

**Chase Home Finance et al vs Heidi Rudy et al  
2006-79-CD**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20567

NO: 06-79-CD

PLAINTIFF: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION

vs.

DEFENDANT: HEIDI L. RUDY AND ROBERT D. RUDY

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 04/02/2007

LEVY TAKEN 04/17/2007 @ 12:30 PM

POSTED 04/17/2007 @ 12:30 PM

SALE HELD 09/07/2007

SOLD TO HOMESALES, INC.

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 11/20/2007

DATE DEED FILED 11/20/2007

PROPERTY ADDRESS 376 PORT AU PRINCE, LOT #376, SECT. #14A, TREASURE LAKE DUBOIS , PA 15801

**FILED**  
07/15/2007  
NOV 20 2007  
W.A. Shaw  
Prothonotary/Clerk of Courts

**SERVICES**

07/25/2007 @ 9:53 AM SERVED HEIDI L. RUDY

SERVED HEIDI L. RUDY, DEFENDANT, AT HER RESIDENCE 1583 MAPLE STREET, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEIDI RUDY

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.

07/25/2007 @ 9:53 AM SERVED ROBERT D. RUDY

SERVED ROBERT D. RUDY, DEFENDANT, AT HIS RESIDENCE 1583 MAPLE STREET, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HEIDI RUDY, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JULY 2, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JULY 6, 2007 TO SEPTEMBER 7, 2007.

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

DOCKET # 20567  
NO: 06-79-CD

PLAINTIFF: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION  
vs.  
DEFENDANT: HEIDI L. RUDY AND ROBERT D. RUDY

Execution REAL ESTATE

## **SHERIFF RETURN**

SHERIFF HAWKINS	\$270.15
SURCHARGE	\$40.00 PAID BY ATTORNEY

Sworn to Before Me This

## So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2007

by Chester A. Hawkins  
Sheriff

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

CHASE HOME FINANCE LLC,  
S/B/M TO CHASE MANHATTAN  
MORTGAGE CORPORATION

vs.

HEIDI L. RUDY

ROBERT D. RUDY

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 06-79-CD Term 20 Q5  
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: 376 PORT AU PRINCE, DU BOIS, PA 15801-0000

(See Legal Description attached)

Amount Due \$79,745.88

Interest from 4/7/06 to Sale \$-----  
per diem \$13.11

Total \$-----

Add'l Costs \$7,271.00  
Prothonotary costs \$145.00

*Willie L. Hall*  
B.D.

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

Dated 4/21/07  
(SEAL)

129070

Received April 2, 2007 @ 3:00 P.M.  
Chasen A. Hawkins  
by Cynthia Belton - Clerical

No. 06-79-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

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	Costs
Real Debt	\$79,745.88
Int. from 4/7/06 To Date of Sale (\$13.11 per diem)	_____
Costs	_____
Prothy Pd.	<u>145.00</u>
Sheriff	_____

 Attorney for Plaintiff(s)

Address: HEIDI L. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ALL that certain tract of land designated as Lot No. 376, Section No. 14A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25. Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by former Grantor or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises conveyed to David M. Swesey and Diane L. Swesey, husband and wife, by Deed of Recreation Land Corporation, dated the 19th day of April, 1982, as recorded in Deed Book Volume 863, Page 389, with the said David M. Swesey having become deceased on the 23rd day of January, 1997, with all of his right, title and interest in said property divulging by operation of law unto the said Diane L. Swesey, the Grantor herein.

Being Parcel # CO2-14A-00376-00-21

**TITLE TO SAID PREMISES IS VESTED IN** Robert D. Rudy and Heidi L. Rudy, husband and wife, as tenants by the entireties and not as tenants in common, by Deed from Diane L. Swesey, a widow and unremarried, dated 2-5-05, recorded 3-9-05, in Deed Inst#: 200503220.

BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME HEIDI L. RUDY NO. 06-79-CD

NOW, November 20, 2007, 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 September 07, 2007, I exposed the within described real estate of Heidi L. Rudy And Robert D. Rudy to public venue or outcry at which time and place I sold the same to HOMESALES, INC. 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	15.00	DEBT-AMOUNT DUE	79,745.88
SERVICE	15.00	INTEREST @ 13.1100 %	6,790.98
MILEAGE	18.43	FROM 04/07/2006 TO 09/07/2007	
LEVY	15.00		
MILEAGE	18.43	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	40.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE	12.61	MISCELLANEOUS	7,271.00
ADD'L LEVY			
BID AMOUNT	1.00	TOTAL DEBT AND INTEREST	\$93,847.86
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	1,392.60
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$270.15</b>	LIEN SEARCH	100.00
<b>DEED COSTS:</b>		ACKNOWLEDGEMENT	5.00
ACKNOWLEDGEMENT	5.00	DEED COSTS	29.50
REGISTER & RECORDER	29.50	SHERIFF COSTS	270.15
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	198.00
<b>TOTAL DEED COSTS</b>	<b>\$29.50</b>	PROTHONOTARY	145.00
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$2,180.25</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

## PHELAN HALLINAN &amp; SCHMIEG, LLP

One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
Phone: 215-563-7000 - Fax: 215-563-3826  
[sue.fruit@fedphe.com](mailto:sue.fruit@fedphe.com)

Sue Fruit  
Legal Assistant Ext. 1276

Representing Lenders in  
Pennsylvania and New Jersey

July 2, 2007

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

ATTN: Cindy - (814) 765-5915

Re: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE  
CORPORATION  
vs.  
HEIDI L. RUDY and ROBERT D. RUDY  
Premises: 376 PORT AU PRINCE, DU BOIS, PA 15801-0000  
No. 06-79-CD  
PHS # 129070

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property, which is scheduled for  
JULY 6, 2007.

The property is to be relisted for the SEPTEMBER 7, 2007 Sheriff's Sale.

Very truly yours,

*Sue Fruit*

Sue Fruit (for)  
Phelan Hallinan & Schmieg, LLP

CC: HEIDI L. RUDY 376 PORT AU PRINCE DU BOIS, PA 15801-0000	ROBERT D. RUDY 376 PORT AU PRINCE DU BOIS, PA 15801-0000
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CHASE HOME FINANCE LLC S/B/M TO  
CHASE MANHATTAN MORTGAGE CORP.,  
Plaintiff

vs.

HEIDI L. RUDY  
ROBERT D. RUDY,  
Defendants

NO. 06-79-CD

FILED

JUN 21 2007

o/11:30 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

3 CERT. TO  
ATTY (OK)

ORDER

NOW, this 21<sup>st</sup> day of June, 2006, the Court is in receipt of the Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and notes the below information:

- 1) The Plaintiff is attempting to serve Defendants Heidi L. Rudy and Robert D. Rudy at 376 Port Au Prince, DuBois, PA 15801 and 596 Treasure Lake, DuBois, PA 15801-9012 and 235 Port Au Prince, DuBois, PA 15801 and 596 Bay Road, DuBois, PA 15801 and 121 Spring Avenue, DuBois, PA 15801 and 14 Port Au Prince Road, Apt. A, DuBois, PA 15801;
- 2) The Court has verified with the Clearfield County Election Office that Heidi L. Rudy and Robert D. Rudy been registered to vote since 2001 and that their address information is 1583 Maple Street, Morrisdale, PA 16858. The Court notes that the Affidavit of Good Faith Investigation by Full Spectrum Legal Services (May 18, 2007) included by the Plaintiff with the Motion for Service of Notice of Sale Pursuant to Special Order of Court does not include this as a possible address for the Defendants.
- 3) The Court notes that the Affidavit of Good Faith Investigation by Full Spectrum Legal Services (May 18, 2007) included by the Plaintiff with said

Motion indicates in Section II A that the Defendants' phone number of 814-371-3955 is disconnected. However, if this number is called, a recording states that the number has been changed, not disconnected, and calls are being taken at 814-345-5291. Which, if a reverse phone number search is performed, shows the names and address of Heidi L. Rudy and Robert D. Rudy as 1583 Maple Street, Morrisdale, PA 16858. The averment set forth in the Affidavit of Good Faith Investigation is clearly incorrect.

