

06-1599-CD

Chase Home Fin. Vs David Krause et al

2006-1599-CD

Chase Home Finance vs David Krause et al

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

139509

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC
3415 VISION DRIVE
COLUMBUS, OH 43219

Plaintiff

v.

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM
NO. 2006-1599-C0
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.

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

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

Jan 25, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

W.A. Shaw
Deputy Prothonotary

Jan 25, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

W.A. Shaw
File # 139509
Deputy Prothonotary

FILED
W.A. Shaw
OCT 02 2006
m 12:05 PM
William A. Shaw
Prothonotary/Clerk of Courts
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PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
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DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
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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
3415 VISION DRIVE
COLUMBUS, OH 43219

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

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

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

3. On 05/23/2005 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR M&T MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200507758. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 05/01/2006 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	\$101,306.26
Interest	3,140.35
04/01/2006 through 09/28/2006	
(Per Diem \$17.35)	
Attorney's Fees	1,250.00
Cumulative Late Charges	94.47
05/23/2005 to 09/28/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 106,341.08
Escrow	
Credit	- 45.19
Deficit	0.00
Subtotal	<u>\$- 45.19</u>
TOTAL	\$ 106,295.89

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

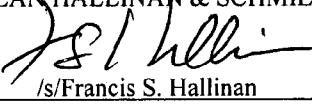
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 106,295.89, together with interest from 09/28/2006 at the rate of \$17.35 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 parcel of land, with the improvements thereon erected, situate in the Township of Ferguson, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the bank of the West Branch of Little Clearfield Creek South sixty-eight (68) degrees West, thirteen and two-tenths (13.2) perches to a public road (known as Tyrone Pike); thence along said road, South twenty-nine degrees thirty (30) minutes East, twenty-four and four-tenths (24.4) perches to a post; thence North sixty-eight (68) degrees East, twenty and three-tenths (20.3) perches to a creek; thence up the same, North eight (8) degrees thirty (30) minutes West, fourteen (14) perches; South eighty-nine (89) degrees thirty (30) minutes West, seventeen and five-tenths (17.5) perches; North two (2) degrees East, six (6) perches to a post and place of beginning.
CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

PROPERTY BEING: 14086 TYRONE PIKE

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.

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.

21/00.

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 9/28/6

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

Chase Home Finance LLC

CIVIL DIVISION
NO. 2006-1599-CD

vs.
David S.Krause
Tonya L. Krause a/k/a
Tonya L. Strickler

ORDER

AND NOW, this _____ day of _____, 2006, upon
consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court, it is hereby
ORDERED and **DECREED** that said Motion is **GRANTED**.

It is further **ORDERED** and **DECREED** that Plaintiff may obtain service of the
Complaint and all future pleadings on the above captioned Defendant, David S.Krause, by:

1. First class mail to David S.Krause at the last known address, 737 Spring Valley Road, West Decatur, PA 16878 and the mortgaged premises, 14086 Tyrone Pike, Curwensville, PA 16833, and last known address, and
2. Certified mail to David S. Krause at the last known address, 737 Spring Valley Road, West Decatur, PA 16878 and the mortgaged premises 14086 Tyrone Pike, Curwensville, PA 16833 and last known address.

BY THE COURT:

J.

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

FILED
M 11/05/07
JAN 04 2007
cc

DEPT
William A. Shaw
Prothonotary/Clerk of Courts

Chase Home Finance LLC	:	COURT OF COMMON PLEAS
	:	
	:	CIVIL DIVISION
vs.	:	
David S.Krause	:	CLEARFIELD COUNTY
Tonya L. Krause a/k/a		
Tonya L. Strickler		
	:	
	:	NO. 2006-1599-CD

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

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, L.L.P., moves this Honorable Court for an Order directing service of the Complaint upon the above-captioned Defendant, David S.Krause by first class mail and certified mail to the last known address, 737 Spring Valley Road, West Decatur, PA 16878 and the mortgaged premises, 14086 Tyrone Pike, Curwensville, PA 16833, and in support thereof avers the following:

1. Plaintiff, by and through its counsel, initiated the above referenced Complaint if Mortgage Foreclosure Action on October 2, 2006. As indicated by the copy of said complaint attached hereto as Exhibit "A".
2. Said complaint was forwarded to the Office of the Sheriff on or about October 3, 2006 for service to be completed on the Defendant, David S.Krause and Tonya L. Krause a/k/a Tonya L. Strickler at the mortgaged premises, 14086 Tyrone Pike, Curwensville, PA 16833. Plaintiff was advised by the Sheriff's Office that Tonya L. Krause was personally served on October 20, 2006 at 737 Spring Valley Road, West Decatur, PA 16878 and that there was no service made on David S. Krause at the mortgaged premises.

3. Plaintiff is unable to append a copy of the Return of Service as a result of a backlog in completing the Affidavit at the Sheriff's Office. Plaintiff's Affidavit of Service is attached hereto and marked as Exhibit "B".

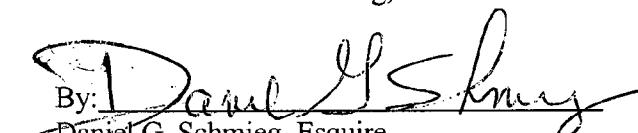
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results is attached hereto as Exhibit "C".

5. Plaintiff has reviewed its internal records and has not been contacted by the Defendant as of December 21, 2006 to bring loan current.

