

05-1944-CD  
Mort. Elec. Reg. System vs Chad Meyers

Netback vs Chad Meyers  
2005-1944-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.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

COURT OF COMMON PLEAS  
CIVIL DIVISION  
TERM  
NO. 05 1944-CD  
CLEARFIELD COUNTY

Defendant

**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** 3cc Sheriff  
m 11/02/01  
DEC 14 2001 Atty pd 85.00  
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

COUNTRYWIDE HOME LOANS, INC.  
7105 CORPORATE DRIVE  
PLANO, TX 75024

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

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

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

3. On 11/22/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200219982.
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 01/01/2005 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	\$33,554.96
Interest	3,283.35
12/01/2004 through 12/06/2005	
(Per Diem \$8.85)	
Attorney's Fees	1,250.00
Cumulative Late Charges	157.19
11/22/2002 to 12/06/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 38,795.50
Escrow	
Credit	0.00
Deficit	2,759.83
Subtotal	<u>\$ 2,759.83</u>
<b>TOTAL</b>	<b>\$ 41,555.33</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. The mortgage premises are vacant and abandoned.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 41,555.33, together with interest from 12/06/2005 at the rate of \$8.85 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 those certain three (3) lots or pieces of land situate, lying, and being in the Village of Karthaus, Township of Karthaus, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

### THE FIRST THEREOF:

BEGINNING at the northeast corner of Market and Hurxthal Streets; thence North 9 degrees and 45 minutes West along Hurxthal Street sixty (60) feet; thence North 80 degrees and 15 minutes East by line parallel to Market Street one hundred and twenty (120) feet to a post; thence South 9 degrees and 45 minutes East sixty (60) feet to Market Street; thence South 80 degrees and 15 minutes West one hundred and twenty (120) feet along the north side of Market Street to place of beginning; Being east of and opposite to Lot No. 36, Block C and fifty (50) feet therefrom.

### THE SECOND THEREOF:

BEGINNING at a point on Hurxthal Street, sixty (60) feet from the northeast corner of the intersection of Hurxthal and Market Streets and corner of lot described in The First Thereof being conveyed to Grantees; thence along said lot one hundred and twenty (120) feet to an alley or street; thence along said alley or street sixty (60) feet to stake; thence by line parallel with line of lot being conveyed to Grantees, one hundred and twenty (120) feet to Hurxthal Street; thence along the East side of Hurxthal Street sixty (60) feet to place of beginning: Being sixty (60) feet front on Hurxthal Street and one hundred and twenty (120) feet deep.

ALSO EXCEPTING AND RESERVING a parcel conveyed to Franklin Victor Renaud, by deed dated May 22, 1987, and recorded in Clearfield County Deeds and Record Book 1159, Page 135, and more fully described as follows:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street, being the northwest corner of a lot owned by Grantor; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands of the prior grantor North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands of the prior grantor South 9 degrees 45 minutes East seventy (70) feet to a point; thence through land of Mary Miller North 80 degrees 15 minutes West one hundred eighty (180) feet to place of beginning.

### THE THIRD THEREOF:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street being the Northwest corner of a lot now or formerly of Charles and Mary Miller; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton South 9 degrees 45 minutes East one hundred ninety (190) feet to a point at the North side of Market Street; thence by Market Street North 80 degrees 15 minutes West sixty (60) feet to corner of a lot now or formerly owned by Charles and Mary Miller; thence by two lots now or formerly of Charles and Mary Miller North 9 degrees 45 minutes West one hundred twenty (120) feet to a stake; thence by lot of Charles and Mary Miller North 80 degrees 15 minutes West one hundred twenty (120) feet to the place of beginning.

EXCEPTING AND RESERVING from this grant the rights-of-way for the sewers, pipe lines, ditches and water lines now located upon the property or under the surface of the same. Together with the sewer outlets and also excepting and reserving the right to enter upon the premises to repair and maintain said sewers, pipe lines, ditches and water lines and further excepting and reserving the right to maintain any cesspools now located upon the described problems and owned, maintained or used by property owners in the Village of Karthaus.

BEING the same premises which John H. Buckwalter and Geraldine W. Buckwalter granted and conveyed unto John H. Buckwalter and Geraldine W. Buckwalter, Trustees, husband and wife, the Grantors herein, by deed dated October 21, 1993 and recorded in the office of the Recorder of Deeds for Clearfield County in Volume 1568, Page 50.

### PROPERTY BEING: 172 HURXTHAL STREET

VERIFICATION

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

hereby states that he/she is

of Countrywide Home Loans, Inc.

mortgage servicing agent for Plaintiff in this matter, that he 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 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.

Amanda Farrar

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

DATE: 12/2/5

FILED NO C  
M 10:58 AM  
JUL 31 2006  
UN

SALE DATE: AUGUST 4, 2006

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.** No.: 05-1944-CD

vs.

**CHAD R. MEYERS**

**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 Praecept for the Writ of Execution was filed the following information concerning the real property located at:

**172 HURXTHAL STREET, KARTHAUS, PA 16845.**

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

July 28, 2006

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

:  
: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 05-1944-CD**

**Plaintiff,**

**v.**

**CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841**

**Defendant(s).**

**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 Praeipe for the Writ of Execution was filed, the following information concerning the real property located at 172 HURXTHAL STREET, KARTHAUS, PA 16845.**

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

**NAME** **LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)**

**CHAD R. MEYERS** **378 WALNUT STREET**  
**HOWARD, PA 16841**

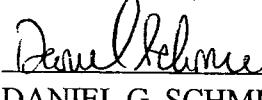
2. Name and address of Defendant(s) in the judgment:

**NAME** **LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)**

**Same as Above**

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

May 11, 2006  
Date

  
**DANIEL G. SCHMIEG, ESQUIRE**  
Attorney for Plaintiff

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

•  
•  
• **CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

V.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

**Defendant(s).**

**AFFIDAVIT PURSUANT TO RULE 3129**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **172 HURXTHAL STREET, KARTHAUS, PA 16845**.

3. Name and 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 so indicate.)

None

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

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 so 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 so indicate.)