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

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

**PHELAN HALLINAN & SCHMIEG, LLP  
BY: DANIEL G. SCHMIEG, ESQUIRE  
Attorney I.D. No.: 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000**

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

...  
...  
...  
**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

Plaintiff : CIVIL DIVISION

1

NO. 06-79-CD

HEIDI L. RUDY  
ROBERT D. RUDY

## Defendants

6

**FILED**

JUN 20 2007

M 12:10/2

William A. Shaw

Prothonotary/Clerk of Courts  
1 CENT TO ATT

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

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendants, **HEIDI L. RUDY** and **ROBERT D. RUDY**, by certified mail and regular mail to 376 PORT AU PRINCE, DU BOIS, PA 15801-0000 and 596 TREASURE LAKE, DU BOIS, PA 15801-9012 and 235 PORT AU PRINCE, DU BOIS, PA 15801 and 596 BAY ROAD, DU BOIS, PA 15801 and 121 SPRING AVENUE, DU BOIS, PA 15801 and 14 PORT AU PRINCE ROAD APT. A, DU BOIS, PA 15801, and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for

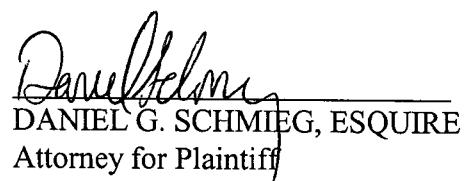
JULY 6, 2007.

2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendants be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.
3. Attempts to serve Defendants with the Notice of Sale have been unsuccessful, as indicated by the Returns of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendants. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 376 PORT AU PRINCE, DU BOIS, PA 15801-0000 and 596 TREASURE LAKE, DU BOIS, PA 15801-9012 and 235 PORT AU PRINCE, DU BOIS, PA 15801 and 596 BAY ROAD, DU BOIS, PA 15801 and 121 SPRING AVENUE, DU BOIS, PA 15801 and 14 PORT AU PRINCE ROAD APT. A, DU BOIS, PA 15801.

PHELAN HALLINAN & SCHMIEG, LLP

By:

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

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

File Number: 129070  
Attorney Firm: Phelan, Hallinan & Schmieg, LLP  
Subject: Heidi L. Rudy & Robert D. Rudy

Property Address: 376 Port Au Prince, Du Bois, PA 15801  
Possible Mailing Address: 596 Treasure Lake, Du Bois, PA 15801  
235 Port Au Prince, Du Bois, PA 15801  
(Robert D. Rudy) 596 Bay Road, Du Bois, PA 15801  
(Heidi L. Rudy) 121 Spring Avenue, Du Bois, PA 15801  
(Robert D. Rudy) 14 Port Au Prince Road, Apartment A, Du Bois, PA 15801

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

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

Our search verified the following information to be true and correct  
Heidi L. Rudy - xxx-xx-3728  
Robert D. Rudy - xxx-xx-0564

**B. EMPLOYMENT SEARCH**

Heidi L. Rudy & Robert D. Rudy - A review of the credit reporting agencies provided no employment information.

**C. INQUIRY OF CREDITORS**

Our inquiry of creditors indicated that Heidi L. Rudy reside(s) at: 596 Treasure Lake, Du Bois, PA 15801 & Robert D. Rudy reside(s) at: 596 Bay Road, Du Bois, PA 15801.

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

Our office contacted directory assistance, which indicated that Heidi L. Rudy reside(s) at: 121 Spring Avenue, Du Bois, PA 15801 & Robert D. Rudy reside(s) at: 14 Port Au Prince Road, Apartment A, Du Bois, PA 15801, which is an Apartment complex. On 05-18-07 our office made a telephone call to the subjects' phone number (814) 371-3955 and received the following information: disconnected.

**B. On 05-18-07 our office made a telephone call to the phone number (814) 861-1285 and received the following information: disconnected.**

**III. INQUIRY OF NEIGHBORS**

On 05-18-07 our office made several phone calls in an attempt to contact Charles Meier (814) 375-9530, Port Au Prince Road, Du Bois, PA 15801: no answer.

On 05-18-07 our office made several phone calls in an attempt to contact Susan Moore (814) 371-6228, Port Au Prince Road, Du Bois, PA 15801: no answer.

On 05-18-07 our office made several phone calls in an attempt to contact John Stuchell (814) 371-3777, Port Au Prince Road, Du Bois, PA 15801: no answer.

On 05-18-07 our office made several phone calls in an attempt to contact Hoover Excavating (814) 375-4628, 345 Treasure Lake, Apartment L, Du Bois, PA 15801: no answer.

On 05-18-07 our office made a phone call in an attempt to contact Total Environmental Solutions Incorporated (814) 375-1777, 487 Treasure Lake, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subjects reside(s) at 596 Treasure Lake, Du Bois, PA 15801.

On 05-18-07 our office made a phone call in an attempt to contact Home Team Lending LLC (814) 375-5212, 683 Treasure Lake, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subjects reside(s) at 596 Treasure Lake, Du Bois, PA 15801.

On 05-18-07 our office made several phone calls in an attempt to contact Gene Samanka (814) 371-0322, Bay Road, Du Bois, PA 15801: no answer.

On 05-18-07 our office made a phone call in an attempt to contact Suzanne Ryder (814) 371-1261, Bay Road, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subjects reside(s) at 596 Bay Road, Du Bois, PA 15801.

On 05-18-07 our office made several phone calls in an attempt to contact Dan Stokes (814) 371-0536, Bay Road, Du Bois, PA 15801: no answer.

On 05-18-07 our office made a phone call in an attempt to contact Robert K. Gould (814) 371-5818, 108 Spring Avenue, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subjects reside(s) at 121 Spring Avenue, Du Bois, PA 15801.

On 05-18-07 our office made a phone call in an attempt to contact Deana Clinger (814) 375-0609, 115 Spring Avenue, Du Bois, PA 15801: disconnected.

On 05-18-07 our office made several phone calls in an attempt to contact Patricia J. Blackwell (814) 372-2384, 123 Spring Avenue, Du Bois, PA 15801: answering machine.

#### IV. ADDRESS INQUIRY

##### A. NATIONAL ADDRESS UPDATE

On 05-18-07 we reviewed the National Address database and found the following information: Heidi L. Rudy & Robert D. Rudy - 596 Treasure Lake, Du Bois, PA 15801.

##### B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: 235 Port Au Prince, Du Bois, PA 15801, 596 Treasure Lake, Du Bois, PA 15801, (Robert D. Rudy) 596 Bay Road, Du Bois, PA 15801 & (Robert D. Rudy) 14 Port Au Prince Road, Apartment A, Du Bois, PA 15801 and (Heidi L. Rudy) 121 Spring Avenue, Du Bois, PA 15801.

#### V. DRIVERS LICENSE INFORMATION

##### A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Heidi L. Rudy & Robert D. Rudy.

#### VI. OTHER INQUIRIES

##### A. DEATH RECORDS

As of 05-18-07 Vital Records and all public databases have no death record on file for Heidi L. Rudy & Robert D. Rudy.

##### B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Heidi L. Rudy & Robert D. Rudy residing at: last registered address.

#### VII. ADDITIONAL INFORMATION OF SUBJECT

##### A. DATE OF BIRTH

Heidi L. Rudy - 11-26-1977

Robert D. Rudy - 02-28-1974

##### B. A.K.A.

Heidi L. Gilham

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

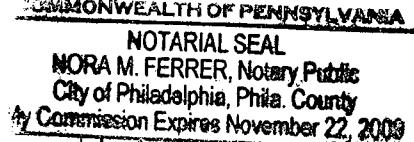
\* Please be advised our database information indicates the subject resides at the current address.