6. Plaintiff submits that it has made a good faith effort to locate the Defendant but has been unable to do so.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint by first class mail and certified mail.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: December 21, 2006

Exhibit A



OCT 02 2006

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
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139509

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC
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COLUMBUS, OH 43219

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 2006-1599-CN

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TONYA L. KRAUSE
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COMPLAINT IN MORTGAGE FORECLOSURE

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814-765-2641 x 5982

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

ATTORNEY FILE COPY
PLEASE RETURN

PHELAN HALLINAN & SCHMIEG, LLP
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ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC
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COLUMBUS, OH 43219

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

CLEARFIELD COUNTY

DAVID S. KRAUSE
TONYA L. KRAUSE
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DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
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9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 106,295.89, together with interest from 09/28/2006 at the rate of \$17.35 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

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CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

PROPERTY BEING: 14086 TYRONE PIKE

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.

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.

21/00

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE:

9/26/6

Exhibit B

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

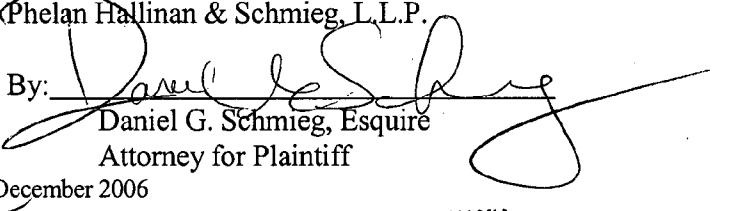
Attorney for Plaintiff

Chase Home Finance LLC : COURT OF COMMON PLEAS
: CIVIL DIVISION
vs.
David S. Krause : CLEARFIELD COUNTY
Tonya L. Krause a/k/a
Tonya L. Strickler
: NO. 2006-1599-CD

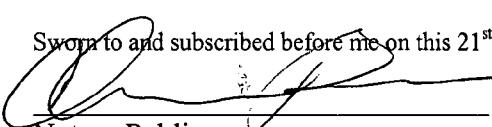
AFFIDAVIT OF SERVICE

Plaintiff's Counsel, Phelan Hallinan & Schmieg, LLP, does hereby swear and subscribe that it contacted the Sheriff's Office of Clearfield County on October 30, 2006, November 13, 2006, November 16, 2006, November 30, 2006, December 13, 2006 and was advised that the Sheriff was unable to complete personal service on David S. Krause at the mortgaged premises, 14086 Tyrone Pike, Curwensville, PA 16833. On October 30, 2006, November 13, 2006, November 16, 2006, November 30, 2006, December 13, 2006, the Plaintiff, by its Counsel, called the Sheriff's Office inquiring if a Return of Service was complete. The Sheriff's Office advised the Plaintiff's Counsel that they are behind with getting the returns typed up and out the door. However, they did confirm that the Defendant, Tonya L. Krause a/k/a Tonya L. Strickler was served at 737 Spring Valley Road, West Decatur, PA 16878 and David S. Krause was not served at the mortgaged premises, 14086 Tyrone Pike, Curwensville, PA 16833 because there was no response from the Defendant.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Sworn to and subscribed before me on this 21st day of December 2006


Notary Public

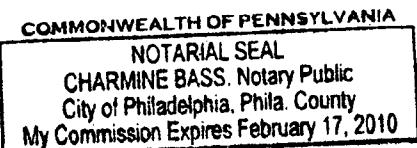


Exhibit C

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

File Number: 139509

Attorney Firm: **Phelan, Hallinan & Schmieg, LLP**

Subject: David S. Krause & Tonya L. Krause

Property Address: 14086 Tyrone Pike, Curwensville, PA 16833

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

David S. Krause - 161-58-5814

Tonya L. Krause - 171-56-5638

B. EMPLOYMENT SEARCH

David S. Krause & Tonya L. Krause - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that David S. Krause & Tonya L. Krause reside(s) at: 14086 Tyrone Pike, Curwensville, PA 16833.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which had no listing for David S. Krause & Tonya L. Krause.

B. On 11-14-06 our office made several telephone calls to (717) 813-6405 and received the following information: answering machine.

III. INQUIRY OF NEIGHBORS

On 11-14-06 our office attempted to contact Gregory Dimmick, at 14683 Tyrone Pike, Curwensville, PA 16833, (814) 236-1018 and received the following information: spoke with an unidentified female who could not confirm or deny that the subject reside(s) at 14086 Tyrone Pike, Curwensville, PA 16833.

Using both our White Pages data base and our National Address data base our office was unable to locate any neighbors within ten houses of 14086 Tyrone Pike, Curwensville, PA 16833.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 11-14-06 we reviewed the National Address database and found the following information: David S. Krause & Tonya L. Krause- 14086 Tyrone Pike, Curwensville, PA 16833.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: no addresses on file.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on David S. Krause & Tonya L. Krause.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 11-14-06 Vital Records and all public databases have no death record on file for David S. Krause & Tonya L. Krause.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for David S. Krause & Tonya L. Krause residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

David S. Krause - 05-15-1966

Tonya L. Krause - 11-11-1966

B. A.K.A.

David S. Krause, Jr. and Tonya L. Strickler

* 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 14th day of November 2006.

