



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

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ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.  
1000 TECHNOLOGY DRIVE  
MAIL STATION  
O'FALLON, MO 63368-2240

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-1937-CD

CLEARFIELD COUNTY

Plaintiff

v.

RODNEY G. SMITH  
LORI L. SMITH  
1220 JOSEPH RD  
CLEARFIELD, PA 16830

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. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**FILED** Any pd. 850  
m) 11:17 AM 4ccshff  
DEC 13 2005 (5)

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.  
1000 TECHNOLOGY DRIVE  
MAIL STATION  
O'FALLON, MO 63368-2240

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

RODNEY G. SMITH  
LORI L. SMITH  
1220 JOSEPH RD  
CLEARFIELD, PA 16830

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

3. On 06/06/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CSB BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200209004. By Assignment of Mortgage recorded 07/02/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200210495.
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 08/01/2005 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	\$43,586.96
Interest	1,281.54
07/01/2005 through 12/06/2005 (Per Diem \$8.06)	
Attorney's Fees	1,250.00
Cumulative Late Charges	88.48
06/06/2002 to 12/06/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 46,756.98
Escrow	
Credit	0.00
Deficit	23.32
Subtotal	<u>\$ 23.32</u>
<b>TOTAL</b>	<b>\$ 46,780.30</b>

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 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 \$ 46,780.30, together with interest from 12/06/2005 at the rate of \$8.06 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

## LEGAL DESCRIPTION

ALL That certain piece of land situate in the Township of Girard, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

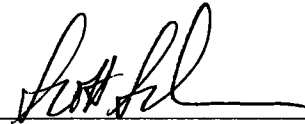
BEGINNING at a point in the middle of the right-of-way of Township Road T-640 at the intersection of said road and the property line separating the property herein conveyed and other property of the Grantors; thence South eighty-six (86 degrees) degrees; thirty-seven (37 minutes) minutes East along land of the Grantors herein a distance of two hundred ninety-nine and five tenths (299.5) feet to a point; thence South ten (10 degrees) degrees, thirty-three (33 minutes) minutes West a distance of one hundred fifty-four and four tenths (154.4) feet to a point; thence North eighty-six (86 degrees) degrees, thirty-seven (37 minutes) minutes West along line of property of Bald Hill Water Company a distance of two hundred ninety-nine and five tenths (299.5) feet to a point in the middle of the right-of-way of said Township Road; thence North ten (10 degrees) degrees, thirty-three (33 minutes) East along said Township right-of-way a distance of one hundred fifty-four and four tenths (154.4) feet to a point at the place of BEGINNING. Containing approximately 1.0 acres.

BEING those same premises conveyed to the grantor above by deed dated November 7, 1990 and recorded at Clearfield County Deed Book 1373, Page 519. Gary L. Plubell married Gwendolyn M. Wisor, now Plubell, on October 27, 2001.

**PROPERTY BEING: 332 BALD HILL ROAD**

VERIFICATION

Scott Scheiner hereby states that he is an Assistant Vice President of CitiMortgage, Inc., 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 'Scott Scheiner', written over a horizontal line.

Scott Scheiner  
Assistant Vice President

DATE: \_\_\_\_\_

12/2/5

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101079  
NO: 05-1937-CD  
SERVICE # 1 OF 5  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH and LORI L. SMITH

**SHERIFF RETURN**

---

NOW, December 16, 2005 AT 1:52 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RODNEY G. SMITH DEFENDANT AT 385 LECONTES MILLS ROAD, FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RODNEY G. SMITH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

FILED

9/3:15 am

LM

MAR 15 2006

William A. Shaw  
Prothonotary



**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 2 of 5 Services

Sheriff Docket # **101079**

CITIMORTGAGE, INC.

Case # 05-1937-CD

vs.

RODNEY G. SMITH and LORI L. SMITH

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW March 15, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO LORI L. SMITH, DEFENDANT. 332 BALD HILL ROAD, FRENCHVILLE, PA. "EMPTY".