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

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

Brendan Booth  
AFFIANT - Brendan Booth  
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 18<sup>th</sup> day of May, 2007.



## **AFFIDAVIT OF SERVICE**

<b>PLAINTIFF</b>	<b>CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION</b>	<b>CLEARFIELD County No. 06-79-CD Our File #: 129070</b>
<b>DEFENDANT(S)</b>	<b>HEIDI L. RUDY ROBERT D. RUDY</b>	<b>Type of Action - Notice of Sheriff's Sale</b>
<b>Please serve upon:</b>	<b>HEIDI L. RUDY</b>	<b>Sale Date: JULY 6, 2007</b>

**SERVED**

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_,  
200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

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

\_\_\_\_ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.

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

\_\_\_\_ Agent or person in charge of Defendant(s)'s office or usual place of business.

\_\_\_\_ an officer of said Defendant(s)'s company.

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: \_\_\_\_\_ By: \_\_\_\_\_

**NOT SERVED**

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 2<sup>nd</sup> day of May, 2007, at 6:00 o'clock P.m., Defendant **NOT FOUND** because:

Moved  Unknown  No Answer  Vacant  
1st attempt Date: 5-2-07 Time: 6:06 Pm, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_

Other: No Furniture in house, electricity off, garbage bags stacked in rear

Sworn to and subscribed  
before me this 7<sup>th</sup> day  
of MAY, 2007

Notary:

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

By: Thomas Holmley

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	ROBERT D. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	376 PORT AU PRINCE DU BOIS, PA 15801-0000	

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By: \_\_\_\_\_

### NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 2<sup>nd</sup> day of May, 2007, at 6:06 o'clock P.m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant  
1st attempt Date: 5-2-07 Time: 6:06 pm, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other: No furniture in house, electricity off, garbage bags stacked in rear

Sworn to and subscribed  
before me this 7<sup>th</sup> day  
of MAY, 2007

Notary: By: Thomas Holmberg

Attorney for Plaintiff

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

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

## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	HEIDI L. RUDY	Sale Date: JULY 6, 2007

SERVE AT: 596 TREASURE LAKE  
DU BOIS, PA 15801-9012

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

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

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By: \_\_\_\_\_

### NOT SERVED

### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 22nd day of May, 2007, at 12:09 o'clock P.m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant *Electricity off*  
1st attempt Date: 5/22/07 Time: 12:09 P.M., 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

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

Sworn to and subscribed  
before me this 23rd day  
of May, 2007

*D.M. ELLIS*

Notary:

By: *D.M. Ellis*

Attorney for Plaintiff

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

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries



## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	HEIDI L. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	235 PORT AU PRINCE DU BOIS, PA 15801	

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By: \_\_\_\_\_

### NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of May, 2007, at 2:47 o'clock p.m., Defendant NOT FOUND because:

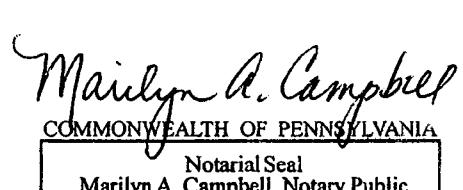
\_\_\_\_ Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer  Vacant  
1st attempt Date: 5/31/07 Time: 2:47 pm, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other: *The "235 Port Au Prince Rd is the 911 Address for "376" Port Au Prince "14-A"*

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of June, 2007

Notary: *D.M. Ellis*  
Attorney for Plaintiff

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



Member, Pennsylvania Association of Notaries

### AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	ROBERT D. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	235 PORT AU PRINCE DU BOIS, PA 15801	

#### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By:

#### NOT SERVED

#### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of MAY, 2007, at 2:47 o'clock P.m., Defendant NOT FOUND because:

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

1st attempt Date: 5/31/07 Time: 2:47 PM, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other: The "235" Port Au Prince Rd. is the 911 Address for "376 Port Au Prince Rd. - 14-A"

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of June, 2007

Notary:

Attorney for Plaintiff

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

*D.M. Ellis*

By: *D.M. Ellis*

*Marilyn A. Campbell*

COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	HEIDI L. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	596 BAY ROAD DU BOIS, PA 15801	

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

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

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By: \_\_\_\_\_

### NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>ST</sup> day of MAY, 2007, at 2:47 o'clock P.m., Defendant NOT FOUND because:

Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer  Vacant  
1st attempt Date: 5/31/07 Time: 2:47, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Other: "596" is the Post Office Box # for "TREASURE LAKE"

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of JUNE, 2007

Notary: By: \_\_\_\_\_

Attorney for Plaintiff

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

*D.M. Ellis*  
*D.M. Ellis*

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

### AFFIDAVIT OF SERVICE

PLAINTIFF      CHASE HOME FINANCE LLC, S/B/M TO      CLEARFIELD County  
                  CHASE MANHATTAN MORTGAGE      No. 06-79-CD  
                  CORPORATION      Our File #: 129070

DEFENDANT(S)      HEIDI L. RUDY      Type of Action  
                  ROBERT D. RUDY      - Notice of Sheriff's Sale

Please serve upon:      ROBERT D. RUDY      Sale Date: JULY 6, 2007

SERVE AT:      596 BAY ROAD  
                  DU BOIS, PA 15801

#### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_,  
200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

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

Description:      Age \_\_\_\_\_      Height \_\_\_\_\_      Weight \_\_\_\_\_      Race \_\_\_\_\_      Sex \_\_\_\_\_      Other \_\_\_\_\_

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

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

Notary:      By: \_\_\_\_\_

#### NOT SERVED

#### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of May, 2007, at 2:47 o'clock P.m., Defendant NOT FOUND because:

Moved       Unknown       No Answer       Vacant  
1st attempt Date: 5/31/07 Time: 2:47 p.m., 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other:      "596" is the Post Office Box for "Treasure Lake"

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of June, 2007.

Notary:

Attorney for Plaintiff

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

By:      D.M. ELLIS  
                  Dm Ellis

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	HEIDI L. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	121 SPRING AVENUE DU BOIS, PA 15801	

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

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

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By:

### NOT SERVED

### \*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of May, 2007, at 2:15 o'clock P.m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant

1st attempt Date: 5/31/07 Time: 2:15 PM, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other: *According to Neighbor "Apt. 123"; an elderly woman by the name of Fawn live at 121 Spring Ave. (no answer at "121 Spring Ave.")*

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of June, 2007

Notary:

Attorney for Plaintiff

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

*D. M. ELLIS*

By: *D. M. ELLIS*

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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



## AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	CLEARFIELD County No. 06-79-CD Our File #: 129070
DEFENDANT(S)	HEIDI L. RUDY ROBERT D. RUDY	Type of Action - Notice of Sheriff's Sale
Please serve upon:	HEIDI L. RUDY	Sale Date: JULY 6, 2007
SERVE AT:	14 PORT AU PRINCE ROAD, APT. A DU BOIS, PA 15801	

### SERVED

Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_,

Commonwealth of Pennsylvania, in the manner described below:

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

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

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

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

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

Notary: By: \_\_\_\_\_

### NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of May, 2007, at 2:47 o'clock P.m., Defendant NOT FOUND because:

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

1st attempt Date: 5/31/07 Time: 2:47 PM, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_

Other: "14-A" is the Treasure Lake Property sub-division designation number for the address  
376 Port Au Prince Rd.