None

7. Name and address of every other person 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 so indicate.)

TENANT/OCCUPANT

**172 HURXTHAL STREET  
KARTHAUS, PA 16845**

**DOMESTIC  
RELATIONS  
CLEARFIELD  
COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

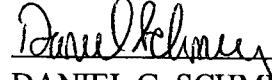
**COMMONWEALTH  
OF PENNSYLVANIA**

**DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105**

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

May 11, 2006

Date

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DATE: 5-31-06

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**

v.

**CHAD R. MEYERS**

**TO: ALL PARTIES IN INTEREST AND CLAIMANTS**

**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

**OWNER(S): CHAD R. MEYERS**

**PROPERTY: 172 HURXTHAL STREET  
KARTHAUS, PA 16845**

**Improvements: Residential Property**

**CLEARFIELD COUNTY**

**NO.: 05-1944-CD**

**Judgment Amount: \$42,873.98**

The above-captioned property is scheduled to be sold at the **CLEARFIELD** Sheriff's Sale on AUGUST 4, 2006 at 10:00 AM in CLEARFIELD County Courthouse, 1 North 2<sup>nd</sup> Street, Ste. 116, Clearfield, PA 16830.

Our records indicate that you may hold a mortgage, judgment, or other interest on the property, which may be extinguished by the sale. You may wish to attend the sale to protect your interests. If you have any questions regarding the type of lien or the effect of the Sheriff's Sale upon your lien, we urge you to **CONTACT YOUR OWN ATTORNEY**, as we are not permitted to give you legal advice.

The Sheriff will file a schedule of Distribution on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

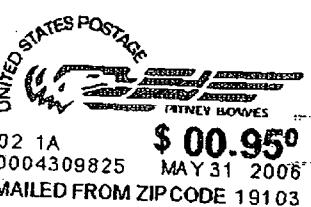
CQS

Name and  
Address  
of Sender

→

CQS  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 172 HURXTHAL STREET KARTHAUS, PA 16845		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4				
5				
6				
7				
8				
9				
10				
11				
12		<b>Re: CHAD R. MEYERS(PHS#127254)</b>		
		<b>PAW TEAM 4</b>		
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	<p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-negotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise 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.</p>	



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

Service # 1 of 2 Services

Sheriff Docket #

**101087**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

Case # 05-1944-CD

vs.

CHAD R. MEYERS

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 CHAD R. MEYERS, DEFENDANT. 172 HURXTAL ST., KARTHAUS, PA. "EMPTY".

SERVED BY: /

**FILED**  
93:15 cm *um*  
MAR 15 2006

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101087  
NO: 05-1944-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC  
VS.  
DEFENDANT: CHAD R. MEYERS

**SHERIFF RETURN**

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NOW, December 15, 2005, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CHAD R. MEYERS.

NOW, December 21, 2005 AT 2:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CHAD R. MEYERS, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101087  
NO: 05-1944-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC  
VS.  
DEFENDANT: CHAD R. MEYERS

SHERIFF RETURN

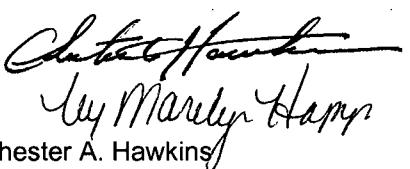
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	467978	10.00
SURCHARGE	PHELAN	468042	10.00
SHERIFF HAWKINS	PHELAN	468042	57.31
CENTRE CO.	PHELAN	468039	32.35

Sworn to Before Me This

So Answers,

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

  
Chester A. Hawkins  
Sheriff

# SHERIFF'S OFFICE

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

101087  
11/2005

### SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do Not detach any copies.

1. Plaintiff(s)

Mort. Elect. Regis. Systems, Inc.

05-1914-CD

3. Defendant(s)

Chad R. Meyers

SERVE

→  
AT

5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.

Chad R. Meyers

6. Address (Street or RFD, Apartment/No., City, Boro, Twp., State and Zip Code)

378 Walnut St. Howard

7. Indicate unusual service:  Reg Mail  Certified Mail  Deputize  Post  Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator

10. Telephone Number

11. Date

12. Signature

#### SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

#### TO BE COMPLETED BY SHERIFF

16. Served and made known to Chad R. Meyers, on the 21st day of December,

20 05, at 2:00 o'clock, P m., at 378 Walnut St., Howard, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.

- Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.
- \_\_\_\_\_ and officer of said Defendant company.
- Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

- Moved  Unknown  No Answer  Vacant  Other \_\_\_\_\_

Remarks:

Advance Costs <u>75.00</u>	Docket <u>9.00</u>	Service <u>9.00</u>	Sur Charge <u>—</u>	Affidavit <u>2.50</u>	Mileage <u>10.35</u>	Postage <u>.50</u>	Misc. <u>1.00</u>	Total Costs <u>32.85</u>	Costs Due or Refund <u>42.65</u>
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17. AFFIRMED and subscribed to before me this 10

So Answer.

10 January 2006  
20. day of  
January 2006  
21. COMMONWEALTH OF PENNSYLVANIA  
Notary Public  
Notarial Seal  
Corinne H. Peters, Notary Public  
My Commission Expires Boro, Centre County

19. Date

12-21-05

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. \_\_\_\_\_ Page \_\_\_\_\_

24. I ACKNOWLEDGE RECEIPT OF THIS SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED AUTHORITY AND TITLE  
OF MEMBER, Pennsylvania Association of Notaries

25. Date Received

SHERIFF'S RETURN OF SERVICE  
CENTRE COUNTY

**Plaintiff(s)**

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

**CIVIL ACTION NUMBER**

**SHERIFF'S NUMBER**

**Defendant(s)**

CHAD R. MEYERS

**COST**

**MILEAGE**

**DISTRICT**

**Serve At**

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

Summons  Complaint

Other

**TYPE OF ACTION**

Mortgage Foreclosure

**Special Instructions**

**TO BE COMPLETED BY SHERIFF**

Served and made known to Chad Meyers, Defendant, on the 21 day of Dec., 2005, at 2:00 o'clock, P.m., at County of Centre, Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.

Adult family member with whom said 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.

\_\_\_\_\_ and officer of said Defendant company.

Other: \_\_\_\_\_

**SHERIFF**  
By: , Deputy Sheriff

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_.m., Defendant not found because:

Moved  Unknown  No Answer  Vacant  Other

**SHERIFF**  
By: \_\_\_\_\_, Deputy Sheriff

**DEPUTIZED SERVICE**

Now, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I, Sheriff of \_\_\_\_\_ County, Pennsylvania do hereby deputize the Sheriff of \_\_\_\_\_ County to serve this Complaint and make return thereof and according to law.