SERVED BY: /

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

DOCKET # 101079  
NO: 05-1937-CD  
SERVICE # 3 OF 5  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH and LORI L. SMITH

**SHERIFF RETURN**

---

NOW, January 04, 2006 AT 8:57 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RODNEY G. SMITH DEFENDANT AT 385 LECONTES MILLS ROAD, FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RODNEY SMITH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

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

DOCKET # 101079  
NO: 05-1937-CD  
SERVICE # 4 OF 5  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH and LORI L. SMITH

**SHERIFF RETURN**

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NOW, December 29, 2005 AT 3:27 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON LORI L. SMITH DEFENDANT AT 1220 JOSEPH ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LORI L. SMITH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

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

DOCKET # 101079  
NO: 05-1937-CD  
SERVICE # 5 OF 5  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH and LORI L. SMITH

**SHERIFF RETURN**

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NOW, December 16, 2005 AT 1:52 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RODNEY G. SMITH DEFENDANT AT 385 LECONTES MILLS ROAD, FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RODNEY G. SMITH, 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

DOCKET # 101079  
NO: 05-1937-CD  
SERVICES 5  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CITIMORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH and LORI L. SMITH

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	467914	20.00
SURCHARGE	PHELAN	469057	30.00
SHERIFF HAWKINS	PHELAN	467951	100.00

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,



Chester A. Hawkins  
Sheriff

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.  
1000 TECHNOLOGY DRIVE  
MAIL STATION  
O'FALLON, MO 63368-2240

Plaintiff

v.

RODNEY G. SMITH  
LORI L. SMITH  
1220 JOSEPH RD  
CLEARFIELD, PA 16830

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 05-1937-CD

CLEARFIELD COUNTY

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

DEC 13 2005

Attest.

*William L. Shaw*  
Prothonotary/  
Clerk of Courts

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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

Notice to Defend:  
David S. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> 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

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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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.  
1000 TECHNOLOGY DRIVE  
MAIL STATION  
O'FALLON, MO 63368-2240

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

RODNEY G. SMITH  
LORI L. SMITH  
1220 JOSEPH RD  
CLEARFIELD, PA 16830

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

3. On 06/06/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CSB BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200209004. By Assignment of Mortgage recorded 07/02/02 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No: 200210495.
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 08/01/2005 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.



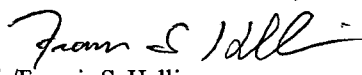
6. The following amounts are due on the mortgage:

Principal Balance	\$43,586.96
Interest	1,281.54
07/01/2005 through 12/06/2005 (Per Diem \$8.06)	
Attorney's Fees	1,250.00
Cumulative Late Charges	88.48
06/06/2002 to 12/06/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 46,756.98
Escrow	
Credit	0.00
Deficit	23.32
Subtotal	\$ 23.32
<b>TOTAL</b>	<b>\$ 46,780.30</b>

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 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 \$ 46,780.30, together with interest from 12/06/2005 at the rate of \$8.06 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

## LEGAL DESCRIPTION

ALL That certain piece of land situate in the Township of Girard, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

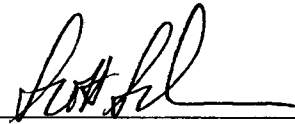
BEGINNING at a point in the middle of the right-of-way of Township Road T-640 at the intersection of said road and the property line separating the property herein conveyed and other property of the Grantors; thence South eighty-six (86 degrees) degrees; thirty-seven (37 minutes) minutes East along land of the Grantors herein a distance of two hundred ninety-nine and five tenths (299.5) feet to a point; thence South ten (10 degrees) degrees, thirty-three (33 minutes) minutes West a distance of one hundred fifty-four and four tenths (154.4) feet to a point; thence North eighty-six (86 degrees) degrees, thirty-seven (37 minutes) minutes West along line of property of Bald Hill Water Company a distance of two hundred ninety-nine and five tenths (299.5) feet to a point in the middle of the right-of-way of said Township Road; thence North ten (10 degrees) degrees, thirty-three (33 minutes) East along said Township right-of-way a distance of one hundred fifty-four and four tenths (154.4) feet to a point at the place of BEGINNING. Containing approximately 1.0 acres.

BEING those same premises conveyed to the grantor above by deed dated November 7, 1990 and recorded at Clearfield County Deed Book 1373, Page 519. Gary L. Plubell married Gwendolyn M. Wisor, now Plubell, on October 27, 2001.

**PROPERTY BEING: 332 BALD HILL ROAD**

VERIFICATION

Scott Scheiner hereby states that he is an Assistant Vice President of CitiMortgage, Inc., 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.



\_\_\_\_\_  
Scott Scheiner  
Assistant Vice President

DATE: \_\_\_\_\_

12/2/15

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE,  
INC.

