2.23 feet from a 3/4" rebar (set); thence along the lands presently being conveyed by the Grantor South 73 Degrees 12 Minutes 41 Seconds East a distance of 207.16 feet to a 3/4" rebar (set); thence still along the lands presently being conveyed by the Grantor North 09 Degrees 34 Minutes 40 Seconds East a distance of 163.24 feet to a 3/4" rebar (set); thence along the lands of Frances M. Moriarty South 77 Degrees 26 Minutes 57 Seconds East a distance of 312.37 feet to a 5/8" pipe (found), said pipe being the common corner of lands of Frances M. Moriarty, the parcel herein conveyed, Harry W. and Dolly E. Hand, and other lands of the Grantor; thence along the lands of Harry W. and Dolly E. Hand the following courses and distances; South 18 Degrees 46 Minutes 28 Seconds West a distance of 78.00 feet to a 3/4" rebar (set); South 55 Degrees 25 Minutes 44 Seconds East a distance of 1125.26 feet to a 3/4" rebar (set); thence along the other lands of William I. Smeal and Margaret J. Smeal South 3 Degrees 24 Minutes 09 Seconds West a distance of 552.00 feet to a 1" square pin (found); thence along the lands of Carl T. Hubler the following courses and distances; North 86 Degrees 19 Minutes 28 Seconds West a distance of 744.87 feet to a 3/4" rebar (set); North 37 Degrees 13 Minutes 31 Seconds West a distance of 155.24 feet to a 3/4" rebar (set); North 19 Degrees 31 Minutes 29 Seconds East a distance of 100.00

feet to a 3/4" rebar (set); North 37 Degrees 00 Minutes 57 Seconds West a distance of 465.78 feet to a 3/4" rebar (set); South 18 Degrees 46 Minutes 28 Seconds West a distance of 100.00 feet to a 3/4" rebar (set); thence along the lands of Carl T. Hubler, John Cable and lands of the Methodist Church North 36 Degrees 55 Minutes 34 Seconds West passing through a 1" square pin (found) at a distance of 585.71 feet and continuing on for a total distance of 587.89 feet to a point and place of beginning. CONTAINING 24.926 acres as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

PARCEL NO. II

BEGINNING at a post of stone on the right of way of New York Central and Hudson River Railroad; thence North 04 Degrees 33 Minutes East a distance of 977 feet to a post on lands now or formerly John Czefsky; thence along the line of lands of John Czefsky and lands of the estate of O.L. Schönmeyer, deceased, South 83 Degrees 45 Minutes East a distance of 785.00 feet to a post; thence South 07 Degrees 50 Minutes West a distance of 963.00 feet to a post; thence North 85 Degrees 05 Minutes West a distance of 729.00 feet to a post and place of beginning. Containing 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1991, and revised on July 8, 1993.

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

Tax Parcel #124-R9-21 (Assessment for Parcel 2, 16.86 acres)

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Margaret J. Smeal by reason of the following:

BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Deed dated 10/26/1988 and recorded 10/26/1988 in the County of Clearfield in Deed Book Volume 1250 Page 449 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which Ralph H. Thompson and Janice M. Thompson, his wife by Corrective Deed dated 4/29/1992 and recorded 4/30/1992 in the county of Clearfield in Deed Book Volume 1457 Page 280 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

NOTE: The above recited Corrective Deed was recorded to eliminate an error in the legal description from prior Deed.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 10/1/1993 and recorded _____ in the County of Clearfield in Deed Book Volume 1561 Page 339 conveyed unto William I. Smeal and Margaret J. Smeal, his wife.

AND BEING AS TO PARCEL NO. 1 AND PARCEL NO. 2 the same premises which William I. Smeal and Margaret J. Smeal, his wife by Deed dated 6/9/1995 and recorded 6/9/1995 in the County of Clearfield in Deed Book Volume 1681 Page 398 conveyed unto Margaret J. Smeal.

AND BEING AS TO PARCEL NO. 1 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102306 conveyed unto Margaret J. Smeal.

AND ALSO BEING AS TO PARCEL NO. 2 the same premises which Margaret J. Smeal by Deed dated 1/24/2001 and recorded 2/15/2001 in the County of Clearfield in Instrument #200102307 conveyed unto Margaret J. Smeal.