**SHERIFF**  
By: \_\_\_\_\_, Deputy Sheriff

**ATTORNEY FOR PLAINTIFF:**

Name Francis S. Hallinan, Esquire

Id. No. 62695

Address One Penn Center at Suburban Station,  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103

**TO BE COMPLETED BY  
PROTHONOTARY**

ATTEST \_\_\_\_\_  
Pro Prothy

Date \_\_\_\_\_



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

## DEPUTATION

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

PAGE 101087

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

vs.

CHAD R. MEYERS

TERM & NO. 05-1914-CD

COMPLAINT IN MORTGAGE FORECLOSURE

**SERVE BY: 01/13/06**

**"SEND SHERIFF'S RETURN TO CLEARFIELD COUNTY SHERIFF'S OFFICE"**

### MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG

**SERVE:** CHAD R. MEYERS

**ADDRESS:** 378 WALNUT ST., HOWARD, PA 16841

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, December 15, 2005.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

09-3305-PA  
11-15-05

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.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

Defendant

DEC 14 2005

CIVIL ACTION - LAW  
COMPLAINT IN MORTGAGE FORECLOSURE

Attest.

*William L. Ober*  
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. 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*

**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

COUNTRYWIDE HOME LOANS, INC.  
7105 CORPORATE DRIVE  
PLANO, TX 75024

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

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

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

3. On 11/22/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200219982.
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 01/01/2005 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	\$33,554.96
Interest	3,283.35
12/01/2004 through 12/06/2005	
(Per Diem \$8.85)	
Attorney's Fees	1,250.00
Cumulative Late Charges	157.19
11/22/2002 to 12/06/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 38,795.50
Escrow	
Credit	0.00
Deficit	2,759.83
Subtotal	<u>\$ 2,759.83</u>
<b>TOTAL</b>	<b>\$ 41,555.33</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. The mortgage premises are vacant and abandoned.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 41,555.33, together with interest from 12/06/2005 at the rate of \$8.85 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*  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL those certain three (3) lots or pieces of land situate, lying, and being in the Village of Karthaus, Township of Karthaus, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

### THE FIRST THEREOF:

BEGINNING at the northeast corner of Market and Hurxthal Streets; thence North 9 degrees and 45 minutes West along Hurxthal Street sixty (60) feet; thence North 80 degrees and 15 minutes East by line parallel to Market Street one hundred and twenty (120) feet to a post; thence South 9 degrees and 45 minutes East sixty (60) feet to Market Street; thence South 80 degrees and 15 minutes West one hundred and twenty (120) feet along the north side of Market Street to place of beginning; Being east of and opposite to Lot No. 36, Block C and fifty (50) feet therefrom.

### THE SECOND THEREOF:

BEGINNING at a point on Hurxthal Street, sixty (60) feet from the northeast corner of the intersection of Hurxthal and Market Streets and corner of lot described in The First Thereof being conveyed to Grantees; thence along said lot one hundred and twenty (120) feet to an alley or street; thence along said alley or street sixty (60) feet to stake; thence by line parallel with line of lot being conveyed to Grantees, one hundred and twenty (120) feet to Hurxthal Street; thence along the East side of Hurxthal Street sixty (60) feet to place of beginning. Being sixty (60) feet front on Hurxthal Street and one hundred and twenty (120) feet deep.

ALSO EXCEPTING AND RESERVING a parcel conveyed to Franklin Victor Renaud, by deed dated May 22, 1987, and recorded in Clearfield County Deeds and Record Book 1159, Page 135, and more fully described as follows:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street, being the northwest corner of a lot owned by Grantor; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands of the prior grantor North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands of the prior grantor South 9 degrees 45 minutes East seventy (70) feet to a point; thence through land of Mary Miller North 80 degrees 15 minutes West one hundred eighty (180) feet to place of beginning.

### THE THIRD THEREOF:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street being the Northwest corner of a lot now or formerly of Charles and Mary Miller; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton South 9 degrees 45 minutes East one hundred ninety (190) feet to a point at the North side of Market Street; thence by Market Street North 80 degrees 15 minutes West sixty (60) feet to corner of a lot now or formerly owned by Charles and Mary Miller; thence by two lots now or formerly of Charles and Mary Miller North 9 degrees 45 minutes West one hundred twenty (120) feet to a stake; thence by lot of Charles and Mary Miller North 80 degrees 15 minutes West one hundred twenty (120) feet to the place of beginning.

EXCEPTING AND RESERVING from this grant the rights-of-way for the sewers, pipe lines, ditches and water lines now located upon the property or under the surface of the same. Together with the sewer outlets and also excepting and reserving the right to enter upon the premises to repair and maintain said sewers, pipe lines, ditches and water lines and further excepting and reserving the right to maintain any cesspools now located upon the described problems and owned, maintained or used by property owners in the Village of Karthaus.

BEING the same premises which John H. Buckwalter and Geraldine W. Buckwalter granted and conveyed unto John H. Buckwalter and Geraldine W. Buckwalter, Trustees, husband and wife, the Grantors herein, by deed dated October 21, 1993 and recorded in the office of the Recorder of Deeds for Clearfield County in Volume 1568, Page 50.

PROPERTY BEING: 172 HURXTHAL STREET

VERIFICATION

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

hereby states that he/she is

of Countrywide Home Loans, Inc.

mortgage servicing agent for Plaintiff in this matter, that he 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 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.

Amanda Farrar

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

DATE: 13/2/5

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.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

Defendant

CIVIL ACTION - LAW  
COMPLAINT IN MORTGAGE FORECLOSURE  
NOTICE

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

DEC 14 2005

Attest.

*William B. Ober*  
Prothonotary/  
Clerk of Courts

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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Pennsylvania Bar Association  
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800-692-7375

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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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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  
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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  
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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

COUNTRYWIDE HOME LOANS, INC.  
7105 CORPORATE DRIVE  
PLANO, TX 75024

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

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

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

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12/01/2004 through 12/06/2005	
(Per Diem \$8.85)	
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<b>TOTAL</b>	<b>\$ 41,555.33</b>

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PHELAN HALLINAN & SCHMIEG, LLP

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

## LEGAL DESCRIPTION

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EXCEPTING AND RESERVING from this grant the rights-of-way for the sewers, pipe lines, ditches and water lines now located upon the property or under the surface of the same. Together with the sewer outlets and also excepting and reserving the right to enter upon the premises to repair and maintain said sewers, pipe lines, ditches and water lines and further excepting and reserving the right to maintain any cesspools now located upon the described problems and owned, maintained or used by property owners in the Village of Karthaus.