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

kls

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
RYAN P GALVIN, Notary Public
City of Philadelphia, Phila. County
My Commission Expires December 21, 2008

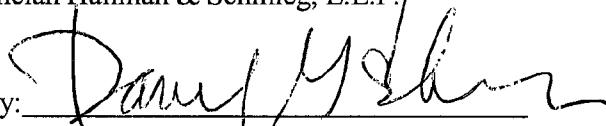
Ryan P Galvin

VERIFICATION

Daniel G. Schmieg, Esquire, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to make this Affidavit, and that the statements made in the foregoing MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements made are subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: December 21, 2006

Phelan Hallinan & Schmieg, L.L.P.
By: Daniel G. Schmieg, Esquire No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Chase Home Finance LLC

COURT OF COMMON PLEAS

CIVIL DIVISION

vs.

David S.Krause
Tonya L. Krause a/k/a
Tonya L. Strickler

CLEARFIELD COUNTY

NO. 2006-1599-CD

CERTIFICATION OF SERVICE

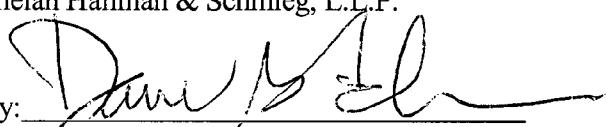
I, Daniel G. Schmieg, Esquire, hereby certify that a copy of the foregoing Motion for Service Pursuant to Special Order of Court, Memorandum of Law, Proposed Order and attached exhibits have been sent to the individual as indicated below by first class mail, postage prepaid, on the date listed below.

David S.Krause
14086 Tyrone Pike, Curwensville, PA 16833
737 Spring Valley Road, West Decatur, PA 16878

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

Cc: Tonya L. Krause a/k/a Tonya L. Strickler

Respectfully submitted,
Phelan Hallinan & Schmieg, L.L.P.

By: 
Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: December 21, 2006

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD County

DAVID S. KRAUSE
TONYA L. KRAUSE

: No. 2006-1599-CD

Defendants

:

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

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

✓
PHELAN HALLINAN & SCHMIEG, LLP
By: *Francis S. Hallinan*
FRANCIS S. HALLINAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: January 4, 2007

/lxh, Svc Dept.
File# 139509

FILED *(Signature)*

JAN 05 2007
1/11/07
William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO ATTY

W/ REINSTATE COMPLAINT

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

CHASE HOME FINANCE, LLC.

Plaintiff

*

*

*

NO. 06-1599-CD

vs.

DAVID S. KRAUSE

*

TONYA L. KRAUSE a/k/a TONYA L. STRICKLER

*

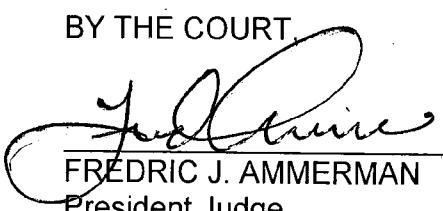
Defendants

*

O R D E R

NOW, this 8th day of January, 2007 the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **David S. Krause** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known address, 737 Spring Valley Road, West Decatur, PA 16878 and by posting the mortgaged premises known in this herein action as 14086 Tyrone Pike, Curwensville, PA 16833. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and first class mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **David S. Krause**, by sending copies of same to Defendant's last known address by certified and first class mail and by posting the premises.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED
01/04/07
JAN 09 2007

3cc

Atty Schmieg
OK

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **101979**

CHASE HOME FINANCE LLC

Case # **06-1599-CD**

vs.

DAVID S. KRAUSE and TONYA L. KRAUSE a/k/a TONYA L. STRICKLER

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW January 10, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO DAVID S. KRAUSE, JR., DEFENDANT. SEVERAL ATTEMPTS NOT HOME.

SERVED BY: /

FILED
018:50034
JAN 11 2007
WMS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101979
NO: 06-1599-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC

vs.

DEFENDANT: DAVID S. KRAUSE and TONYA L. KRAUSE a/k/a TONYA L. STRICKLER

SHERIFF RETURN

NOW, October 20, 2006 AT 1:08 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TONYA L. KRAUSE aka TONYA L. STRICKLER DEFENDANT AT 737 SPRING VALLEY RD., WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TONYA KRAUSE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101979
NO: 06-1599-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC

vs.

DEFENDANT: DAVID S. KRAUSE and TONYA L. KRAUSE a/k/a TONYA L. STRICKLER

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	539761	20.00
SHERIFF HAWKINS	PHELAN	539761	64.83

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


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 139509

CHASE HOME FINANCE LLC
3415 VISION DRIVE
COLUMBUS, OH 43219

Plaintiff

v.

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

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
2nd and Market Streets
Clearfield, PA 16830
814-765-2641

*I hereby certify the
within 20 days of filing and
filing copy of the
original filed of record*

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

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

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

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

1. Plaintiff is

CHASE HOME FINANCE LLC
3415 VISION DRIVE
COLUMBUS, OH 43219

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

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

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

3. On 05/23/2005 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR M&T MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200507758. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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 05/01/2006 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	\$101,306.26
Interest	3,140.35
04/01/2006 through 09/28/2006	
(Per Diem \$17.35)	
Attorney's Fees	1,250.00
Cumulative Late Charges	94.47
05/23/2005 to 09/28/2006	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 106,341.08
Escrow	
Credit	- 45.19
Deficit	0.00
Subtotal	<u>\$- 45.19</u>
TOTAL	\$ 106,295.89

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

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 106,295.89, together with interest from 09/28/2006 at the rate of \$17.35 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 parcel of land, with the improvements thereon erected, situate in the Township of Ferguson, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the bank of the West Branch of Little Clearfield Creek South sixty-eight (68) degrees West, thirteen and two-tenths (13.2) perches to a public road (known as Tyrone Pike); thence along said road, South twenty-nine degrees thirty (30) minutes East, twenty-four and four-tenths (24.4) perches to a post; thence North sixty-eight (68) degrees East, twenty and three-tenths (20.3) perches to a creek; thence up the same, North eight (8) degrees thirty (30) minutes West, fourteen (14) perches; South eighty-nine (89) degrees thirty (30) minutes West, seventeen and five-tenths (17.5) perches; North two (2) degrees East, six (6) perches to a post and place of beginning.

CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

PROPERTY BEING: 14086 TYRONE PIKE

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.

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.

21/LL

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 9/26/6

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD County

DAVID S. KRAUSE
TONYA L. KRAUSE

: No. 2006-1599-CD

Defendants

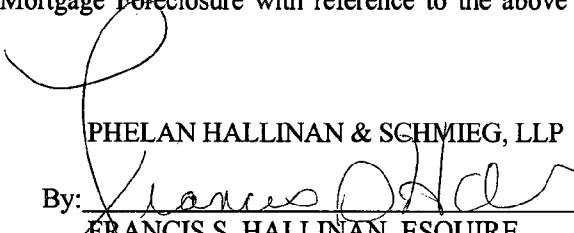
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PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

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

PHELAN HALLINAN & SCHMIEG, LLP

By: 

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

Date: January 23, 2007

/lxh, Svc Dept.
File# 139509

FILED Atty pd. 7.00
M 11:28 AM
JAN 25 2007 Compl. Reinstated
to Sheriff
William A. Shaw
Prothonotary/Clerk of Courts 6K

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

CHASE HOME FINANCE LLC
Plaintiff

ATTORNEY FOR PLAINTIFF

vs.

DAVID S. KRAUSE
TONYA L. KRAUSE A/K/A
TONYA L. STRICKLER

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

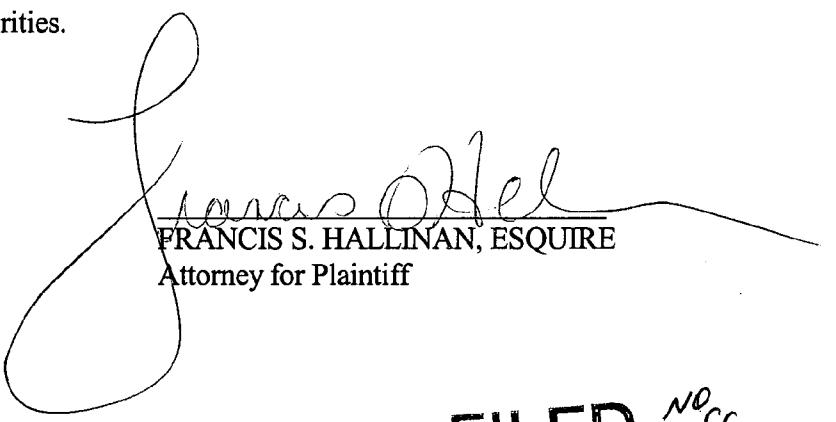
Defendant(s)

: NO. 2006-1599-CD

**AFFIDAVIT OF SERVICE OF COMPLAINT
BY MAIL PURSUANT TO COURT ORDER**

I hereby certify that a true and correct copy of the Civil Action Complaint in Mortgage Foreclosure in the above captioned matter was sent by regular and certified mail, return receipt requested, to the following persons **DAVID S. KRAUSE** at **14086 TYRONE PIKE, CURWENSVILLE, PA 16833, 737 SPRING VALLEY ROAD, WEST DECATUR, PA 16878** on **JANUARY 23, 2007**, in accordance with the Order of Court dated **JANUARY 8, 2007**. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: January 23, 2007


FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

FILED
MILL 23 2007
JAN 25 2007
NO CC
cm

William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC

: Court Of Common Pleas

vs.

: Civil Division

DAVID S. KRAUSE
TONYA L. KRAUSE A/K/A
TONYA L. STRICKLER

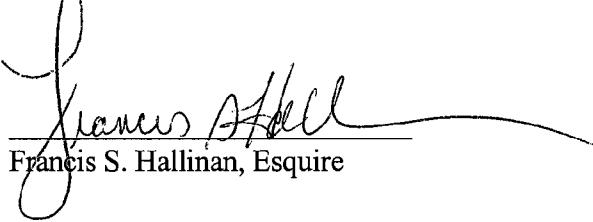
: CLEARFIELD County
: No. 2006-1599-CD

AFFIDAVIT OF SERVICE BY
PUBLICATION IN ACCORDANCE WITH COURT ORDER

I hereby certify that service of the Civil Action Complaint in Mortgage Foreclosure was made in accordance with the Court Order dated JANUARY 8, 2007 as indicated below:

By publication as provided by Pa. R.C.P. Rule 430(b)(1)
in THE PROGRESS on JANUARY 26, 2007 and CLEARFIELD COUNTY JOURNAL on FEBRUARY 2, 2007. Proofs of the said publications are attached hereto.

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


Francis S. Hallinan, Esquire

Date: February 26, 2007

LILY HAINES
Service Dept.

FILED NO
M 110:5284 CC
FEB 28 2007
WAS
William A. Shaw
Prothonotary/Clerk of Courts

NOTICE OF ACTION
IN MORTGAGE FORECLOSURE
IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
COURT OF
COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY
NO. 06-1599-CD

CHASE HOME FINANCE

Vs.