PREMISES BEING: RR 2 BOX 184, MORRISDALE, PA 16858

Tax Parcel #124-R9-87 (Assessment for Parcel 1, 19.882 acres)

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME WILLIAM I. SMEAL

NO. 05-651-CD

NOW, November 02, 2006, 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 October 06, 2006, I exposed the within described real estate of William I. Smeal and Margaret J. Smeal A/K/A Peggy J. Smeal to public venue or outcry at which time and place I sold the same to DEBORAH K. SMEAL AND WILLIAM I. SMEAL he/she being the highest bidder, for the sum of \$128,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR	15.00
SERVICE	15.00
MILEAGE	12.61
LEVY	15.00
MILEAGE	12.61
POSTING	15.00
CSDS	10.00
COMMISSION	2,560.00
POSTAGE	8.58
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	25.22
ADD'L LEVY	
BID AMOUNT	128,000.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	50.00
CONTINUED SALES	60.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$2,928.02

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	35.50
TRANSFER TAX 2%	3,000.30
TOTAL DEED COSTS	\$3,035.80

DEBT-AMOUNT DUE	176,464.94
INTEREST @ 29.0100 %	9,051.12
FROM 11/28/2005 TO 10/06/2006	

PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	2,500.00
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$188,056.06

COSTS:

ADVERTISING	2,749.22
TAXES - COLLECTOR	3,057.89
TAXES - TAX CLAIM	452.72
DUE	
LIEN SEARCH	300.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	3,035.80
SHERIFF COSTS	2,928.02
LEGAL JOURNAL COSTS	702.00
PROTHONOTARY	132.00
MORTGAGE SEARCH	120.00
MUNICIPAL LIEN	988.73
TOTAL COSTS	\$14,471.38

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



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

2006-117

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20256 TERM & NO. 05-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

VS.
WILLIAM I. SMEAL AND MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ~~JAN. 6, 2006~~

1-19-6
per Clearfield
Co. Sheriff's office.
Feb. 3, 2006
MAKE REFUND PAYABLE TO ATTY OFFICE PHELAN HALLINAN & SCHMI
RETURN TO BE SENT TO THIS OFFICE

SERVE: MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

ADDRESS: 7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268

RECEIVED
JAN 11 2006

FRANKLIN COUNTY SHERIFF'S OFFICE

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF FRANKLIN COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Monday, January 9, 2006.

RESPECTFULLY,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

CASE NO: 2006-00011 T

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF FRANKLINMORTGAGE ELECTRONIC REGISTRATI

VS

WILLIAM AND MARGARET SMEAL

WILLIAM D MCCOY, Deputy Sheriff of FRANKLIN
County, Pennsylvania, who being duly sworn according to law,
says, the within NOTICE OF SHERIFF SALE was served upon
SMEAL MARGARET J AKA PEGGY J S MEAL the
DEFENDANT, at 0014:40 Hour, on the 26th day of January, 2006
at 7085 ANTHONY HIGHWAY
WAYNESBORO, PA 17268 by handing to

JEFFREY WILSON HUSBANDa true and attested copy of NOTICE OF SHERIFF SALE together withand at the same time directing His attention to the contents thereof.

Sheriff's Costs:

Docketing	.00
Service	.00
Affidavit	.00
Surcharge	.00
	.00
	.00

So Answers:

WILLIAM D MCCOYBy William D McCoyDeputy Sheriff

01/30/2006

PHELAN HALLINAN & SCHMIEG

Sworn and Subscribed to before

me this 30th day of

&00

January, 2006 A.D.Richard D. McCarty
Notary

Notarial Seal
Richard D. McCarty, Notary Public
Chambersburg Boro, Franklin County
My Commission Expires Jan. 29, 2007

Federman and Phelan is now

Law Offices

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

Sandra.Cooper@fedphe.com

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

March 1, 2006

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.
WILLIAM I. SMEAL MARGARET J. SMEAL A/K/A PRGGY J. SMEAL
No. 2005-651-CD
RR 2 BOX 184, MORRISDALE, PA 16858

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for March 3, 2006.

The property is to be relisted for the May 5, 2006 Sheriff's Sale.

Very truly yours,
SMC
Sandra Coouer

VIA TELECOPY (814) 765-5915

CC: WILLIAM I. SMEAL MARGARET J. SMEAL

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

VS.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT OF COMMON PLEAS

CIVIL DIVISION

CLEARFIELD COUNTY

No.: 2005-651-CD

ORDER

AND NOW, this 3rd day of May, 2006, after consideration of
Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD
COUNTY Sheriff's Sale dated JULY 7, 2006.