Sworn to and subscribed  
before me this 1<sup>st</sup> day  
of June, 2007

By: D.M. ELLIS

Notary: D.M. Ellis

Attorney for Plaintiff

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

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

## **AFFIDAVIT OF SERVICE**

<b>PLAINTIFF</b>		
CHASE HOME FINANCE LLC, S/B/M TO		
CHASE MANHATTAN MORTGAGE		
CORPORATION		
CLEARFIELD County		
No. 06-79-CD		
Our File #: 129070		
<b>DEFENDANT(S)</b>		
HEIDI L. RUDY		
ROBERT D. RUDY		
Type of Action		
- Notice of Sheriff's Sale		
<b>Please serve upon:</b>		
ROBERT D. RUDY		
Sale Date: JULY 6, 2007		

**SERVED**

200, at \_\_\_\_\_, o'clock \_\_\_\_\_.m., at \_\_\_\_\_

Commonwealth of Pennsylvania, in the manner described below:

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

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

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

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

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

\_\_\_\_\_ an officer of said Defendant(s)'s company.

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

**Description:**      **Age** \_\_\_\_\_      **Height** \_\_\_\_\_      **Weight** \_\_\_\_\_      **Race** \_\_\_\_\_      **Sex** \_\_\_\_\_      **Other** \_\_\_\_\_

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

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

Notary: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ By: \_\_\_\_\_

**NOT SERVED**

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the 31<sup>st</sup> day of MAY, 2007, at 2:47 o'clock P.m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant

1st attempt Date: 5/31/07 Time: 2:47 PM, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_

Other: "14-A" is the TREASURE LAKE property sub-division designation number for the address "376 Port Au Prince St."

Sworn to and subscribed

before me this 1<sup>st</sup> day  
of June, 2007

Notary

**Attorney for Plaintiff**  
**DANIEL G. SCHMIEG, Esquire - I.D. No. 62205**

## **One Penn Center at Suburban St**

## 1617 John F. Kennedy Boulev

Philadelphia, P  
(215) 563-5000

By: John Doe

DM Eles

*Marilyn A. Campbell*  
COMMONWEALTH OF PENNSYLVANIA

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

Member, Pennsylvania Association of Notaries

## **VERIFICATION**

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

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

Date: June 19, 2007

  
Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE

**PHELAN HALLINAN & SCHMIEG, LLP**  
**BY: DANIEL G. SCHMIEG, ESQUIRE**  
**Attorney I.D. No.: 62205**  
**One Penn Center Plaza, Suite 1400**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

**Attorney for Plaintiff**

CHASE HOME FINANCE LLC S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION

Plaintiff

v.

HEIDI L. RUDY  
ROBERT D. RUDY

Defendants

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

: CIVIL DIVISION

: NO. 06-79-CD

:

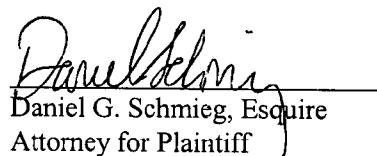
:

:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

HEIDI L. RUDY  
ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000  
and  
596 TREASURE LAKE  
DU BOIS, PA 15801-9012  
and  
235 PORT AU PRINCE  
DU BOIS, PA 15801  
and  
596 BAY ROAD  
DU BOIS, PA 15801  
and  
121 SPRING AVENUE  
DU BOIS, PA 15801  
and  
14 PORT AU PRINCE ROAD APT. A  
DU BOIS, PA 15801

  
\_\_\_\_\_  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

Date: June 19, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20359  
NO: 06-79-CD

PLAINTIFF: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION  
vs.  
DEFENDANT: HEIDI L. RUDY AND ROBERT D. RUDY

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 05/25/2006

LEVY TAKEN 06/07/2006 @ 3:05 PM

POSTED 06/07/2006 @ 3:10 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 11/13/2006

DATE DEED FILED NOT SOLD

**FILED**

NOV 13 2006  
11/13/06  
William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

06/07/2006 @ 3:10 PM SERVED HEIDI L. RUDY

SERVED HEIDI L. RUDY, DEFENDANT, AT HER RESIDENCE 376 PORT AU PRINCE, LOT 376, SECT. 14A, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBERT RUDY, HUSBAND/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

06/07/2006 @ 3:10 PM SERVED ROBERT L. RUDY

SERVED, ROBERT L. RUDY, DEFENDANT, AT HIS RESIDENCE 376 PORT AU PRINCE, LOT 376, SECT 14A, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBERT L. RUDY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JULY 28, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR AUGUST 4, 2006 DUE TO BANKRUPTCY FILING.

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

DOCKET # 20359  
NO: 06-79-CD

PLAINTIFF: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION  
vs.  
DEFENDANT: HEIDI L. RUDY AND ROBERT D. RUDY

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$198.50

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
By Cynthia Bitter-Alphonse  
Chester A. Hawkins  
Sheriff

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

---

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

---

vs.

---

HEIDI L. RUDY  
ROBERT D. RUDY

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 06-79-CD

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: 376 PORT AU PRINCE, DU BOIS, PA 15801

(See legal description attached.)

Amount Due	<u>\$79,745.88</u>
Interest from 4/7/06 to Date of Sale (\$1310 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.

Prothonotary costs *125. -*

  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated 5-25-06  
(SEAL)

By:

Deputy

Received May 26, 2006 @ 3:00 P.M.  
Chester A. Stankins  
by Cynthia Bitter Aughney

LB

No. 06-79-CD

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

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN  
MORTGAGE CORPORATION**

VS.

HEIDI L. RUDY  
ROBERT D. RUDY

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

Real Debt	\$79,745.88
Int. from to Date of Sale (\$1310 per diem)	
Costs	
Prothy. Pd.	
Sheriff	

*James E. S.*  
Attorney for Plaintiff

Address: 376 PORT AU PRINCE, DU BOIS, PA 15801  
376 PORT AU PRINCE, DU BOIS, PA 16801  
Where papers may be served.

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

ALL that certain tract of land designated as Lot No. 376, Section No. 14A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25. Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by former Grantor or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises conveyed to David M. Swesey and Diane L. Swesey, husband and wife, by Deed of Recreation Land Corporation, dated the 19th day of April, 1982, as recorded in Deed Book Volume 863, Page 389, with the said David M. Swesey having become deceased on the 23rd day of January, 1997, with all of his right, title and interest in said property divulging by operation of law unto the said Diane L. Swesey, the Grantor herein.

Being Parcel # CO2-14A-00376-00-21

**TITLE TO SAID PREMISES IS VESTED IN** Robert D. Rudy and Heidi L. Rudy, husband and wife, as tenants by the entireties and not as tenants in common, by Deed from Diane L. Swesey, a widow and unremarried, dated 2-5-05, recorded 3-9-05, in Deed Inst#: 200503220.

BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME HEIDI L. RUDY NO. 06-79-CD

NOW, November 13, 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 , I exposed the within described real estate of Heidi L. Rudy And Robert D. Rudy to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

## **SHERIFF COSTS:**

## **PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	15.00	DEBT-AMOUNT DUE	79,745.88
MILEAGE	15.00	INTEREST @ 13.1000	0.00
LEVY	16.91	FROM TO	
MILEAGE	15.00	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	40.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID/SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$79,785.88
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00		
BILLING/PHONE/FAX		ADVERTISING	1,319.70
CONTINUED SALES		TAXES - COLLECTOR	
MISCELLANEOUS		TAXES - TAX CLAIM	
TOTAL SHERIFF COSTS	\$198.50	DUE	
		LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	
DEED COSTS:		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	198.50
REGISTER & RECORDER		LEGAL JOURNAL COSTS	198.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	125.00
TOTAL DEED COSTS	\$0.00	MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		TOTAL COSTS	
			\$1,981.20

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

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Christine.Schoffler@fedphe.com

CHRISTINE SCHOFFLER  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

July 28, 2006

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

ATTENTION: CINDY (814) 765-5915

Re: **CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE  
CORPORATION v. HEIDI L. RUDY ROBERT D. RUDY  
No. 06-79-CD  
375 PORT AU PRINCE, DU BOIS, PA 15801**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for **AUGUST 4, 2006**, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

The Defendant (s) filed a Chapter 13 Bankruptcy (No. 06-70398 ) on 6/9/06.