DAVID S. KRAUSE
TONYAL. KRAUSE,
A/K/TONYAL. STRICKER

NOTICE
TO DAVID S. KRAUSE:

You are hereby notified that on OCTOBER 10, 2006, Plaintiff, CHASE HOME FINANCE, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CLEARFIELD COUNTY Pennsylvania, docketed to No. 06-1599-CD. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 14086 TYRONE PIKE, CURWENSVILLE, PA 16833, whereupon your property would be sold by the Sheriff of CLEARFIELD COUNTY.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE 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, Ext. 5982

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

1:26-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

: SS:

COUNTY OF CLEARFIELD

On this 5th day of February, A.D. 20 07, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of January 26, 2007

And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Clearfield, Pa.

Notarial Seal

Cheryl J. Robison, Notary Public

Clearfield Boro, Clearfield County

My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

On this 2nd day of February AD 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of February 2, 2007, Vol. 18 No. 5. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.

Sharon J. Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

Full Spectrum Legal Services
400 Fellowship Rd Suite 220
Mt. Laurel NJ 08054

WITNESSING TO 2001A

WITNESSING TO 2001B

WITNESSING TO 2001C

RECEIVED IN CUSTODY AND WITNESSING SPECIAL INVESTIGATOR'S OFFICE
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001A
AND WITNESSING TO 2001B AND WITNESSING TO 2001C
RECEIVED IN CUSTODY AND WITNESSING TO 2001A
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001B
AND WITNESSING TO 2001C
RECEIVED IN CUSTODY AND WITNESSING TO 2001C
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001A

WITNESSING TO 2001A

RECEIVED

RECEIVED IN CUSTODY AND WITNESSING TO 2001B
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001A

RECEIVED IN CUSTODY AND WITNESSING TO 2001C
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001B

RECEIVED IN CUSTODY AND WITNESSING TO 2001A
FEB 28 2007 BY THE CLERK OF COURTS, WITNESSING TO 2001B
William A. Shaw
Prothonotary/Clerk of Courts
1100 Main Street, Suite 1100
Waco, Texas 76701-3000

FILED

FEB 28 2007

William A. Shaw
Prothonotary/Clerk of Courts
1100 Main Street, Suite 1100
Waco, Texas 76701-3000

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
NO. 2006-57-CD

NOTICE OF ACTION IN MORTGAGE
FORECLOSURE

MORTGAGE ELECTRONIC REGIS-
TRATION SYSTEMS, INC. vs. NANCY M.
MAYHEW

NOTICE
TO: NANCY M. MAYHEW
"NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY"

TAKE NOTICE that the real estate
located at 411 KNARR STREET, DUBOIS,
PA 15801 is scheduled to be sold at Sheriff's
Sale on Friday, MARCH 2, 2007 at 10:00
A.M., CLEARFIELD County Courthouse,
1 North 2nd Street, Ste. 116, Clearfield, PA
16830, to enforce the court judgment of
\$61,851.73, obtained by MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC. (the mortgagee).

ALL those certain pieces, parcels or lots
of land lying and being situate in the Fourth
Ward of the City of DuBois, Clearfield
County, Pennsylvania, being bounded and
described as follows, to-wit:

THE FIRST THEREOF: BEGINNING at
a post on the Easterly side of Knarr Street
and the Southwest corner of other lands

formerly of Ida E. Buys; thence Easterly by
line of said other lands formerly of Ida E.
Buys, 150 feet, more or less, to a post at an
alley; thence South 30 degrees 45 minutes
West by line of said alley 43 feet to a post;
thence Westerly in a straight line parallel
with and at all points 43 feet distant
Southerly from said other lands formerly of
the said Ida E. Buys, 150 feet, more or less,
to said Knarr Street; thence North 30
degrees 45 minutes East by line of said
Knarr Street 43 feet to a post corner of said
other lands formerly of the said Ida E. Buys,
the place of beginning.

THE SECOND THEREOF: BEGINNING
at a post on the Easterly side of Knarr Street
being the Southwest corner of land
conveyed by Victor Buys and Anna B. Gent,
Co-Executors of the Estate of Ida E. Buys,
deceased, to B.B. Marshall and Donna C.
Marshall, husband and wife, by Deed dated
November 3, 1970, and recorded in
Clearfield County in Deed Book 569, Page
634, said beginning point also being the
Northwest corner of land conveyed by Ida E.
Buys to Marian Elizabeth Buys and Stephen
D. Buys, her husband, by Deed dated March
25, 1946, and recorded March 29, 1946, in
Clearfield County Deed Book 375, Page 50
(said land now or formerly being owned by
Elizabeth S. Nelson); thence North 30
degrees 45 minutes East by line of Knarr
Street a distance of 3 1/2 feet to a point;
thence in a Southwesterly direction by a line
parallel with the property line between this
and adjoining properties, a distance of 43
feet to a point; thence South 30 degrees 45
minutes West a distance of 3 1/2 feet to a
point on the property line between this and
adjoining properties; thence in a
Northwesterly direction along the property
line between this and adjoining properties a
distance of 43 feet to Knarr Street and the
place of beginning.

BEING further identified in the Office of
Mapping and Assessment of Clearfield
County as Map No. 007-4-011-000-03089.

BEING the same premises which were
conveyed to William C. Dilts and Brenda J.
Dilts, husband and wife, by Deed of Danny
K. Kiehlmeier and Robin L. Kiehlmeier,
husband and wife, said deed dated May 28,
2002 and recorded July 10, 2002 as
Instrument # 200210870.