BEING the same premises which John H. Buckwalter and Geraldine W. Buckwalter granted and conveyed unto John H. Buckwalter and Geraldine W. Buckwalter, Trustees, husband and wife, the Grantors herein, by deed dated October 21, 1993 and recorded in the office of the Recorder of Deeds for Clearfield County in Volume 1568, Page 50.

**PROPERTY BEING: 172 HURXTHAL STREET**

VERIFICATION

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

hereby states that he/she is

of Countrywide Home Loans, Inc.

mortgage servicing agent for Plaintiff in this matter, that he 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 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.

Amanda Farrar

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

DATE: 12/25

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

Attorney for Plaintiff

Plaintiff  
v.  
**CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841**

**Defendant(s).**

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

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **CHAD R. MEYERS**, 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 the Complaint	\$ 41,555.33
Interest - 12/7/05 to 5/4/06	\$ 1,318.65
<b>TOTAL</b>	<b>\$ 42,873.98</b>

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

Daniel Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5-5-06

---

#### PRO PROTHY

**FILED**

MAY 05 2006

mti:001m  
William A. Shaw

William A. Shaw  
Prothonotary/Clerk of Courts

664 *Acta*

Center for the

CONFIDENTIAL

Dec 5

PHELAN, HALLINAN & SCHMIEG, LLP  
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 : COURT OF COMMON PLEAS  
SYSTEMS, INC.

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

CHAD R. MEYERS : NO. 05-1944-CD  
Defendants

TO: CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

DATE OF NOTICE: JANUARY 11, 2006

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  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

# SHERIFF'S OFFICE

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

### SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s)

*Mort. Elect. Regis. Systems, Inc.*

2. Case Number

*05-1914-CD*

3. Defendant(s)

4. Type of Writ or Complaint:

*Chad R. Meyers*

*Complaint*

SERVE

→  
AT

5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold.

*Chad R. Meyers*

6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)

*378 Walnut St. Howard*

7. Indicate unusual service:  Reg Mail  Certified Mail  Deputize  Post  Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depelize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

*Sheriff of Centre County*

### 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator

10. Telephone Number

11. Date

12. Signature

### SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy or Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

### TO BE COMPLETED BY SHERIFF

16. Served and made known to Chad R. Meyers on the 21 day of December, 2005, at 2:00 o'clock, P.m. at 378 Walnut St. Howard, County of Centre.

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.

- Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.
- \_\_\_\_\_ and officer of said Defendant company.
- Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

- Moved
- Unknown
- No Answer
- Vacant
- Other \_\_\_\_\_

Remarks:

Advance Costs	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
<u>75.00</u>	<u>9.00</u>	<u>9.00</u>	<u>—</u>	<u>2.50</u>	<u>1A.35</u>	<u>.50</u>	<u>1.00</u>	<u>32.35</u>	<u>42.65</u>

17. AFFIRMED and subscribed to before me this 10

So Answer.

20. day of December, 2005

18. Signature of Dep. Sheriff

19. Date

21. Signature of Sheriff

22. Date

SHERIFF OF CENTRE COUNTY

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Connie H. Peters, Notary Public  
My Commission Expires: Centre County  
December 2010

24. I ACKNOWLEDGE RECEIVED 05-1914-CD SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED ATTORNEY AND TITLE  
Pennsylvania Association of Notaries

25. Date Received

**(Rule of Civil Procedure No. 236 - Revised**

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

<b>MORTGAGE ELECTRONIC</b>	:	
<b>REGISTRATION SYSTEMS, INC.</b>	:	
<b>8201 GREENSBORO DRIVE, STE 350</b>	:	<b>CLEARFIELD COUNTY</b>
<b>MCLEAN, VA 22102</b>	:	<b>COURT OF COMMON PLEAS</b>
<b>Plaintiff,</b>	:	<b>CIVIL DIVISION</b>
<b>v.</b>	:	
<b>CHAD R. MEYERS</b>	:	<b>NO. 05-1944-CD</b>
<b>378 WALNUT STREET</b>	:	
<b>HOWARD, PA 16841</b>	:	
<b>Defendant(s).</b>	:	

Notice is given that a Judgment in the above captioned matter has been entered against you  
on March 5, 2006.

BY  DEPUTY

If you have any questions concerning this matter, please contact:

---

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

This firm is a debt collector attempting to collect a debt. Any information we obtain 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 enforcement of a lien against property.

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**ATTORNEY FOR PLAINTIFF**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

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

**:**  
**:**  
**CLEARFIELD COUNTY**  
**COURT OF COMMON PLEAS**

**Plaintiff,**

**:**  
**CIVIL DIVISION**

**v.**

**:**  
**NO. 05-1944-CD**

**CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841**

**:**

**Defendant(s).**

**:**

**:**

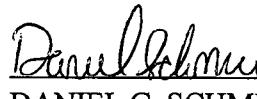
**VERIFICATION OF NON-MILITARY SERVICE**

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 **CHAD R. MEYERS** is over 18 years of age and resides at **378 WALNUT STREET, HOWARD, PA 16841**.

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**

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

CHAD R. MEYERS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 05-1944-CD Term 2005.

**PRAECIPE FOR WRIT OF EXECUTION**  
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$42,873.98
Interest from 5/5/06 to Sale Per diem \$7.05	\$ _____.
Add'l Costs	\$2,667.50 <b>Prothonotary costs</b> <i>8 125.00</i>

*David Schinner*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

**FILED** *(initials)*

**MAY 12 2006**  
*5/15/06*  
William A. Shaw  
Prothonotary/Clerk of Courts

*1 CENT TO ATCS*

*1 CENT TO SHERIFF*  
*W/ 6 WINTZ*

No. 05-1944-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

**MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.**

15

CHAD R. MEYERS

**PRAECLP FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)**

Elec.