Very truly yours,

*C. S.*

Christine Schoffler

VIA TELECOPY (814) 765-5915

CC: **HEIDI L. RUDY  
235 PORT AU PRINCE  
DU BOIS, PA 15801**

**ROBERT D. RUDY  
235 PORT AU PRINCE  
DU BOIS, PA 15801**

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

---

**CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION**

---

**vs.**

---

**HEIDI L. RUDY  
ROBERT D. RUDY**

---

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

**No. 06-79-CD**

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

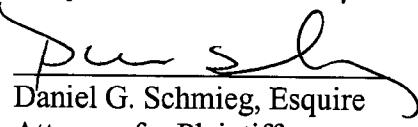
To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

<b>Amount Due</b>	<b><u>\$79,745.88</u></b>
-------------------	---------------------------

<b>Interest from 4/7/06 to</b>	<b>_____</b>
<b>Date of Sale (\$1310 per diem)</b>	<b>and Costs.</b>

**Prothonotary costs** 125. -

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

Note: Please attach description of Property.

LB

**FILED** 

**MAY 25 2006**

William A. Shaw  
Prothonotary/Clerk of Courts  
*1 cent to Att*

*6 wnts to SHFF*

No. 06-79-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

---

PRAECLPICE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---



Attorney for Plaintiff(s)

Address: 376 PORT AU PRINCE, DU BOIS, PA 15801  
376 PORT AU PRINCE, DU BOIS, PA 15801  
Where papers may be served.

ALL that certain tract of land designated as Lot No. 376, Section No. 14A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25. Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
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Being Parcel # CO2-14A-00376-00-21

TITLE TO SAID PREMISES IS VESTED IN Robert D. Rudy and Heidi L. Rudy, husband and wife, as tenants by the entireties and not as tenants in common, by Deed from Diane L. Swesey, a widow and unremarried, dated 2-5-05, recorded 3-9-05, in Deed Inst#: 200503220.

BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

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

---

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 06-79-CD

vs.

---

HEIDI L. RUDY  
ROBERT D. RUDY

---

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

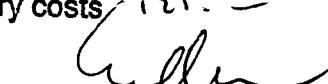
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Premises: **376 PORT AU PRINCE, DU BOIS, PA 15801**

(See legal description attached.)

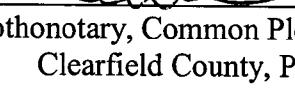
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Interest from 4/7/06 to Date of Sale (\$1310 per diem)	<u>\$_____</u>
Total	<u>\$_____</u> Plus costs as endorsed.

Prothonotary costs 125. -

  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated 5-25-06  
(SEAL)

By:

  
Deputy

No. 06-79-CD

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN  
MORTGAGE CORPORATION

vs.

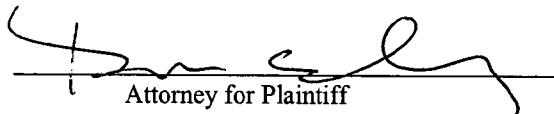
HEIDI L. RUDY  
ROBERT D. RUDY

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

Real Debt	<u>\$79,745.88</u>
Int. from to Date of Sale (\$1310 per diem)	<hr/>
Costs	<hr/>
Prothy. Pd.	<hr/>
Sheriff	<hr/>



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

Address: 376 PORT AU PRINCE, DU BOIS, PA 15801  
376 PORT AU PRINCE, DU BOIS, PA 16801  
Where papers may be served.

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

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Being Parcel # CO2-14A-00376-00-21

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BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

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

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

CHASE HOME FINANCE LLC, S/B/M  
TO CHASE MANHATTAN MORTGAGE No.: 06-79-CD  
CORPORATION

vs.

CLEARFIELD COUNTY

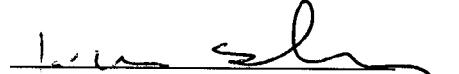
HEIDI L. RUDY  
ROBERT D. RUDY

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

an FHA Mortgage  
 non-owner occupied  
 vacant  
 Act 91 procedures have been fulfilled

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

CLEARFIELD COUNTY

No.: 06-79-CD

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at 376 PORT AU PRINCE, DU BOIS, PA 15801:

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

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

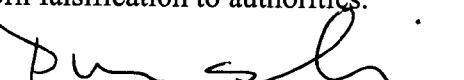
HEIDI L. RUDY	376 PORT AU PRINCE DU BOIS, PA 15801
---------------	---

ROBERT D. RUDY	376 PORT AU PRINCE DU BOIS, PA 16801
----------------	---

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

SAME AS ABOVE

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

May 22, 2006

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

## CLEARFIELD COUNTY

No.: 06-79-CD

VS.

HEIDI L. RUDY  
ROBERT D. RUDY

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION, 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 376 PORT AU PRINCE, DU BOIS, PA 15801:

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

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

None

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

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 reasonable ascertained, please indicate)
------	---

None.

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

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

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

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

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant	376 PORT AU PRINCE DU BOIS, PA 15801
-----------------	---

TREASURE LAKE PROPERTY OWNERS ASSOC.	13 TREASURE LAKE DUBOIS, PA 15801
---	--------------------------------------

TREASURE LAKE PROPERTY OWNERS ASSOC	24 TREASURE LAKE DUBOIS, PA 15801
--	--------------------------------------

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

May 22, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION  
3415 VISION DRIVE  
COLUMBUS, OH 43219

No.: 06-79-CD

vs.

HEIDI L. RUDY  
ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against HEIDI L. RUDY and ROBERT D. RUDY, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$78,666.48
Interest (1/13/06 to 4/6/06)	<u>1,079.40</u>
<b>TOTAL</b>	<b>\$79,745.88</b>

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

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

Damages are hereby assessed as indicated.

DATE: 4/10/2006

*William A. Shaw*  
PRO PROTHY

PMB

FILED  
M 11 12 2006  
APR 10 2006  
William A. Shaw  
Prothonotary/Clerk of Courts  
1cc & Notice  
to Defs.  
Statement to Atty  
Atty pd. 20.00  
GK

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC, S/B/M TO CHASE : COURT OF COMMON PLEAS  
MANHATTAN MORTGAGE CORPORATION  
Plaintiff : CIVIL DIVISION  
Vs. : CLEARFIELD COUNTY  
HEIDI L. RUDY  
ROBERT D. RUDY : NO. 06-79-CD  
Defendants

TO: HEIDI L. RUDY  
235 PORT AU PRINCE  
DU BOIS, PA 15801

DATE OF NOTICE: FEBRUARY 16, 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

*Francis S. Hallinan*  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC, S/B/M TO CHASE : COURT OF COMMON PLEAS  
MANHATTAN MORTGAGE CORPORATION

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

HEIDI L. RUDY  
ROBERT D. RUDY

Defendants : NO. 06-79-CD

TO: ROBERT D. RUDY  
235 PORT AU PRINCE  
DU BOIS, PA 15801

DATE OF NOTICE: FEBRUARY 16, 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

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

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

*Francis S. Hallinan*  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

CLEARFIELD COUNTY  
No.: 06-79-CD

vs.

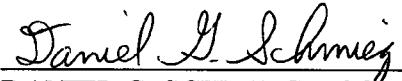
HEIDI L. RUDY  
ROBERT D. RUDY

**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, HEIDI L. RUDY, is over 18 years of age, and resides at 376 PORT AU PRINCE, DU BOIS, PA 15801-0000 .
- (c) that defendant, ROBERT D. RUDY, is over 18 years of age, and resides at 376 PORT AU PRINCE, DU BOIS, PA 15801-0000.

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

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

**CIVIL ACTION - LAW**

CHASE HOME FINANCE LLC, S/B/M TO  
CHASE MANHATTAN MORTGAGE  
CORPORATION

No.: 06-79-CD

Plaintiff

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on April 10, 20010.