TITLE TO SAID PREMISES IS
VESTED IN Nancy M. Mayhew, an adult
individual, by Deed from William C. Dilts and
Brenda J. Dilts, husband and wife, dated
2-9-05, recorded 2-18-05 as Instrument #:
200502429

Being Premises 411 KNARR STREET,
DUBOIS, PA 15801

Improvements consist of residential
property.

PLAINTIFF, UDREN LAW OFFICES, P.C.,
WOODCREST CORPORATE CENTER,
111 WOODCREST ROAD, SUITE 200,
CHERRY HILL, NJ 08003-3620, 856-669-
5400.

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW
NO. 06-1443-CD**

**NOTICE OF ACTION IN MORTGAGE
FORECLOSURE**

DEUTSCHE BANK TRUST COMPANY
AMERICAS, AS TRUSTEE, PLAINTIFF vs.
ROBERT L. CANNISTRACI, DEFENDANT
TO: ROBERT L. CANNISTRACI,
Defendant, whose last known address is
2497 Cambria Street, Fallentimber, PA
16639.

**COMPLAINT IN MORTGAGE
FORECLOSURE**

You are hereby notified that Plaintiff,
DEUTSCHE BANK TRUST COMPANY
AMERICAS, AS TRUSTEE, has filed a
Mortgage Foreclosure Complaint endorsed
with a Notice to Defend, against you in the
Court of Common Pleas of Clearfield
County, Pennsylvania, docketed to NO. 06-
1443-CD, wherein Plaintiff seeks to
foreclose on the mortgage secured on your
property located, 2497 Cambria Street,
Fallentimber, PA 16639, whereupon your
property would be sold by the Sheriff of
Clearfield County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If
you wish to defend against the claims set
forth in the notice above, 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 THE INFORMATION ABOUT
HIRING A LAWYER. IF YOU CANNOT
AFFORD TO HIRE A LAWYER, THIS
OFFICE MAY BE ABLE TO PROVIDE YOU

TONYA L. STRICKER
COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY
NO. 06-1599-CD

NOTICE

TO DAVID S. KRAUSE:

You are hereby notified that on
OCTOBER 10, 2006, Plaintiff, CHASE
HOME FINANCE, filed a Mortgage
Foreclosure Complaint endorsed with a
Notice to Defend, against you in the Court of
Common Pleas of CLEARFIELD COUNTY
Pennsylvania, docketed to No. 06-1599-CD.
Wherein Plaintiff seeks to foreclose on the
mortgage secured on your property located
at 14086 TYRONE PIKE, CURWENSVILLE,
PA 16833 whereupon your property would
be sold by the Sheriff of CLEARFIELD
COUNTY.

You are hereby notified to plead to the
above referenced Complaint on or before 20
days from the date of this publication or a
Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a
written appearance personally or by attorney
and file your defenses or objections in
writing with the court. You are warned that
if you fail to do so the case may proceed
without you and a judgment may be entered
against you without further notice for the
relief requested by the plaintiff. You may
lose money or property or other rights
important to you.

YOU SHOULD TAKE THIS NOTICE TO
YOUR LAWYER AT ONCE. IF YOU DO
NOT HAVE A LAWYER, GO TO OR

Sold as the property of NANCY M.
MAYHEW

CONDITIONS OF SALE: THE HIGH-
EST AND BEST BIDDER SHALL BE THE
BUYER.

Terms: The purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with, a deed will be tendered by the Sheriff at the next Court of Common Pleas for Clearfield County, conveying to the purchase all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINIMUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions be not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on APRIL 2, 2007, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

Daniel G. Schmieg, Esquire
Suite 1400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Attorney for Plaintiff

be sold free and clear of all tax claims and tax judgments. A bid of \$200.00 has been received and accepted by the Bureau. Any party not satisfied with the accepted sale price must, within forty-five days of this notice, petition the Court of Common Pleas to disapprove the sale.

Clearfield County Tax Claim Bureau,
230 E. Market Street, Suite 121, Clearfield,
PA 16830.

ADV: February 2, 2007 & February 16,
2007.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102374
NO: 06-1599-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: CHASE HOME FINANCE, LLC

vs.

DEFENDANT: DAVID S. KRAUSE and TONYA L. KRAUSE aka TONYA L. STRICKLER

SHERIFF RETURN

NOW, January 29, 2007 AT 10:57 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 14086 TYRONE PIKE, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: DAVIS / MORGILLO

FILED
09:00 AM
APR 25 2007
LS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102374
NO: 06-1599-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: CHASE HOME FINANCE, LLC

VS.

DEFENDANT: DAVID S. KRAUSE and TONYA L. KRAUSE aka TONYA L. STRICKLER

SHERIFF RETURN

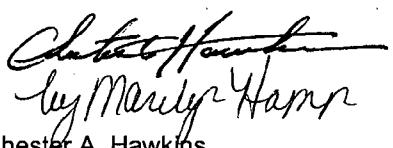
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	568081	10.00
SHERIFF HAWKINS	PHELAN	568081	14.82

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


Chester A. Hawkins
Sheriff

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

Attorney for Plaintiff

FILED
m 10:16 AM to def's.
APR 30 2007 Statement
cc's Notice

William A. Shaw to Atty
Prothonotary/Clerk of Courts
Atty pd. 2000
OK

CHASE HOME FINANCE, LLC
3415 VISION DRIVE
COLUMBUS, OH 43219

Plaintiff,

v.

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

Defendant(s).