1000 TECHNOLOGY DRIVE  
O'FALLON, MO 63368

No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH  
332 BALD HILL ROAD  
FRENCHVILLE, PA 16836

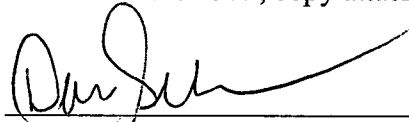
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against RODNEY G. SMITH and LORI L. SMITH, 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	\$46780.30
Interest (12/7/05 to 3/30/06)	<u>910.78</u>
<b>TOTAL</b>	<b>\$47691.08</b>


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: March 31, 2006



PRO PROTHY

KAM

**FILED** 1009 Notice  
to Defs.  
10/10:54/06  
MAR 31 2006 Statement to  
Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd. 20.00  
@K

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS  
RESIDENTIAL MORTGAGE, INC.

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

RODNEY G. SMITH  
LORI L. SMITH

: NO. 05-1937-CD

Defendants

TO: LORI L. SMITH  
1220 JOSEPH ROAD  
CLEARFIELD, PA 16830

DATE OF NOTICE: JANUARY 18, 2006

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#### IMPORTANT NOTICE

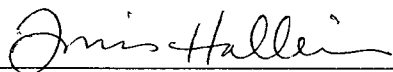
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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

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

  
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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS  
RESIDENTIAL MORTGAGE, INC.

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

RODNEY G. SMITH  
LORI L. SMITH

: NO. 05-1937-CD

Defendants

TO: RODNEY G. SMITH  
385 LECONTES MILLS ROAD  
FRENCHVILLE, PA 16836

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Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

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LORI L. SMITH

: NO. 05-1937-CD

Defendants

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FRENCHVILLE, PA 16836

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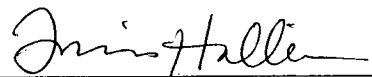
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Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

RODNEY G. SMITH

: NO. 05-1937-CD

LORI L. SMITH

Defendants

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Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

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LORI L. SMITH

: NO. 05-1937-CD

Defendants

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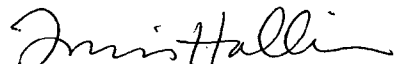
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RESIDENTIAL MORTGAGE, INC.

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

RODNEY G. SMITH

: NO. 05-1937-CD

LORI L. SMITH

Defendants

**TO: RODNEY G. SMITH  
1220 JOSEPH ROAD  
CLEARFIELD, PA 16830**

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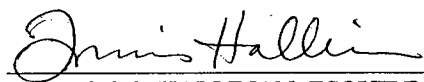
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ATTORNEY FOR PLAINTIFF

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL : COURT OF COMMON PLEAS  
RESIDENTIAL MORTGAGE, INC.

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

RODNEY G. SMITH  
LORI L. SMITH

: NO. 05-1937-CD

Defendants

TO: RODNEY G. SMITH  
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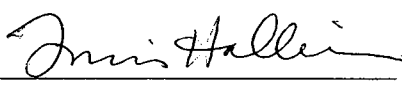
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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE,  
INC.

CLEARFIELD COUNTY

No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH

**VERIFICATION OF NON-MILITARY SERVICE**

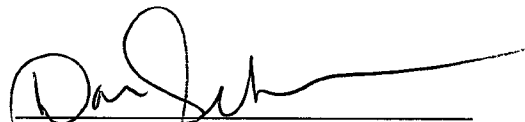
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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, RODNEY G. SMITH, is over 18 years of age, and resides at 385 LECONTES MILLS ROAD, FRENCHVILLE, PA 16836 .

(c) that defendant, LORI L. SMITH, is over 18 years of age, and resides at 1220 JOSEPH ROAD, CLEARFIELD, PA 16830.

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

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE,  
INC.

No.: 05-1937-CD

Plaintiff

vs.

RODNEY G. SMITH  
LORI L. SMITH

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on March 31, 2006.

By: William L. Schmiege DEPUTY

If you have any questions concerning this matter please contact:

Daniel G. Schmiege  
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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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

CC-3Y

Citimortgage, Inc.  
Principal Residential Mortgage, Inc.  
Plaintiff(s)

No.: 2005-01937-CD

Real Debt: \$47,691.08

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Rodney G. Smith  
Lori L. Smith  
Defendant(s)

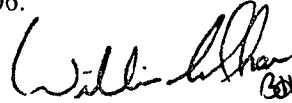
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: March 31, 2006

Expires: March 31, 2011

Certified from the record this 31st day of March, 2006.