By: William Schmieg DEPUTY

If you have any questions concerning this matter please contact:

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

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

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

Chase Home Finance LLC  
Chase Manhattan Mortgage Corporation  
Plaintiff(s)

No.: 2006-00079-CD

Real Debt: \$79,745.88

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Heidi L. Rudy  
Robert D. Rudy  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: April 10, 2006

Expires: April 10, 2011

Certified from the record this 10th day of April, 2006.



William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

\_\_\_\_\_  
Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101178  
NO: 06-79-CD  
SERVICE # 1 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC  
VS.  
DEFENDANT: HEIDI L. RUDY and ROBERT D. RUDY

**SHERIFF RETURN**

---

NOW, January 26, 2006 AT 3:15 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON HEIDI L. RUDY DEFENDANT AT 596 TREASURE LAKE aka 235 PORT AU PRINCE RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT RUDY, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

01/05/06  
S

2006  
01/05/06

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101178  
NO: 06-79-CD  
SERVICE # 2 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC  
VS.  
DEFENDANT: HEIDI L. RUDY and ROBERT D. RUDY

**SHERIFF RETURN**

---

NOW, January 26, 2006 AT 3:15 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROBERT D. RUDY DEFENDANT AT 596 TREASURE LAKE aka 235 PORT AU PRINCE RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT RUDY, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101178  
NO: 06-79-CD  
SERVICE # 3 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC  
VS.  
DEFENDANT: HEIDI L. RUDY and ROBERT D. RUDY

**SHERIFF RETURN**

---

NOW, January 26, 2006 AT 3:15 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON HEIDI L. RUDY DEFENDANT AT 235 PORT AU PRINCE ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT RUDY, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101178  
NO: 06-79-CD  
SERVICE # 4 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC  
VS.  
DEFENDANT: HEIDI L. RUDY and ROBERT D. RUDY

**SHERIFF RETURN**

---

NOW, January 26, 2006 AT 3:15 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROBERT D. RUDY DEFENDANT AT 235 PORT AU PRINCE ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT RUDY, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101178  
NO: 06-79-CD  
SERVICES 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC  
vs.  
DEFENDANT: HEIDI L. RUDY and ROBERT D. RUDY

**SHERIFF RETURN**

---

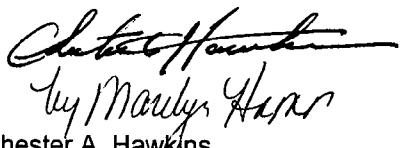
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	475119	40.00
SHERIFF HAWKINS	PHELAN	475143	52.91

Sworn to Before Me This

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

So Answers,

  
by Marilyn Harris  
Chester A. Hawkins  
Sheriff

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION  
3415 VISION DRIVE  
COLUMBUS, OH 43219

Plaintiff

v.

HEIDI L. RUDY  
ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. *DL-79-CD*

CLEARFIELD COUNTY

Defendants

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

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

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

**FILED** Atty pd.  
m 13 32 01 85.00  
JAN 16 2006 4 CC  
Shff

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

CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION  
3415 VISION DRIVE  
COLUMBUS, OH 43219

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

HEIDI L. RUDY  
ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

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

3. On 02/25/2005 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: 200503221.
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 09/01/2005 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	\$75,038.50
Interest 08/01/2005 through 01/13/2006 (Per Diem \$12.85)	2,133.10
Attorney's Fees	1,250.00
Cumulative Late Charges 02/25/2005 to 01/13/2006	0.00
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 78,971.60
Escrow	
Credit	- 305.12
Deficit	0.00
Subtotal	<u>\$- 305.12</u>
<b>TOTAL</b>	<b>\$ 78,666.48</b>

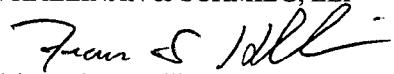
7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 78,666.48, together with interest from 01/13/2006 at the rate of \$12.85 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 that certain tract of land designated as Lot No. 376, Section No. 14A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25. Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by former Grantor or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises conveyed to David M. Swesey and Diane L. Swesey, husband and wife, by Deed of Recreation Land Corporation, dated the 19th day of April, 1982, as recorded in Deed Book Volume 863, Page 389, with the said David M. Swesey having become deceased on the 23rd day of January, 1997, with all of his right, title and interest in said property divulging by operation of law unto the said Diane L. Swesey, the Grantor herein.

PROPERTY BEING: 376 PORT AU PRINCE ROAD

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

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.

FS Hall

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1/13/06

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

CHASE HOME FINANCE LLC,  
S/B/M TO CHASE MANHATTAN  
MORTGAGE CORPORATION

vs.

HEIDI L. RUDY

ROBERT D. RUDY

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-79-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	\$79,745.88
Interest from 4/7/06 to Sale Per diem \$13.11	\$ _____.
Add'l Costs	\$7,271.00

*Daniel M. G.*  
Prothonotary costs 145.00  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

129070

**FILED** *Att'y pd.  
m/11/416  
20.00  
APR 02 2007*  
1CC & 6 wnts  
William A. Shaw *w/prop descr.  
Prothonotary/Clerk of Courts  
to Sheriff  
(EK)*

No. 06-79-CD..... Term 20 05.A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

---

PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: HEIDI L. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

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1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by former Grantor or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises conveyed to David M. Swesey and Diane L. Swesey, husband and wife, by Deed of Recreation Land Corporation, dated the 19th day of April, 1982, as recorded in Deed Book Volume 863, Page 389, with the said David M. Swesey having become deceased on the 23rd day of January, 1997, with all of his right, title and interest in said property divulging by operation of law unto the said Diane L. Swesey, the Grantor herein.

Being Parcel # CO2-14A-00376-00-21

TITLE TO SAID PREMISES IS VESTED IN Robert D. Rudy and Heidi L. Rudy, husband and wife, as tenants by the entireties and not as tenants in common, by Deed from Diane L. Swesey, a widow and unremarried, dated 2-5-05, recorded 3-9-05, in Deed Inst#: 200503220.

BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

**CHASE HOME FINANCE LLC, S/B/M TO** :  
**CHASE MANHATTAN MORTGAGE** :  
**CORPORATION** : **CLEARFIELD COUNTY**  
**3415 VISION DRIVE** : **COURT OF COMMON PLEAS**  
**COLUMBUS, OH 43219** :  
: **CIVIL DIVISION**

**Plaintiff,** :  
**v.** : **NO. 06-79-CD**

**HEIDI L. RUDY** :  
**ROBERT D. RUDY** :  
**376 PORT AU PRINCE** :  
**DU BOIS, PA 15801-0000** :  
:

**Defendant(s).**

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

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE**  
**CORPORATION**, 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 **376 PORT AU PRINCE, DU BOIS, PA 15801-0000**.

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

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

**HEIDI L. RUDY** **376 PORT AU PRINCE**  
**DU BOIS, PA 15801-0000**

**ROBERT D. RUDY** **376 PORT AU PRINCE**  
**DU BOIS, PA 15801-0000**

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.

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

MARCH 28, 2007  
Date

<b>CHASE HOME FINANCE LLC, S/B/M TO</b>	:	
<b>CHASE MANHATTAN MORTGAGE</b>	:	
<b>CORPORATION</b>	:	<b>CLEARFIELD COUNTY</b>
<b>3415 VISION DRIVE</b>	:	<b>COURT OF COMMON PLEAS</b>
<b>COLUMBUS, OH 43219</b>	:	<b>CIVIL DIVISION</b>
<b>Plaintiff,</b>	:	
<b>v.</b>	:	<b>NO. 06-79-CD</b>
<b>HEIDI L. RUDY</b>	:	
<b>ROBERT D. RUDY</b>	:	
<b>376 PORT AU PRINCE</b>	:	
<b>DU BOIS, PA 15801-0000</b>	:	
<b>Defendant(s).</b>	:	

#### **AFFIDAVIT PURSUANT TO RULE 3129**

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE**  
**CORPORATION**, 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 **376 PORT AU PRINCE, DU BOIS, PA 15801-0000**.