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 2006-1599-CD

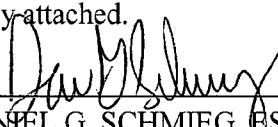
PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DAVID S. KRAUSE and TONYA L. KRAUSE A/K/A TONYA L. STRICKLER, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 106,295.89
Interest - 09/29/06 to 04/27/07	\$3,660.85
TOTAL	<u>\$ 109,956.74</u>

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



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 4/30/07



PRO PROTHY

139509

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

CHASE HOME FINANCE, LLC

3415 VISION DRIVE

COLUMBUS, OH 43219

Plaintiff,

v.

DAVID S. KRAUSE

TONYA L. KRAUSE

A/K/A TONYA L. STRICKLER

737 SPRING VALLEY ROAD

WEST DECATUR, PA 16878

Defendant(s).

:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 2006-1599-CD
:
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VERIFICATION OF NON-MILITARY SERVICE

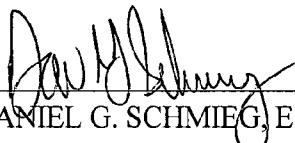
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 **DAVID S. KRAUSE** is over 18 years of age and resides at **737 SPRING VALLEY ROAD, WEST DECATUR, PA 16878**.

(c) that defendant **TONYA L. KRAUSE A/K/A TONYA L. STRICKLER** is over 18 years of age, and resides at **737 SPRING VALLEY ROAD, WEST DECATUR, PA 16878**.

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



DANIEL G. SCHMIEG, ESQUIRE

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC
Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

DAVID S. KRAUSE
TONYA L. KRAUSE A/K/A TONYA L. STRICKLER
Defendants

: CLEARFIELD COUNTY

: NO. 2006-1599-CD

TO: DAVID S. KRAUSE
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

DATE OF NOTICE: FEBRUARY 27, 2007

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

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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

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

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

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

FILE COPY

Francis S. Hallinan, Esquire
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

CHASE HOME FINANCE LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
DAVID S. KRAUSE : NO. 2006-1599-CD
TONYA L. KRAUSE A/K/A TONYA L. STRICKLER Defendants

**TO: TONYA L. KRAUSE A/K/A TONYA L. STRICKLER
14086 TYRONE PIKE
CURWENSVILLE, PA 16833**

DATE OF NOTICE: FEBRUARY 27, 2007

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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

FILE COPY

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
Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

DAVID S. KRAUSE

: CLEARFIELD COUNTY

TONYA L. KRAUSE A/K/A TONYA L. STRICKLER
Defendants

: NO. 2006-1599-CD

TO: DAVID S. KRAUSE
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

DATE OF NOTICE: FEBRUARY 27, 2007

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

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

FILE COPY

Francis S. Hallinan, Esquire
Attorneys for Plaintiff

PHELAN HALLINAN 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

Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

DAVID S. KRAUSE

TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

Defendants

: CLEARFIELD COUNTY

: NO. 2006-1599-CD

TO: **TONYA L. KRAUSE A/K/A TONYA L. STRICKLER**
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

DATE OF NOTICE: **FEBRUARY 27, 2007**

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
800-692-1375

FILE COPY

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

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

CHASE HOME FINANCE, LLC :
3415 VISION DRIVE :
COLUMBUS, OH 43219 :
Plaintiff,
v.
DAVID S. KRAUSE :
TONYA L. KRAUSE :
A/K/A TONYA L. STRICKLER :
737 SPRING VALLEY ROAD :
WEST DECATUR, PA 16878 :
Defendant(s). :
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 2006-1599-CD
:
:
:
:
:
:
:

Notice is given that a Judgment in the above captioned matter has been entered against you
on April 30, 2007.

BY Willie L. Chapman DEPUTY
SD

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

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

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

COPY

Chase Home Finance LLC
Plaintiff(s)

No.: 2006-01599-CD

Real Debt: \$109,956.74

Atty's Comm: \$

Vs.

Costs: \$

David S. Krause
Tonya L. Krause a/k/a Tonya L. Strickler
Defendant(s)

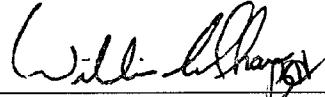
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: April 30, 2007

Expires: April 30, 2012

Certified from the record this 30th day of April, 2007.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

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

CHASE HOME FINANCE, LLC

vs.

DAVID S. KRAUSE

TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2006-1599-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	\$109,956.74
------------	--------------

Interest from 04/27/07 to Sale	\$ _____.
--------------------------------	-----------

Per diem \$18.08	
------------------	--

Prothonotary costs	139.00
---------------------------	--------

Add'l Costs	\$3,878.08
-------------	------------

David J. Sherry
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

139509

FILED *recd 4/10/2007 WATSW/*
APR 30 2007 prop-desc-
to Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

*Atty pd
20-00*

(GK)

No. 2006-1599-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

FILED

APR 30 2007

CHASE HOME FINANCE, LLC

William A. Shaw
Prothonotary/Clerk of Courts

vs.

DAVID S. KRAUSE
TONYAL KRAUSE
A/K/A TONYA L. STRICKLER

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

David S. Shaw

Attorney for Plaintiff(s)

Address: DAVID S. KRAUSE
TONYAL KRAUSE
A/K/A TONYA L. STRICKLER
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

CHASE HOME FINANCE, LLC	:	
3415 VISION DRIVE	:	
COLUMBUS, OH 43219	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff,	:	
v.	:	CIVIL DIVISION
DAVID S. KRAUSE	:	
TONYA L. KRAUSE	:	NO. 2006-1599-CD
A/K/A TONYA L. STRICKLER	:	
737 SPRING VALLEY ROAD	:	
WEST DECATUR, PA 16878	:	
Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

CHASE HOME FINANCE, LLC, 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 **14086 TYRONE PIKE, CURWENSVILLE, PA 16833**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
DAVID S. KRAUSE	737 SPRING VALLEY ROAD WEST DECATUR, PA 16878
TONYA L. KRAUSE A/K/A TONYA L. STRICKLER	737 SPRING VALLEY ROAD WEST DECATUR, PA 16878

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.