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:

/s/ Fredric J. Ammerman

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

MAY 04 2006

Attest.

William L. Shaw
Prothonotary/
Clerk of Courts

COURT OF COMMON PLEAS
CIVIL DIVISION
NO: 2005-651-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

v.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

CLEARFIELD COUNTY

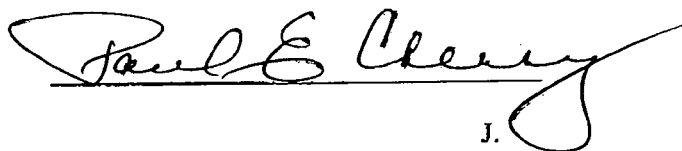
ORDER

AND NOW, this 6th day of July, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended two month(s) to the regularly scheduled CLEARFIELD County Sheriff's Sale dated September 1, 2006..

No further advertising or additional notice to lienholder or defendant(s) is required.

BY THE COURT:


J.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC vs. WILLIAM T.
SMEAL MARGARET J. SMEAL COURT OF COMMON PLEAS
CIVIL DIVISION CLEARFIELD COUNTY No.: 2005-651-CD

ORDER

AND NOW, this 31st day of August, 2006, after consideration of Plaintiff's Motion to Postpone Sheriff's Sale of the mortgaged property, it is hereby

ORDERED that the said sale is extended to the regularly scheduled CLEARFIELD County Sheriff's Sale dated OCTOBER 6, 2006.

No further advertising or additional notice to lienholder or defendants is required.

BY THE COURT:

/s/ Paul E. Cherry

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

SEP 01 2006

Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

FILED
013:00321
AUG 31 2006

2cc
Atty Chota
(will serve)

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINA & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
IDENTIFICATION NO. 62205
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

No.: 2005-651-CD

vs.

WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J.
SMEAL

RECEIVED

MAY 8 2006

CLERK OF COURT
OFFICE

MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant and the reasons why service cannot be made.

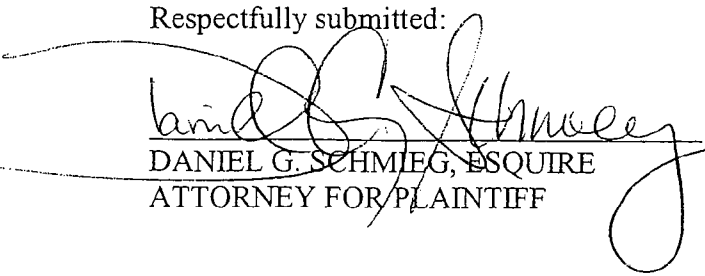
Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address." Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

WHEREFORE, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:


DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

COUNTY CLEARFIELD

ACCT. #0104875562

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PEGGY J. SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
33 RR 3 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MAY 5, 2006

SERVED

Served and made known to William Smeal, Defendant, on the ____ day of _____, 200__, at _____, o'clock __ M., at _____, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed before me
this ____ day of _____, 200__.

Notary:

By:

NOT SERVED

On the 14th day of April, 2006, at 3:07 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Jayne Bell, Postmaster, Morrisdale, says the smeals moved approx 1 yr ago

Sworn to and subscribed
before me this 17th day of APRIL, 2006. By Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIEG, ESQUIRE
I.D.#62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY

PLAINTIFF
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

F&P. #107694

DEFENDANT
WILLIAM I. SMEAL
MARGARET J. SMEAL A/K/A PRGGY J.
SMEAL

COURT NO.: 2005-651-CD

SERVE WILLIAM I. SMEAL AT:
RR 2 BOX 184
MORRISDALE, PA 16858

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: MARCH 3, 2006

SERVED

Served and made known to William I. Smeal, Defendant on the 28th day of Feb., 2006, at 2:25 o'clock P. M., at RR 2 Box 184 Morrisdale, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
☐ Adult family member with whom Defendant(s) reside(s).
Relationship is _____
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant's office or usual place of business.
_____ an officer of said Defendant's company.
☐ Other: _____

Description: Age _____ Height _____ Weight _____ Race _____ Sex _____ Other _____

I, Thomas Holmberg, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this _____ day
of _____, 2006.