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

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

**CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.**

**vs.**

**RODNEY G. SMITH  
LORI L. SMITH**

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

**No. 05-1937-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:

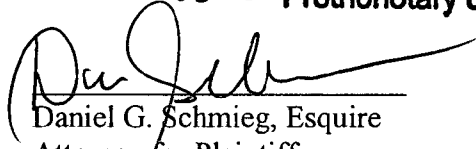
Amount Due

\$47691.08

Interest from 3/30/06 to  
Date of Sale (\$7.84 per diem)

and Costs.

125.00 **Prothonotary costs**

  
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.

KAM

**FILED** *rec'd & 60 writs*  
*m/11/02/06* *w/prop. descr.*  
**APR 10 2006** *to Shff*

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



William A. Shaw  
Prothonotary/Clerk of Courts

APR 10 2006

FILED

No. 05-1937-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.

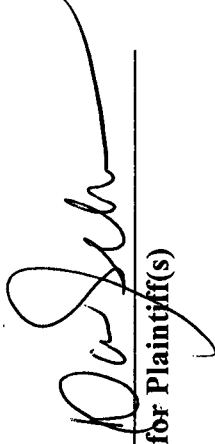
vs.

RODNEY G. SMITH  
LORI L. SMITH

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

  
Attorney for Plaintiff(s)

Address: 385 LECONTES MILLS ROAD, FRENCHVILLE, PA 16836  
1220 JOSEPH ROAD, CLEARFIELD, PA 16830  
Where papers may be served.



### **DESCRIPTION**

ALL That certain piece of land situate in the Township of Girard, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the middle of the right-of-way of Township Road T-640 at the intersection of said road and the property line separating the property herein conveyed and other property of the Grantors; thence South eighty-six (86 degrees) degrees; thirty-seven (37 minutes) minutes East along land of the Grantors herein a distance of two hundred ninety-nine and five tenths (299.5) feet to a point; thence South ten (10 degrees) degrees, thirty-three (33 minutes) minutes West a distance of one hundred fifty-four and four tenths (154.4) feet to a point; thence North eighty-six (86 degrees) degrees, thirty-seven (37 minutes) minutes West along line of property of Bald Hill Water Company a distance of two hundred ninety-nine and five tenths (299.5) feet to a point in the middle of the right-of-way of said Township Road; thence North ten (10 degrees) degrees, thirty-three (33 minutes) East along said Township right-of-way a distance of one hundred fifty-four and four tenths (154.4) feet to a point at the place of BEGINNING. Containing approximately 1.0 acres.

BEING those same premises conveyed to the grantor above by deed dated November 7, 1990 and recorded at Clearfield County Deed Book 1373, Page 519. Gary L. Plubell married Gwendolyn M. Wisor, now Plubell, on October 27, 2001.

Premises:        332 Bald Hill Road, Frenchville, PA 16836  
                     Girard, Clearfield County  
                     Pennsylvania

### **RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Rodney G. Smith and Lori L. Smith, husband and wife, as tenants by the entireties, by Deed from Gary L. Plubell and Gwendolyn M. Plubell, husband and wife, dated 06-06-02, recorded 06-06-02 in Deed Inst#: 200209003.

SALE DATE: \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE, INC. No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH

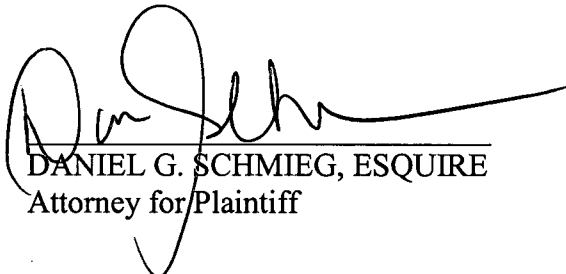
**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

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:

332 BALD HILL ROAD, FRENCHVILLE, PA 16836.

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 Supplemental 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.