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.)
<b>None</b>	

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.)
<b>None</b>	

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.)
<b>None</b>	

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.)
<b>None</b>	

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

**376 PORT AU PRINCE  
DU BOIS, PA 15801-0000**

**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**

**TREASURE LAKE  
PROPERTY OWNERS  
ASSOC.**

**13 TREASURE LAKE  
DUBOIS, PA 15801**

**TREASURE LAKE  
PROPERTY OWNERS  
ASSOC.**

**24 TREASURE LAKE  
DUBOIS, PA 15801**

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.

MARCH 28, 2007

Date



DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**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**

**CHASE HOME FINANCE LLC, S/B/M TO** :  
**CHASE MANHATTAN MORTGAGE** :  
**CORPORATION** :  
**3415 VISION DRIVE** :  
**COLUMBUS, OH 43219** :

**CLEARFIELD COUNTY**  
**COURT OF COMMON PLEAS**  
**CIVIL DIVISION**

**Plaintiff,**

**v.**

**NO. 06-79-CD**

**HEIDI L. RUDY** :  
**ROBERT D. RUDY** :  
**376 PORT AU PRINCE** :  
**DU BOIS, PA 15801-0000** :

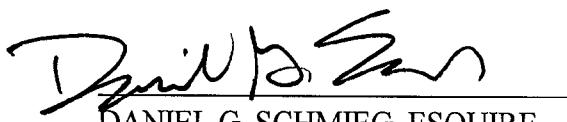
**Defendant(s).**

**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
- 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 G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**COPY**

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

CHASE HOME FINANCE LLC,  
S/B/M.T.O.CHASE.MANHATTAN  
MORTGAGE CORPORATION

vs.

HEIDI L. RUDY

ROBERT D. RUDY

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20

No. 06-79-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: 376 PORT AU PRINCE, DU BOIS, PA 15801-0000  
(See Legal Description attached)

Amount Due	\$79,745.88
Interest from 4/7/06 to Sale per diem \$13.11	\$-----
Total	\$-----
Add'l Costs	\$7,271.00
	145.00
	<b>Prothonotary costs</b>

*Willie L. Hargan*  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated 4/2/07  
(SEAL)

No. 06-79-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION

vs.

HEIDI L. RUDY  
ROBERT D. RUDY

W<sup>R</sup>IT OF EXECUTION  
(Mortgage Foreclosure)

Costs	
Real Debt	\$79,745.88
Int. from 4/7/06 To Date of Sale (\$13.11 per diem)	
Costs	
Prothy Pd.	<u>145.00</u>
Sheriff	



Attorney for Plaintiff(s)

Address: HEIDI L. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ROBERT D. RUDY  
376 PORT AU PRINCE  
DU BOIS, PA 15801-0000

ALL that certain tract of land designated as Lot No. 376, Section No. 14A, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds office in Misc. Docket Map File No. 25. Excepting and reserving therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake of Pennsylvania, Inc., recorded in Misc. Book Vol. 146, p. 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by former Grantor or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.
5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises conveyed to David M. Swesey and Diane L. Swesey, husband and wife, by Deed of Recreation Land Corporation, dated the 19th day of April, 1982, as recorded in Deed Book Volume 863, Page 389, with the said David M. Swesey having become deceased on the 23rd day of January, 1997, with all of his right, title and interest in said property divulging by operation of law unto the said Diane L. Swesey, the Grantor herein.

Being Parcel # CO2-14A-00376-00-21

**TITLE TO SAID PREMISES IS VESTED IN** Robert D. Rudy and Heidi L. Rudy, husband and wife, as tenants by the entireties and not as tenants in common, by Deed from Diane L. Swesey, a widow and remarried, dated 2-5-05, recorded 3-9-05, in Deed Inst#: 200503220.

BEING KNOWN AS: 376 PORT AU PRINCE, DU BOIS, PA 15801

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE LLC, S/B/M TO CHASE	:	CLEARFIELD COUNTY
MANHATTAN MORTGAGE CORPORATION	:	COURT OF COMMON PLEAS
Plaintiff,	:	
v.	:	
HEIDI L. RUDY	:	CIVIL DIVISION
ROBERT D. RUDY	:	
Defendant(s)	:	NO. 06-79-CD
	:	
	:	
	:	

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

I, DANIEL G. SCHMIEG, ESQUIRE, attorney for CHASE HOME FINANCE LLC, S/B/M TO CHASE  
MANHATTAN MORTGAGE CORPORATION hereby verifies that on JUNE 1, 2007 a true and Correct  
copies of the Notice of Sheriff's Sale were served by certificate of mailing to the Recorded Lienholder(s) and  
any known interested party.

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

Date: June 15, 2007

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

FILED

JUN 20 2007

6/12:00 (C)

William A. Shaw

Prothonotary/Clerk of Courts

W.C.C.

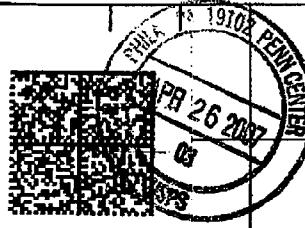
Name and  
Address  
of Sender

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	Post
1		TENANT/OCCUPANT 376 PORT AU PRINCE DU BOIS, PA 15801-0000	
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830	
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105	
4		TREASURE LAKE PROPERTY OWNERS ASSOC., 13 TREASURE LAKE, DUBOIS, PA 15801	
5		TREASURE LAKE PROPERTY OWNERS ASSOC., 24 TREASURE LAKE, DUBOIS, PA 15801	
6			
7			
8			
9			
10			
11			
12		<b>Re: HEIDI L. RUDY</b>	<b>129070 TEAM 4</b>
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)

0004218010 APR 26-2007  
MAILED FROM ZIP CODE 19103  
\$ 01.550  
02 1M  
PRINTED BY SOUTHERN CALIFORNIA POSTAL SERVICES



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$50,000 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 R300, S913 and S921 for limitations of coverage.

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

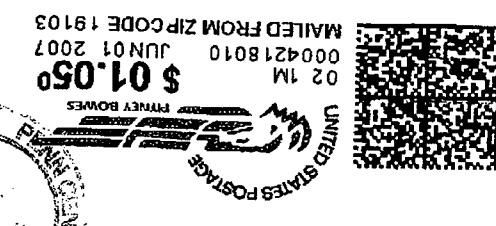
CQS

MICHELLE GRAGO CLEARFIELD

7/6/07

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division 6th Floor, Strawberry Square, Dept. #280601, Harrisburg, PA 17128		
2		Internal Revenue Service, Federated Investors Tower, Thirteenth Floor Suite 1300 1001 Liberty Avenue, Pittsburgh, PA 15222		
3		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105-8486		
4				
5				
6				
7				
8				
9				
10				
11				
12		Re: HEIDI L. RUDY	129070	TEAM 4

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 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.



CHASE HOME FINANCE LLC, S/B/M TO :  
CHASE MANHATTAN MORTGAGE :  
CORPORATION : CLEARFIELD COUNTY  
3415 VISION DRIVE : COURT OF COMMON PLEAS  
COLUMBUS, OH 43219 :  
CIVIL DIVISION

Plaintiff, :  
v. : NO. 06-79-CD

HEIDI L. RUDY :  
ROBERT D. RUDY :  
376 PORT AU PRINCE :  
DU BOIS, PA 15801-0000 :  
:

Defendant(s).

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

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE**  
**CORPORATION**, 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 **376 PORT AU PRINCE, DU BOIS, PA 15801-0000**.

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

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

HEIDI L. RUDY	376 PORT AU PRINCE DU BOIS, PA 15801-0000
---------------	--

ROBERT D. RUDY	376 PORT AU PRINCE DU BOIS, PA 15801-0000
----------------	--

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

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

<b>Same as Above</b>
----------------------

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.