*Deanne O'Halloran* Attorney for Plaintiff(s)

Address: CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

## LEGAL DESCRIPTION

ALL THOSE CERTAIN THREE (3) PARCELS OF LAND SITUATE IN THE VILLAGE OF KARTHAUS, TOWNSHIP OF KARTHAUS, COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

### THE FIRST THEREOF:

BEGINNING AT THE NORTHEAST CORNER OF MARKET AND HURXTHAL STREETS; THENCE NORTH 9° AND 45 MINUTES WEST ALONG HURXTHAL STREET 60 FEET; THENCE NORTH 80° AND 15 MINUTES EAST BY THE LINE PARALLEL TO MARKET STREET 120 FEET TO A POST; THENCE SOUTH 9° AND 45 MINUTES EAST 60 FEET TO MARKET STREET; THENCE SOUTH 80 DEGREES AND 15 MINUTES WEST 120 FEET ALONG THE NORTH SIDE OF MARKET STREET TO PLACE OF BEGINNING; BEING EAST OF AND OPPOSITE TO LOT NO. 36, BLOCK C AND 50 FEET THEREFROM.

### THE SECOND THEREOF:

BEGINNING AT A POINT ON HURXTHAL STREET, 60 FEET FROM THE NORTHEAST CORNER OF THE INTERSECTION OF HURXTHAL AND MARKET STREETS AND CORNER OF LOT DESCRIBED IN THE FIRST THEREOF BEING CONVEYED TO THE CHAD R. MEYERS, INDIVIDUAL; THENCE ALONG SAID LOT 120 FEET TO AN ALLEY OR STREET; THENCE ALONG SAID ALLEY OR STREET 60 FEET TO STAKE; THENCE BY LINE PARALLEL WITH LINE OF LOT BEING CONVEYED TO CHAD R. MEYERS, INDIVIDUAL ; 120 FEET TO HURXTHAL STREET; THENCE ALONG THE EAST SIDE OF HURXTHAL STREET 60 FEET TO PLACE OF BEGINNING: BEING 60 FEET FRONT ON HURXTHAL STREET AND 120 FEET DEEP.

ALSO EXCEPTING AND RESERVING A PARCEL CONVEYED TO FRANKLIN VICTOR RENAUD, BY DEED DATED 5/22/87, AND RECORDED IN CLEARFIELD COUNTY DEEDS AND RECORD BOOK 1159, PAGE 135, AND MORE FULL DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE ON THE EAST SIDE OF HURXTHAL STREET AND 120 FEET NORTH OF MARKET STREET, BEING THE NORTHWEST CORNER OF A LOT OWNED BY GRANTOR IN DEED AND RECORD BOOK 1159, PAGE 135; THENCE ALONG HURXTHAL STREET NORTH 9° 45 MINUTES WEST 70 FEET TO A POINT OPPOSITE THE CENTER OF A 20 FOOT ALLEY; THENCE BY OTHER LANDS OF THE PRIOR GRANTOR NORTH 80° 15 MINUTES EAST 180 FEET TO A STAKE; THENCE BY OTHER LANDS OF THE PRIOR GRANTOR SOUTH 9° 45 MINUTES EAST 70 FEET TO A POINT; THENCE THROUGH LAND OF MARY MILLER NORTH 80° 15 MINUTES WEST 180' TO PLACE OF BEGINNING.

### THE THIRD THEREOF:

BEGINNING AT A STAKE ON THE EAST SIDE OF HURXTHAL STREET AND 120 FEET NORTH OF MARKET STREET BEING THE NORTHWEST CORNER OF A LOT NOW OR FORMERLY OF CHARLES AND MARY MILLER; THENCE ALONG HURXTHAL STREET NORTH 9° 45 MINUTES WEST 70 FEET TO A POINT OPPOSITE THE CENTER OF A 20 FOOT ALLEY; THENCE BY OTHER LANDS NOW OR FORMERLY OF HENRY P. VAN VALZAH AND HAROLD H. BOULTON NORTH 80° 15 MINUTES EAST 180 FEET TO A STAKE; THENCE BY OTHER LANDS NOW OR FORMERLY OF HENRY F. VAN VALZAH AND HAROLD J. BOULTON SOUTH 9° 45 MINUTES EAST 190 FEET TO A POINT AT THE NORTH SIDE OF MARKET STREET; THENCE BY MARKET STREET NORTH 80° 15 MINUTES WEST 60 FEET TO CORNER OF A LOT NOW OR FORMERLY OWNED BY CHARLES AND MARY MILLER; THENCE BY TWO LOTS NOW OR FORMERLY OF CHARLES AND MARY MILLER NORTH 80° 15

### Vesting Information:

Vested by: Warranty Deed dated 7/21/95 , given by John H. Buckwalter and Geraldine W. Buckwalter, husband and wife, Trustees to Chad R. Meyers, individual recorded 7/25/95 in Book: 1691 Page 460

Premises being: 172 HURXTHAL STREET  
KARTHAUS, PA 16845

Tax Parcel No. 121-T04-607-00043

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

CHAD.R. MEYERS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 05-1944-CD Term 20 05  
No. ..... Term 20

**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 property (specifically described property below):**

PREMISES: 172 HURXTHAL STREET, KARTHAUS, PA 16845  
(See Legal Description attached)

Amount Due	\$42,873.98
Interest from 5/5/06 to Sale per diem \$7.05	\$-----
Total	\$----- <b>Prothonotary costs</b> 125- -
Add'l Costs	\$2,667.50

*[Signature]*  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 5-12-06  
(SEAL)

No. 05-1944-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.

vs.

CHAD R. MEYERS

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs

Real Debt \$42,873.98

Int. from May 4, 2006  
To Date of Sale (\$7.05 per diem)

Costs

Prothy Pd.

Sheriff

*David Lehman* ..... Attorney for Plaintiff(s)

Address: CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

## LEGAL DESCRIPTION

ALL THOSE CERTAIN THREE (3) PARCELS OF LAND SITUATE IN THE VILLAGE OF KARTHAUS, TOWNSHIP OF KARTHAUS, COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

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Vested by: Warranty Deed dated 7/21/95 , given by John H. Buckwalter and Geraldine W. Buckwalter, husband and wife, Trustees to Chad R. Meyers, individual recorded 7/25/95 in Book: 1691 Page 460

Premises being: 172 HURXTHAL STREET  
KARTHAUS, PA 16845

Tax Parcel No. 121-T04-607-00043

## **PHELAN HALLINAN & SCHMIEG**

By: DANIEL G. SCHMIEG

**Identification No. 62205**

## **Suite 1400**

**One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000**

**ATTORNEY FOR PLAINTIFF**

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

• • • • **CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

• CIVIL DIVISION

Y.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

1

2

1

**Defendant(s).**

•

•

## 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
- (X) Act 91 procedures have been fulfilled

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

Daniel Schmiege  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

V.

**CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841**

## CIVIL DIVISION

NO. 05-1944-CD

**Defendant(s).**

**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 Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **172 HURXTHAL STREET, KARTHAUS, PA 16845**.

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**CHAD R. MEYERS**      **378 WALNUT STREET**  
**HOWARD, PA 16841**

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

### **Same as Above**

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

May 11, 2006  
Date

Daniel Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**Plaintiff,**

V.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

## CIVIL DIVISION

**NO. 05-1944-CD**

**Defendant(s).**

**AFFIDAVIT PURSUANT TO RULE 3129**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **172 HURXTHAL STREET, KARTHAUS, PA 16845**.

3. Name and 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 so indicate.)

None

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

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 so 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 so indicate.)

None

7. Name and address of every other person 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 so indicate.)

TENANT/OCCUPANT

172 HURXTHAL STREET  
KARTHAUS, PA 16845

DOMESTIC  
RELATIONS  
CLEARFIELD  
COUNTY

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830

COMMONWEALTH  
OF PENNSYLVANIA

DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105

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

May 11, 2006

Date

Daniel Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas  
Plaintiff : Civil Division  
vs. : Clearfield County  
Chad R. Meyers : No. 05-1944-CD  
Defendant

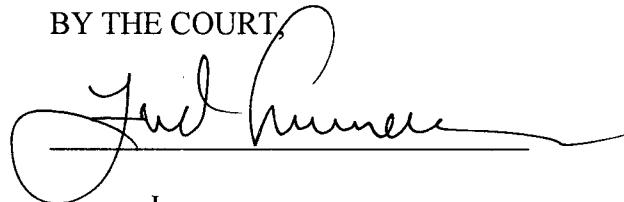
**ORDER**

AND NOW, this 23 day of June 2006, upon consideration of Plaintiff's Motion to Reassess Damages, a Rule is hereby issued upon Defendant to appear and show cause why the motion should not be granted.

Argument is scheduled for the 14<sup>th</sup> day of August 2006, at 9:00 in Courtroom No. A.M.

1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT



J.

FILED <sup>2cc</sup>  
07/10/03/06 Atty Bradford  
JUN 26 2006  
(60)

William A. Shaw  
Prothonotary/Clerk of Courts

Prothonotary/Clerk of Courts  
William A. Shroyer

JUN 26 2006

FILED

NOTE: *6/26/06*

You are responsible for serving all appropriate parties.

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

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

PHELAN HALLINAN & SCHMIEG  
by: MICHELE M. BRADFORD, Esquire  
Atty. I.D. No. 69849  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19102-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas

Plaintiff : Civil Division

vs. : Clearfield County

Chad R. Meyers : No. 05-1944-CD

Defendants

**CERTIFICATION OF SERVICE**

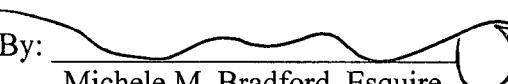
I, MICHELE M. BRADFORD, Esquire, hereby certify that a true and correct copy of our Motion to Reassess Damages noting a Rule Return date of five August 14, 2006 has been served upon the following persons:

Chad R. Meyers  
172 Hurxthal Street  
Karthaus, PA 16845

Chad R. Meyers  
378 Walnut Street  
Howard, PA 16841

Date: 7/6/06

PHELAN HALLINAN & SCHMIEG, LLP

By:   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

FILED NO CC  
JUL 07 2006  
2006 UN

William A. Shaw  
Prothonotary/Clerk of Courts

CA

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc.

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Chad R. Meyers

: No. 05-1944-CD

Defendant

**PLAINTIFF'S MOTION TO REASSESS DAMAGES**

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on December 14, 2005, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on May 5, 2006 in the amount of \$42,873.98. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. The Property is listed for Sheriff's Sale on August 4, 2006. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

6/2 FILED NO  
m 110:54 AM  
JUN 23 2006

William A. Shaw  
Prothonotary/Clerk of Courts

4. Additional sums have been incurred or expended on Defendant's behalf since the Complaint was filed and Defendant has been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$33,554.96
Interest Through 8/4/06	5,339.00
Per Diem \$8.73	
Late Charges	200.25
Legal fees	1,250.00
Cost of Suit and Title	717.50
Sheriff's Sale Costs	2,499.66
Property Inspections	1,637.50
Appraisal/BPO	0.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>4,301.09</u>
<b>TOTAL</b>	<b>\$49,499.96</b>

5. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

6. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendant.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 10/22/06

Phelan Hallinan & Schmieg, LLP

By:

  
Michele M. Bradford, Esquire  
Attorney for Plaintiff

# **Exhibit “A”**

1914  
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.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841

COURT OF COMMON PLEAS  
CIVIL DIVISION

TERM

NO. 05-1944-CO

CLEARFIELD COUNTY

Defendant

**FILED**  
DEC 14 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

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

NOTICE

**ATTORNEY FILE COPY  
PLEASE RETURN**

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  
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

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

v.

CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA. 16841

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

Plaintiff

Defendant

**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. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> 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

**COUNTRYWIDE HOME LOANS, INC.  
7105 CORPORATE DRIVE  
PLANO, TX 75024**

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

**CHAD R. MEYERS  
378 WALNUT STREET  
HOWARD, PA 16841**

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

3. On 11/22/2002 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200219982.
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 01/01/2005 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	\$33,554.96
Interest 12/01/2004 through 12/06/2005 (Per Diem \$8.85)	3,283.35
Attorney's Fees	1,250.00
Cumulative Late Charges 11/22/2002 to 12/06/2005	157.19
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 38,795.50
Escrow	
Credit	0.00
Deficit	2,759.83
Subtotal	<u>\$ 2,759.83</u>
<b>TOTAL</b>	<b>\$ 41,555.33</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. The mortgage premises are vacant and abandoned.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 41,555.33, together with interest from 12/06/2005 at the rate of \$8.85 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 those certain three (3) lots or pieces of land situate, lying, and being in the Village of Karthaus, Township of Karthaus, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

### THE FIRST THEREOF:

BEGINNING at the northeast corner of Market and Hurxthal Streets; thence North 9 degrees and 45 minutes West along Hurxthal Street sixty (60) feet; thence North 80 degrees and 15 minutes East by line parallel to Market Street one hundred and twenty (120) feet to a post; thence South 9 degrees and 45 minutes East sixty (60) feet to Market Street; thence South 80 degrees and 15 minutes West one hundred and twenty (120) feet along the north side of Market Street to place of beginning; Being east of and opposite to Lot No. 36, Block C and fifty (50) feet therefrom.