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

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	332 BALD HILL ROAD FRENCHVILLE, PA 16836
-----------------	---

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

April 6, 2006

CLEARFIELD COUNTY

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE, INC. No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, 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 332 BALD HILL ROAD, FRENCHVILLE, PA 16836:

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

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

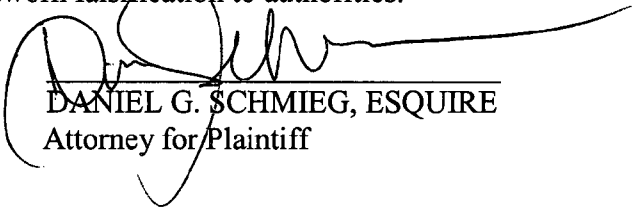
RODNEY G. SMITH	385 LECONTES MILLS ROAD FRENCHVILLE, PA 16836
-----------------	--

LORI L. SMITH	1220 JOSEPH ROAD CLEARFIELD, PA 16830
---------------	--

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

April 6, 2006

CLEARFIELD COUNTY

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE, INC. No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, 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 332 BALD HILL ROAD, FRENCHVILLE, PA 16836:

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)
Leslie H. Smith	385 Lecontes Mills Road Frenchville, PA 16830

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)
None.	

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

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL  
MORTGAGE, INC.

No.: 05-1937-CD

vs.

CLEARFIELD COUNTY

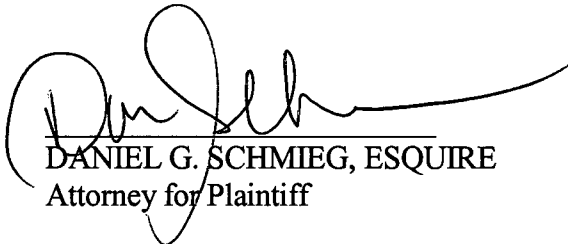
RODNEY G. SMITH  
LORI L. SMITH

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, ESQUIRE  
Attorney for Plaintiff

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

COPIES

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

vs.

NO.: 05-1937-CD

RODNEY G. SMITH  
LORI L. SMITH

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: 332 BALD HILL ROAD, FRENCHVILLE, PA 16836

(See legal description attached.)

Amount Due

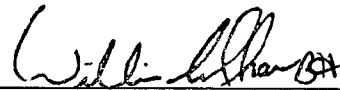
\$47691.08

Interest from 3/30/06 to  
Date of Sale (\$7.84 per diem)

\$ 125.00 Prothonotary costs

Total

\$ \_\_\_\_\_ Plus costs as endorsed.



Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated 4/10/06  
(SEAL)

By:

Deputy

KAM

**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.

No. 05-1937-CD

**In the Court of Common Pleas of  
Clearfield County, Pennsylvania**

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL  
MORTGAGE, INC.

vs.

RODNEY G. SMITH  
LORI L. SMITH

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

Real Debt	<u>\$47691.08</u>
Int. from 3/30/06 to Date of Sale (\$7.84 per diem)	<u>                    </u>
Costs	<u>                    </u>
Prothy. Pd.	<u>125.00</u>
Sheriff	<u>                    </u>

stacy, daniel, dorf

  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 385 LECONTES MILLS ROAD, FRENCHVILLE, PA 16836  
1220 JOSEPH ROAD, CLEARFIELD, PA 16830

Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000



### **DESCRIPTION**

ALL That certain piece of land situate in the Township of Girard, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the middle of the right-of-way of Township Road T-640 at the intersection of said road and the property line separating the property herein conveyed and other property of the Grantors; thence South eighty-six (86 degrees) degrees; thirty-seven (37 minutes) minutes East along land of the Grantors herein a distance of two hundred ninety-nine and five tenths (299.5) feet to a point; thence South ten (10 degrees) degrees, thirty-three (33 minutes) minutes West a distance of one hundred fifty-four and four tenths (154.4) feet to a point; thence North eighty-six (86 degrees) degrees, thirty-seven (37 minutes) minutes West along line of property of Bald Hill Water Company a distance of two hundred ninety-nine and five tenths (299.5) feet to a point in the middle of the right-of-way of said Township Road; thence North ten (10 degrees) degrees, thirty-three (33 minutes) minutes East along said Township right-of-way a distance of one hundred fifty-four and four tenths (154.4) feet to a point at the place of BEGINNING. Containing approximately 1.0 acres.

BEING those same premises conveyed to the grantor above by deed dated November 7, 1990 and recorded at Clearfield County Deed Book 1373, Page 519. Gary L. Plubell married Gwendolyn M. Wisor, now Plubell, on October 27, 2001.