Notary:

By:

NOT SERVED

On the 28th day of Feb., 2006, at 2:25 o'clock P. M., Defendant NOT FOUND because:

☒ Moved ☐ Unknown ☐ No Answer ☐ Vacant Postmaster Joyce Bell claims Mr. Smeal no longer resides at this address. Moved in 2003

Other:

Sworn to and subscribed
before me this 28th day
of February, 2006.

By: Thomas Holmberg

Notary:

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Marilyn A. Campbell, Notary Public
City of Altoona, Blair County
My Commission Expires Oct. 28, 2007
Member, Pennsylvania Association of Notaries

ATTORNEY FOR PLAINTIFF
DANIEL G. SCHMIDT, ESQUIRE
ID# 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

**FULL SPECTRUM LEGAL SERVICES, INC.
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 107694
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: William I. Smeal & Margaret J. Smeal

Property Address: RR 2 Box 184, Morrisdale, PA 16858
Possible Mailing Address: (William I. Smeal) 33 RR 3 Box 184, Morrisdale, PA 16858
(Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268

I, Brendan Booth, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct

William I. Smeal - 171-44-5004

Margaret J. Smeal - 103-40-8257

B. EMPLOYMENT SEARCH

William I. Smeal & Margaret J. Smeal - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that William I. Smeal reside(s) at 33 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal reside(s) at: 7085 Anthony Highway # Y, Waynesboro, PA 17268.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for William I. Smeal & Margaret J. Smeal.

B. On 03-24-06 our office made a telephone call to the phone number (814) 342-0892 and received the following information: fax tone. On 03-24-06 our office made several telephone calls to the phone number (814) 342-3065 and received the following information: no answer.

III. INQUIRY OF NEIGHBORS

On 03-24-06 our office made several phone calls in an attempt to contact M.J. Ostrom (814) 342-7335, RR 2 Box 157, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Paula S. Sweetser (814) 343-4584, RR 2 Box 165, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Larry Williams (814) 342-6198, RR 2 Box 171, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact William T. Guiher (814) 342-4694, RR 3 Box 113, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Anna Jane Hoover (814) 345-5016, RR 3 Box 132, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Diana M. Tinko (814) 345-6888, RR 3 Box 136, Morrisdale, PA 16858: answering machine.

On 03-24-06 our office made a phone call in an attempt to contact William H. Geesaman (717) 749-5244, 7080 Anthony Highway # Y, Waynesboro, PA 17268: spoke with an unidentified female who could not confirm that the subject reside(s) at 7085 Anthony Highway # Y, Waynesboro, PA 17268.

On 03-24-06 our office made several phone calls in an attempt to contact Audrey E. Minnich (717) 749-5247, 7053 Anthony Highway # Y, Waynesboro, PA 17268: answering machine.

On 03-24-06 our office made several phone calls in an attempt to contact Norma L. Miller (717) 749-7604, 7128 Anthony Highway # Y, Waynesboro, PA 17268: no answer.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 03-24-06 we reviewed the National Address database and found the following information: William I. Smeal - 3 3 RR 3 Box 184, Morrisdale, PA 16858 & Margaret J. Smeal - 7085 Anthony Highway # Y, Waynesboro, PA 17268.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (William I. Smeal) 3 3 RR 3 Box 184, Morrisdale, PA 16858 & (Margaret J. Smeal) 7085 Anthony Highway # Y, Waynesboro, PA 17268.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on William I. Smeal & Margaret J. Smeal.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 03-24-06 Vital Records and all public databases have no death record on file for William I. Smeal & Margaret J. Smeal.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for William I. Smeal & Margaret J. Smeal residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

William I. Smeal -not available

Margaret J. Smeal - not available

B. A.K.A.


Peggie J. Smeal

* Our accessible databases have been checked and cross-referenced for the above named individual(s).

* Please be advised our database information indicates the subject resides at the current address.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.



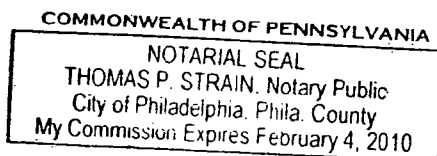
AFFIANT - Brendan Booth
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 24th day of March, 2006



The above information is obtained from available public records
and we are only liable for the cost of the affidavit.