June 15, 2007  
Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

CHASE HOME FINANCE LLC, S/B/M TO :  
 CHASE MANHATTAN MORTGAGE :  
 CORPORATION : CLEARFIELD COUNTY  
 3415 VISION DRIVE : COURT OF COMMON PLEAS  
 COLUMBUS, OH 43219 :  
 : CIVIL DIVISION  
 Plaintiff, :  
 v. : NO. 06-79-CD  
 :  
 HEIDI L. RUDY :  
 ROBERT D. RUDY :  
 376 PORT AU PRINCE :  
 DU BOIS, PA 15801-0000 :  
 :  
 Defendant(s).

**AMENDED AFFIDAVIT PURSUANT TO RULE 3129**

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE**  
**CORPORATION**, 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 **376 PORT AU PRINCE, DU BOIS, PA 15801-0000**.

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.)
<b>TENANT/OCCUPANT</b>	<b>376 PORT AU PRINCE DU BOIS, PA 15801-0000</b>
<b>DOMESTIC RELATIONS CLEARFIELD COUNTY</b>	<b>CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830</b>
<b>COMMONWEALTH OF PENNSYLVANIA</b>	
<b>TREASURE LAKE PROPERTY OWNERS ASSOC.</b>	<b>DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105</b>
<b>TREASURE LAKE PROPERTY OWNERS ASSOC.</b>	<b>13 TREASURE LAKE DUBOIS, PA 15801</b>
	<b>24 TREASURE LAKE DUBOIS, PA 15801</b>
<b>Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division</b>	<b>6th Floor, Strawberry Square Dept. #280601 Harrisburg, PA 17128</b>
<b>Internal Revenue Service Federated Investors Tower</b>	<b>Thirteenth Floor Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222</b>
<b>Department of Public Welfare TPL Casualty Unit Estate Recovery Program</b>	<b>P.O. Box 8486 Willow Oak Building Harrisburg, PA 17105-8486</b>

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.

June 15, 2007  
Date

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DATE: April 25, 2007

**CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION**

v.

**HEIDI L. RUDY  
ROBERT D. RUDY**

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

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

**OWNER(S): HEIDI L. RUDY  
ROBERT D. RUDY**

**PROPERTY: 376 PORT AU PRINCE  
DU BOIS, PA 15801-0000**

**Improvements: Residential Property**

**CLEARFIELD COUNTY**

**NO.: 06-79-CD**

**Judgment Amount: \$79,745.88**

The above-captioned property is scheduled to be sold at the **CLEARFIELD** Sheriff's Sale on **FRIDAY, JULY 6, 2007** at **10:00AM** 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

**PHELAN HALLINAN & SCHMIEG**  
Suite 1400  
1617 JFK Boulevard  
Philadelphia, PA 19103-1814  
215-563-7000  
Fax (215) 563-5534

**CHRISTINE SCHOFFLER**  
Legal Assistant, Ext. 1286

**Representing Lenders in  
Pennsylvania and New Jersey**

June 15, 2007

Office of the Prothonotary  
CLEARFIELD County Courthouse

**Re: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE  
CORPORATION VS. HEIDI L. RUDY and ROBERT D. RUDY  
NO: 06-79-CD**

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

Dear Sir/Madam:

Enclosed please find an Affidavit of Service Pursuant to Rule 3129 with the necessary attachments regarding the above matter.

Please return a time-stamped copy of same in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

**\*\*\*Please be advised that in the event the Plaintiff is not represented at the sale the sale is to be stayed or postponed.\*\*\***

**\*\*Property is listed for the JULY 06, 2007 Sheriff Sale.\*\***

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

Very truly yours,

**PHELAN HALLINAN & SCHMIEG**

By:

CHRISTINE SCHOFFLER\, Legal Assistant

cc: Sheriff of CLEARFIELD County

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

ATTORNEY FOR

CHASE HOME FINANCE LLC S/B/M TO	:	COURT OF COMMON PLEAS
CHASE MANHATTAN MORTGAGE	:	
CORPORATION	:	CIVIL DIVISION
Plaintiff	:	
	:	CLEARFIELD COUNTY
vs.		
HEIDI L. RUDY	:	
ROBERT D. RUDY	:	No. 06-79-CD
Defendants	:	
	:	
	:	

**PRAECIPE TO FILE AFFIDAVIT OF SERVICE**

TO THE PROTHONOTARY:

Kindly file the attached Affidavits of Service with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP  
By: Daniel Schmiege  
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

Date: July 31, 2007

PAW.  
PHS # 129070

FILED NOCC  
m 10:51 AM  
AUG 01 2007  
LS  
William A. Shaw  
Prothonotary/Clerk of Courts

## **AFFIDAVIT OF SERVICE**

<b>PLAINTIFF</b>	<b>CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION</b>	<b>CLEARFIELD County No. 06-79-CD Our File #: 129070</b>
<b>DEFENDANT(S)</b>	<b>HEIDI L. RUDY ROBERT D. RUDY</b>	<b>Type of Action - Notice of Sheriff's Sale</b>
<b>Please serve upon:</b>	<b>HEIDI L. RUDY</b>	<b>Sale Date: SEPTEMBER 7, 2007</b>

**SERVE AT: 1583 MAPLE STREET  
MORRISDALE, PA 16858**

Served and made known to Heidi L. Rudy <sup>SERVED</sup>, Defendant, on the 6<sup>th</sup> day of July,  
2007, at 4:19, o'clock P.m., at 1583 Maple St., Morristown,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is Husband / Robert

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

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

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

an officer of said Defendant(s)'s company.

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

Description: Age 42 Height 5'9" Weight 200 Race W Sex M Other \_\_\_\_\_

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

Sworn to and subscribed  
before me this 9<sup>th</sup> day of July 2007 Marilyn A. Campbell

By: Thomas Holmley

~~NO. 55~~ COMMONWEALTH OF PENNSYLVANIA

**NOT SERVED**

ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

Member, Pennsylvania Association of Notaries

On the \_\_\_\_\_ day of \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock a.m., Defendant **NOT FOUND** because:

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

1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other:

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

Notary: \_\_\_\_\_ By: \_\_\_\_\_  
**Attorney for Plaintiff**  
**DANIEL G. SCHMIEG, Esquire - I.D. No. 62205**  
**One Penn Center at Suburban Station, Suite 1400**  
**1617 John F. Kennedy Boulevard**  
**Philadelphia, PA 19103-1814**  
**(215) 563-7000**

### AFFIDAVIT OF SERVICE

PLAINTIFF      CHASE HOME FINANCE LLC, S/B/M TO      CLEARFIELD County  
                  CHASE MANHATTAN MORTGAGE      No. 06-79-CD  
                  CORPORATION      Our File #: 129070

DEFENDANT(S)      HEIDI L. RUDY      Type of Action  
                  ROBERT D. RUDY      - Notice of Sheriff's Sale

Please serve upon:      ROBERT D. RUDY      Sale Date: SEPTEMBER 7, 2007

SERVE AT:      1583 MAPLE STREET  
                  MORRISDALE, PA 16858

#### SERVED

Served and made known to Robert D. Rudy, Defendant, on the 6<sup>th</sup> day of July,  
2007 at 4:19, o'clock P.m., at 1583 Maple St., Morrisdale,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship \_\_\_\_\_.

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

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

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

an officer of said Defendant(s)'s company.

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

Description:      Age 42      Height 5'9      Weight 200      Race W      Sex M      Other

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

Sworn to and subscribed  
before me this 9<sup>th</sup> day  
of July, 2007  
NOT COMMONWEALTH OF PENNSYLVANIA

*Marilyn A. Campbell*  
By: *Thomas Holmberg*

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

#### NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

Member, Pennsylvania Association of Notaries  
On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.m., Defendant NOT FOUND because:

Moved       Unknown       No Answer       Vacant

1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other:

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

Notary:      By:

Attorney for Plaintiff

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