Premises:        332 Bald Hill Road, Frenchville, PA 16836  
                     Girard, Clearfield County  
                     Pennsylvania

### **RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Rodney G. Smith and Lori L. Smith, husband and wife, as tenants by the entireties, by Deed from Gary L. Plubell and Gwendolyn M. Plubell, husband and wife, dated 06-06-02, recorded 06-06-02 in Deed Inst#: 200209003.

# AFFIDAVIT OF SERVICE

**PLAINTIFF**  
**CITIMORTGAGE, INC., S/B/M TO PRINCIPAL**  
**RESIDENTIAL MORTGAGE, INC.**

**CLEARFIELD COUNTY**

**F&P. #127369**

**DEFENDANT**  
**RODNEY G. SMITH**  
**LORI L. SMITH**

**COURT NO.: 05-1937-CD**

**SERVE LORI L. SMITH AT:**  
**1220 JOSEPH ROAD**  
**CLEARFIELD, PA 16830**

**TYPE OF ACTION**  
**XX Notice of Sheriff's Sale**  
**SALE DATE: 7/7/06**

**FILED** *no cc*  
*m 11:55 AM*  
**JUN 12 2006**  
*W*  
 William A. Shaw  
 Prothonotary/Clerk of Courts

## SERVED

Served and made known to Lori L. Smith, Defendant on the 17<sup>th</sup> day of May, 2006, at 6:37 o'clock P. M., at 1220 Joseph Rd., Clearfield, 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 35 Height 5'10" Weight 190 Race W Sex F 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 18<sup>th</sup> day  
 of May, 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

Other:

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

By:

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  
CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.

CLEARFIELD COUNTY

F&P. #127369

DEFENDANT  
RODNEY G. SMITH  
LORI L. SMITH

COURT NO.: 05-1937-CD

SERVE RODNEY G. SMITH AT:  
385 LECONTES MILLS ROAD  
FRENCHVILLE, PA 16836

TYPE OF ACTION

XX Notice of Sheriff's Sale

SALE DATE: 7/7/06

SERVED

Served and made known to Rodney G. Smith, Defendant on the 17<sup>th</sup> day of May, 2006, at 4:10 o'clock P. M., at 385 LeContes Mills Rd, Frenchville, Commonwealth of Pennsylvania, in the manner described below:

☐ Defendant personally served.

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

Relationship is Girlfriend / Elaine Saltzman

☐ 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 25 Height 5'5" Weight 100 Race W Sex F 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 18<sup>th</sup> day  
of May, 2006.

Notary:

By: Thomas Holmberg

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

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

# AFFIDAVIT OF SERVICE

**PLAINTIFF**  
**CITIMORTGAGE, INC., S/B/M TO PRINCIPAL**  
**RESIDENTIAL MORTGAGE, INC.**

**CLEARFIELD COUNTY**

**F&P. #127369**

**DEFENDANT**  
**RODNEY G. SMITH**  
**LORI L. SMITH**

**COURT NO.: 05-1937-CD**

**SERVE LORI L. SMITH AT:**  
**1220 JOSEPH ROAD**  
**CLEARFIELD, PA 16830**

**TYPE OF ACTION**  
**XX Notice of Sheriff's Sale**  
**SALE DATE: 7/7/06**

**FILED** *NO CC*  
*m 12:48*  
**JUL 07 2006** *(5)*

William A. Shaw  
 Prothonotary/Clerk of Courts

## SERVED

Served and made known to Lori L. Smith, Defendant on the 17<sup>th</sup> day of May, 2006, at 6:37 o'clock P. M., at 1220 Joseph Rd., Clearfield, 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 35 Height 5'10" Weight 190 Race W Sex F 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 18<sup>th</sup> day  
 of May, 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

Other:

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

By:

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**  
**CITIMORTGAGE, INC., S/B/M TO PRINCIPAL**  
**RESIDENTIAL MORTGAGE, INC.**

**CLEARFIELD COUNTY**

**F&P. #127369**

**DEFENDANT**  
**RODNEY G. SMITH**  
**LORI L. SMITH**

**COURT NO.: 05-1937-CD**

**SERVE RODNEY G. SMITH AT:**  
**385 LECONTES MILLS ROAD**  
**FRENCHVILLE, PA 16836**

**TYPE OF ACTION**  
**XX Notice of Sheriff's Sale**  
**SALE DATE: 7/7/06**

**SERVED**

Served and made known to Rodney G. Smith, Defendant on the 17<sup>th</sup> day of May, 2006, at 4:10 o'clock P. M., at 385 LeContes Mills Rd, Frenchville, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
- ☒ Adult family member with whom Defendant(s) reside(s).  
 Relationship is Girlfriend / Elaine Saltsman
- ☐ 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 25 Height 5'5" Weight 100 Race W Sex F 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 18<sup>th</sup> day  
 of May, 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

Other:

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

By:

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

SALE DATE: 7/7/06

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

CITIMORTGAGE, INC., S/B/M TO  
PRINCIPAL RESIDENTIAL MORTGAGE, INC. No.: 05-1937-CD

vs.