### THE SECOND THEREOF:

BEGINNING at a point on Hurxthal Street, sixty (60) feet from the northeast corner of the intersection of Hurxthal and Market Streets and corner of lot described in The First Thereof being conveyed to Grantees; thence along said lot one hundred and twenty (120) feet to an alley or street; thence along said alley or street sixty (60) feet to stake; thence by line parallel with line of lot being conveyed to Grantees, one hundred and twenty (120) feet to Hurxthal Street; thence along the East side of Hurxthal Street sixty (60) feet to place of beginning: Being sixty (60) feet front on Hurxthal Street and one hundred and twenty (120) feet deep.

ALSO EXCEPTING AND RESERVING a parcel conveyed to Franklin Victor Renaud, by deed dated May 22, 1987, and recorded in Clearfield County Deeds and Record Book 1159, Page 135, and more fully described as follows:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street, being the northwest corner of a lot owned by Grantor; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands of the prior grantor North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands of the prior grantor South 9 degrees 45 minutes East seventy (70) feet to a point; thence through land of Mary Miller North 80 degrees 15 minutes West one hundred eighty (180) feet to place of beginning.

### THE THIRD THEREOF:

BEGINNING at a stake on the East side of Hurxthal Street and one hundred twenty (120) feet North of Market Street being the Northwest corner of a lot now or formerly of Charles and Mary Miller; thence along Hurxthal Street North 9 degrees 45 minutes West seventy (70) feet to a point opposite the center of a twenty foot alley; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton North 80 degrees 15 minutes East one hundred eighty (180) feet to a stake; thence by other lands now or formerly of Henry F. Van Valzah and Harold J. Boulton South 9 degrees 45 minutes East one hundred ninety (190) feet to a point at the North side of Market Street; thence by Market Street North 80 degrees 15 minutes West sixty (60) feet to corner of a lot now or formerly owned by Charles and Mary Miller; thence by two lots now or formerly of Charles and Mary Miller North 9 degrees 45 minutes West one hundred twenty (120) feet to a stake; thence by lot of Charles and Mary Miller North 80 degrees 15 minutes West one hundred twenty (120) feet to the place of beginning.

EXCEPTING AND RESERVING from this grant the rights-of-way for the sewers, pipe lines, ditches and water lines now located upon the property or under the surface of the same. Together with the sewer outlets and also excepting and reserving the right to enter upon the premises to repair and maintain said sewers, pipe lines, ditches and water lines and further excepting and reserving the right to maintain any cesspools now located upon the described problems and owned, maintained or used by property owners in the Village of Karthaus.

BEING the same premises which John H. Buckwalter and Geraldine W. Buckwalter granted and conveyed unto John H. Buckwalter and Geraldine W. Buckwalter, Trustees, husband and wife, the Grantors herein, by deed dated October 21, 1993 and recorded in the office of the Recorder of Deeds for Clearfield County in Volume 1568, Page 50.

PROPERTY BEING: 172 HURXTHAL STREET

VERIFICATION

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

hereby states that he/she is

of Countrywide Home Loans, Inc.

mortgage servicing agent for Plaintiff in this matter, that he 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 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.

Amanda Farrar

**AMANDA FARRAR  
ASSISTANT VICE PRESIDENT**

DATE:

12/2/15

# **Exhibit “B”**

PHELAN HALLINAN & SCHMIEG  
 By: DANIEL G. SCHMIEG  
 Identification No. 62205  
 One Penn Center at Suburban Station - Suite 1400  
 1617 John F. Kennedy Boulevard  
 Philadelphia, PA 19103-1814  
 (215) 563-7000

Attorney for Plaintiff

ATTORNEY FILE COPY  
PLEASE RETURN

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

v.

CHAD R. MEYERS  
 378 WALNUT STREET  
 HOWARD, PA 16841

Defendant(s).

: CLEARFIELD COUNTY  
 : COURT OF COMMON PLEAS  
 : CIVIL DIVISION  
 : NO. 05-1944-CD

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

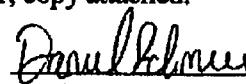
ATTORNEY FILE COPY  
PLEASE RETURN

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **CHAD R. MEYERS**, 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 the Complaint	\$ 41,555.33
Interest - 12/7/05 to 5/4/06	\$1,318.65
<b>TOTAL</b>	<b><u>\$42,873.98</u></b>

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

  
 DANIEL G. SCHMIEG, ESQUIRE  
 Attorney for Plaintiff

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

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 5-5-06  
 PRO PROTHY

MAY 05 2006

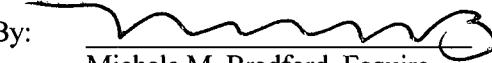
Attest.

  
 Prothonotary/  
 Clerk of Courts

**VERIFICATION**

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 6/22/06

Phelan Hallinan & Schmieg, LLP  
By:   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP  
by: Michele M. Bradford, Esquire  
Atty. I.D. No. 69849  
One Penn Center, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas  
Plaintiff : Civil Division  
vs. : Clearfield County  
Chad R. Meyers : No. 05-1944-CD  
Defendant

**CERTIFICATION OF SERVICE**

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages and Brief in Support thereof were sent to the following individual on the date indicated below.