IND



VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL G. SCHMIEG, ESQUIRE
ATTORNEY FOR PLAINTIFF

THIS DEED

MADE THIS 24th day of January , in the year two thousand and one.

BETWEEN MARGARET J. SMEAL of R. R. 2, Box 184, Morrisdale, Clearfield County, Pennsylvania, GRANTOR AND PARTY OF THE FIRST PART,

A N D

MARGARET J. SMEAL of R. R. 2, Box 184, Morrisdale, Clearfield County, Pennsylvania, GRANTEE AND PARTY OF THE SECOND PART.

WITNESSETH: That in consideration of ONE (\$1.00) DOLLAR, in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, her heirs and assigns.

ALL that certain tract or piece of ground situate in the Township of Morris, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post or stone on the right-of-way of New York Central and Hudson River Railroad; thence North 04 degrees 33 minutes East a distance of 977 feet to a post on lands now or formerly of John Czefsky; thence along the line of lands of John Czefsky and lands of the Estate of O. L. Schoonover, deceased, South 83 degrees 45 minutes East a distance of 785.00 feet to a post; thence South 07 degrees 50 minutes West a distance of 963.00 feet to a post; thence North 85 degrees 05 minutes West a distance of 729.00 feet to a post and place of beginning.

CONTAINING 16 acres 137 perches as shown on the map prepared by Curry and Associates dated January 14, 1981, and revised on July 8, 1993.

BEING a part of the same premises granted and conveyed unto the Grantor herein by deed of William I. Smeal et. ux. dated the 9th day of June, 1995, and entered for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds & Records Volume 1681, Page 398.

THIS IS A TRANSFER FROM AN INDIVIDUAL TO HERSELF AND THEREFORE EXEMPT FROM TRANSFER TAX.

NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

Witness:

Adrian J. Melvin Margaret J. Smeal 1/24/01
1

THIS DOCUMENT MAY 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 OTHER 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 pursuant to Act No. 255, approved September 10, 1965, as amended).

AND THE SAID GRANTOR will specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

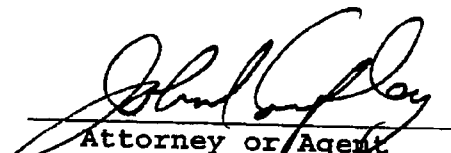
IN WITNESS WHEREOF, said grantor has hereunto set her hand and seal the day and year first above written.

Margaret J. Smeal (Seal)
Margaret J. Smeal

CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the Grantee herein is as follows:

R. R. 2, Box 184
Morrisdale, Pa., 16858

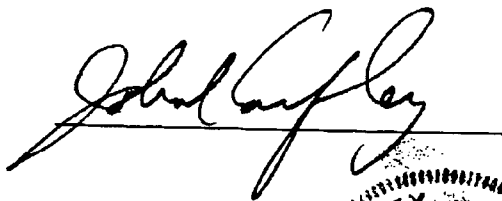

Attorney or Agent
N.T.S.

COMMONWEALTH OF PENNSYLVANIA :

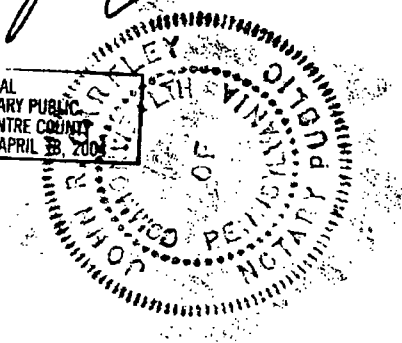
COUNTY OF CENTRE :

On this, the 24th day of January, 2001, before me, the undersigned officer, personally appeared Margaret J. Smeal known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



NOTARIAL SEAL
JOHN R. CARFLEY, NOTARY PUBLIC
PHILIPSBURG BORO., CENTRE COUNTY
MY COMMISSION EXPIRES APRIL 28, 2004



KAREN L. STARCK
REGISTER AND RECORDER
CLEARFIELD COUNTY
Pennsylvania

INSTRUMENT NUMBER

200102307

RECORDED ON

Feb 15, 2001
12:13:02 PM

RECORDING FEES - \$13.00

RECORDER

COUNTY IMPROVEMENT FUND \$1.00

RECORDER

IMPROVEMENT FUND \$1.00

STATE WRIT TAX \$0.50

TOTAL \$15.50

CUSTOMER

CARFLEY, JOHN