RODNEY G. SMITH  
LORI L. SMITH

**FILED** *no cc*  
JUL 07 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

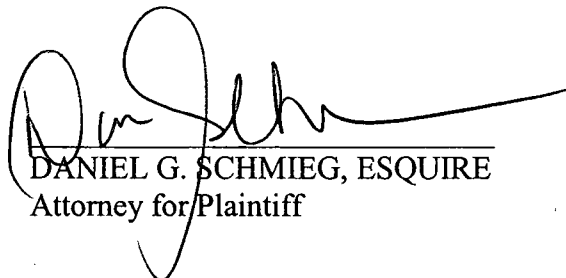
**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

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:

332 BALD HILL ROAD, FRENCHVILLE, PA 16836.

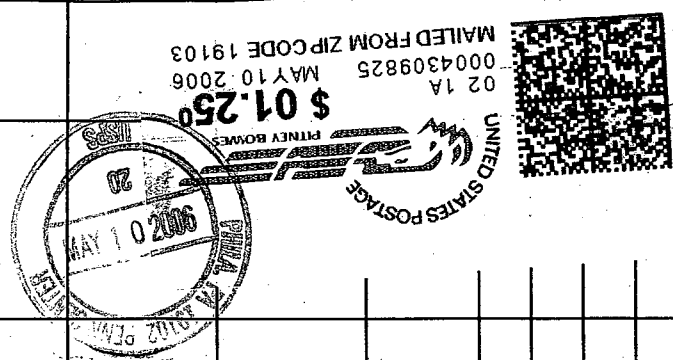
As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Supplemental Affidavit No. 2 on the date indicated, and a copy of 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.

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

Name and Address of Sender  
 PHELAN HALLINAN & SCHMIEG  
 One Penn Center at Suburban Station Suite 1400  
 Philadelphia, PA 19103-1814 JOSEPH GARDELLIS/KAM

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	RODNEY G. SMITH	Tenant/Occupant, 332 BALD HILL ROAD, FRENCHVILLE, PA 16836		
2	3675074	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		Leslie H. Smith 385 Lecontes Mills Road Frenchville, PA 16830		
5				
6				
7				
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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 # 20323  
NO: 05-1937-CD

PLAINTIFF: CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.  
vs.  
DEFENDANT: RODNEY G. SMITH AND LORI L. SMITH

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 04/10/2006

LEVY TAKEN 04/20/2006 @ 12:55 PM

POSTED 04/20/2006 @ 12:52 PM

SALE HELD 07/07/2006

SOLD TO FEDERAL HOME LOAN MORTGAGE CORPORATION

SOLD FOR AMOUNT \$54,900.00 PLUS COSTS

WRIT RETURNED 08/03/2006

DATE DEED FILED 08/02/2006

PROPERTY ADDRESS 332 BALD HILL ROAD FRENCHVILLE , PA 16836

SERVICES

06/06/2006 @ 1:55 PM SERVED RODNEY G. SMITH

SERVED RODNEY G. SMITH, DEFENDANT, AT HIS RESIDENCE 385 LECONTES MILL ROAD, FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO RODNEY G. SMITH,

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.

04/26/2006 @ 8:07 AM SERVED LORI L. SMITH

SERVED LORI L. SMITH, DEFENDANT, AT HER RESIDENCE 1220 JOSEPH ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LORI L. SMITH

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.

FILED

AUG 03 2006

0/2:30/46

William A. Shaw

Prothonotary/Clerk of Courts

PP 5.00



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20323

NO: 05-1937-CD

PLAINTIFF: CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL MORTGAGE, INC.

vs.