Chad R. Meyers  
172 Hurxthal Street  
Karthaus, PA 16845

Chad R. Meyers  
378 Walnut Street  
Howard, PA 16841

DATE: 6/22/06

Phelan Hallinan & Schmieg, LLP  
By:   
Michele M. Bradford, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

Mortgage Electronic Registration Systems, Inc. : Court of Common Pleas

Plaintiff : Civil Division

vs. : Clearfield County

Chad R. Meyers : No. 05-1944-CD

Defendant

FILED *2006 Aug 14  
9:30 am  
Clearfield County  
60*

ORDER

William A. Shaw  
Prothonotary/Clerk of Courts

AND NOW, this 14<sup>th</sup> day of August, 2006 the Prothonotary is ORDERED to amend the judgment in this case as follows:

Principal Balance	\$33,554.96
Interest Through 8/4/06	5,339.00
Per Diem \$8.73	
Late Charges	200.25
Legal fees	1,250.00
Cost of Suit and Title	717.50
Sheriff's Sale Costs	2,499.66
Property Inspections	1,637.50
Appraisal/BPO	0.00
MIP/PMI	0.00
NSF	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>4,301.09</u>
<b>TOTAL</b>	<b>\$49,499.96</b>

Plus interest from 8/4/06 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

*Jud. Shumers*  
J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20347  
NO: 05-1944-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
vs.  
DEFENDANT: CHAD R. MEYERS

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/12/2006

LEVY TAKEN 05/26/2006 @ 9:20 AM

POSTED 05/26/2006 @ 9:20 AM

SALE HELD 08/04/2006

SOLD TO FANNIE MAE

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 08/15/2006

DATE DEED FILED 08/15/2006

PROPERTY ADDRESS 172 HURXTHAL STREET KARTHAUS , PA 16845

FILED  
08/15/2006  
AUG 15 2006  
W

William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

06/21/2006 @ 10:20 AM SERVED CHAD R. MEYERS

CENTRE COUNTY SERVED CHAD R. MEYERS, DEFENDANT, AT 3180 W. COLLEGE AVENUE, STATE COLLEGE, CENTRE COUNTY, PENNSYLVANIA BY HANDING TO CHAD MEYERS

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.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20347  
NO: 05-1944-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: CHAD R. MEYERS

Execution REAL ESTATE

SHERIFF RETURN

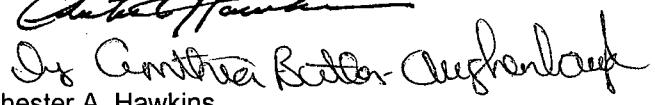
SHERIFF HAWKINS \$200.15

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

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

  
By   
Chester A. Hawkins  
Sheriff

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

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

vs.

CHAD.R. MEYERS

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 05-1944-CD Term 20 05  
No. ..... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

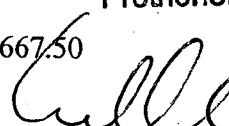
To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 172 HURXTHAL STREET, KARTHAUS, PA 16845

(See Legal Description attached)

Amount Due	\$42,873.98
Interest from 5/5/06 to Sale per diem \$7.05	\$-----
Total	\$-----
Add'l Costs	\$2,667.50

Prothonotary costs 125.00

  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 5-12-06  
(SEAL)

Received May 12 2006 @ 3:15 P.M.

Chester A. Wauters  
by Cynthia Butler-Augherter

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME CHAD R. MEYERS

NO. 05-1944-CD

NOW, August 15, 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 August 04, 2006, I exposed the within described real estate of Chad R. Meyers to public venue or outcry at which time and place I sold the same to FANNIE MAE he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	15.00	DEBT-AMOUNT DUE	42,873.98
MILEAGE		INTEREST @ 7.0500 %	641.55
LEVY	15.00	FROM 05/05/2006 TO 08/04/2006	
MILEAGE	20.47	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	4.68	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT	1.00	TOTAL DEBT AND INTEREST	\$43,535.53
RETURNS/DEPUTIZE	9.00		
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	613.06
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	502.47
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$200.15</b>	LIEN SEARCH	100.00
<b>DEED COSTS:</b>		ACKNOWLEDGEMENT	5.00
ACKNOWLEDGEMENT	5.00	DEED COSTS	30.50
REGISTER & RECORDER	30.50	SHERIFF COSTS	200.15
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	216.00
<b>TOTAL DEED COSTS</b>	<b>\$30.50</b>	PROTHONOTARY	125.00
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$1,832.18</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



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

## DEPUTATION

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

PAGE 20347 TERM & NO. 05-1944-CD

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.  
CHAD R. MEYERS

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

**SERVE BY: JUNE 30, 2006**

**MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG  
RETURN TO BE SENT TO THIS OFFICE**

**SERVE:** CHAD R. MEYERS

**ADDRESS:** 378 WALNUT STREET  
HOWARD, PA 16841

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Tuesday, June 6, 2006.

RESPECTFULLY,

  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

29-36124A  
275.W

# SHERIFF'S OFFICE

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

### SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s)

MERS, Inc.

2. Case Number

05-1944-CO

3. Defendant(s)

Chad Meyers

4. Type of Writ or Complaint

Notice, Levy  
& Execution

SERVE

→  
AT

5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.  
Chad Meyers

6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)

378 Walnut St., Howard

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

Sheriff of Centre County

### 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator

10. Telephone Number

11. Date

12. Signature

### SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized CCSD Deputy of Clerk and Title

14. Date Filed

15. Expiration/Hearing Date

### TO BE COMPLETED BY SHERIFF

16. Served and made known to Chad Meyers, on the 21<sup>st</sup> day of June, 2006, at 10:20 o'clock, A m., at 3180 W. College Ave., State College, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.

Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_

Adult in charge of Defendant's residence.

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

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

and officer of said Defendant company.

Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

Moved       Unknown       No Answer       Vacant       Other \_\_\_\_\_

Remarks:

Advance Costs	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
<u>75.00</u>	<u>9.00</u>	<u>9.00</u>	<u>—</u>	<u>2.50</u>	<u>17.25</u>	<u>.50</u>	<u>1.00</u>	<u>39.25</u>	<u>35.75</u>

17. AFFIRMED and subscribed to before me this 29

So Answer.

20. day of June 2006

18. Signature of Dep. Sheriff

19. Date

23. COMMONWEALTH OF PENNSYLVANIA

Chad Shady

6-21-06

Notarial Seal

Corinne H. Peters, Notary Public  
Bellefonte, Centre County

21. Signature of Sheriff

My Commission Expires Sept 14, 2008  
Member, Pennsylvania Association of Notaries

SHERIFF OF CENTRE COUNTY

Amount Pd.

Page

24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE

25. Date Received