DEFENDANT: RODNEY G. SMITH AND LORI L. SMITH

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$1,399.36

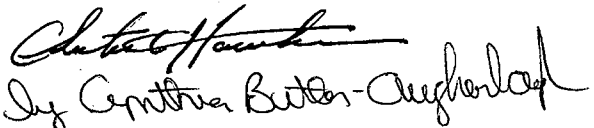
SURCHARGE \$40.00 PAID BY ATTORNEY

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

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL  
RESIDENTIAL MORTGAGE, INC.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

vs.

NO.: 05-1937-CD

RODNEY G. SMITH  
LORI L. SMITH

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: 332 BALD HILL ROAD, FRENCHVILLE, PA 16836

(See legal description attached.)

Amount Due

\$47691.08

Interest from 3/30/06 to  
Date of Sale (\$7.84 per diem)

\$125.00

Prothonotary costs

Total

\$                     Plus costs as endorsed.

Dated 4/10/06  
(SEAL)

Willie L. Hargis  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

Deputy

KAM

Received April 10, 2006 @ 12:30 P.M.  
Charles A. Hargis  
By Cynthia Butler-Arphorley

**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.

No. 05-1937-CD

**In the Court of Common Pleas of  
Clearfield County, Pennsylvania**

CITIMORTGAGE, INC., S/B/M TO PRINCIPAL RESIDENTIAL  
MORTGAGE, INC.

vs.

RODNEY G. SMITH  
LORI L. SMITH

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

Real Debt \$47691.08

Int. from 3/30/06 \_\_\_\_\_  
to Date of Sale (\$7.84 per diem)

Costs \_\_\_\_\_

Prothy. Pd. 125.00

Sheriff \_\_\_\_\_

  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 385 LECONTES MILLS ROAD, FRENCHVILLE, PA 16836  
1220 JOSEPH ROAD, CLEARFIELD, PA 16830  
Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

### **DESCRIPTION**

ALL That certain piece of land situate in the Township of Girard, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the middle of the right-of-way of Township Road T-640 at the intersection of said road and the property line separating the property herein conveyed and other property of the Grantors; thence South eighty-six (86 degrees) degrees; thirty-seven (37 minutes) minutes East along land of the Grantors herein a distance of two hundred ninety-nine and five tenths (299.5) feet to a point; thence South ten (10 degrees) degrees, thirty-three (33 minutes) minutes West a distance of one hundred fifty-four and four tenths (154.4) feet to a point; thence North eighty-six (86 degrees) degrees, thirty-seven (37 minutes) minutes West along line of property of Bald Hill Water Company a distance of two hundred ninety-nine and five tenths (299.5) feet to a point in the middle of the right-of-way of said Township Road; thence North ten (10 degrees) degrees, thirty-three (33 minutes) East along said Township right-of-way a distance of one hundred fifty-four and four tenths (154.4) feet to a point at the place of BEGINNING. Containing approximately 1.0 acres.

BEING those same premises conveyed to the grantor above by deed dated November 7, 1990 and recorded at Clearfield County Deed Book 1373, Page 519. Gary L. Plubell married Gwendolyn M. Wisor, now Plubell, on October 27, 2001.

Premises:        332 Bald Hill Road, Frenchville, PA 16836  
                     Girard, Clearfield County  
                     Pennsylvania

### **RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Rodney G. Smith and Lori L. Smith, husband and wife, as tenants by the entireties, by Deed from Gary L. Plubell and Gwendolyn M. Plubell, husband and wife, dated 06-06-02, recorded 06-06-02 in Deed Inst#: 200209003.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME RODNEY G. SMITH

NO. 05-1937-CD

NOW, August 03, 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 July 07, 2006, I exposed the within described real estate of Rodney G. Smith and Lori L. Smith to public venue or outcry at which time and place I sold the same to FEDERAL HOME LOAN MORTGAGE CORPORATION he/she being the highest bidder, for the sum of \$54,900.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR	15.00
SERVICE	15.00
MILEAGE	16.24
LEVY	15.00
MILEAGE	14.24
POSTING	15.00
CSDS	10.00
COMMISSION	1,098.00
POSTAGE	4.68
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	71.20
ADD'L LEVY	
BID AMOUNT	54,900.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$1,399.36</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.50
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$29.50</b>

DEBT-AMOUNT DUE	47,691.08
INTEREST @ 7.8400 %	776.16
FROM 03/30/2006 TO 07/07/2006	

PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$48,507.24</b>

**COSTS:**

ADVERTISING	407.14
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	1,399.36
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$2,286.00</b>

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