04/27/07
Date


 DANIEL G. SCHMIEG, ESQUIRE
 Attorney for Plaintiff

CHASE HOME FINANCE, LLC	:	
3415 VISION DRIVE	:	
COLUMBUS, OH 43219	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff,	:	
v.	:	CIVIL DIVISION
	:	
DAVID S. KRAUSE	:	NO. 2006-1599-CD
TONYA L. KRAUSE	:	
A/K/A TONYA L. STRICKLER	:	
737 SPRING VALLEY ROAD	:	
WEST DECATUR, PA 16878	:	
	:	
Defendant(s).	:	

AFFIDAVIT PURSUANT TO RULE 3129

CHASE HOME FINANCE, LLC, 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 **14086 TYRONE PIKE, CURWENSVILLE, PA 16833**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

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

NAME

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

TENANT/OCCUPANT

14086 TYRONE PIKE
CURWENSVILLE, PA 16833

DOMESTIC
RELATIONS
CLEARFIELD
COUNTY

CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830

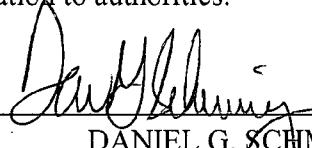
COMMONWEALTH
OF PENNSYLVANIA

DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105

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

04/27/07

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
3415 VISION DRIVE
COLUMBUS, OH 43219

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS

Plaintiff,

: CIVIL DIVISION

v.

: NO. 2006-1599-CD

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

:

:

:

:

:

Defendant(s).

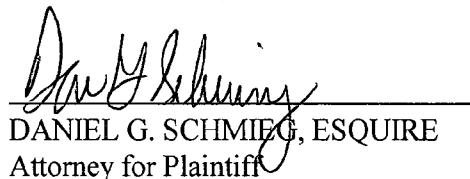
:

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

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

COPY

CHASE HOME FINANCE, LLC

vs.

DAVID S. KRAUSE

TONYA L. KRAUSE
A/K/A. TONYA L. STRICKLER

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 2006-1599-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: 14086 TYRONE PIKE, CURWENSVILLE, PA 16833
(See Legal Description attached)

Amount Due	\$109,956.74
Interest from 04/27/07 to Sale per diem \$18.08	\$-----
Add'l Costs	\$3,878.08
Total	\$-----
Prothonotary costs	139.00

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

Dated 4/30/07
(SEAL)

139509

No. 2006:1599:CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE, LLC

vs.

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER

WRIT OF EXECUTION (Mortgage Foreclosure)	
Costs	_____
Real Debt	\$109,956.74
Int. from 04/27/07 To Date of Sale (\$18.08 per diem)	_____
Costs	_____
Prothy Pd.	<u>139.00</u>
Sheriff	_____
	<i>David S. Krause</i> Attorney for Plaintiff(s)

Address: DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

LEGAL DESCRIPTION

ALL that certain parcel of land, with the improvements thereon erected, situate in the Township of Ferguson, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the bank of the West Branch of Little Clearfield Creek South sixty-eight (68) degrees West, thirteen and two-tenths (13.2) perches to a public road (known as Tyrone Pike); thence along said road, South twenty-nine degrees thirty (30) minutes East, twenty-four and four-tenths (24.4) perches to a post; thence North sixty-eight (68) degrees East, twenty and three-tenths (20.3) perches to a creek; thence up the same, North eight (8) degrees thirty (30) minutes West, fourteen (14) perches; South eighty-nine (89) degrees thirty (30) minutes West, seventeen and five-tenths (17.5) perches; North two (2) degrees East, six (6) perches to a post and place of beginning.
CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

TITLE TO SAID PREMISES IS VESTED IN David S. Krause and Tonya L. Krause, husband and wife, as Tenants by the Entireties, by Deed from Elizabeth K. Noll, a single individual, dated 05/23/2005, recorded 05/25/2005, in Deed Mortgage Inst# 200507757.

Premises being: 14086 TYRONE PIKE
CURWENSVILLE, PA 16833

Tax Parcel No. G13-000-00044

SALE DATE: July 6, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

CHASE HOME FINANCE, LLC

No.: 2006-1599-CD

vs.

DAVID S. KRAUSE
TONYA L. KRAUSE A/K/A TONYA L.
STRICKLER

FILED NO
M 11:10 AM
JUN 04 2007
CR

William A. Shaw
Prothonotary/Clerk of Courts

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

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

14086 TYRONE PIKE, CURWENSVILLE, PA 16833.

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



DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

May 31, 2007

Name and
Address
of Sender

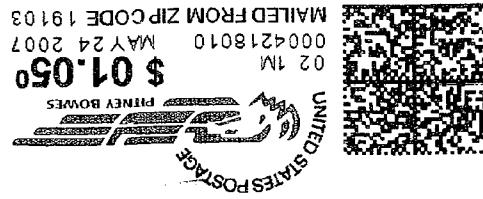
CQS
PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

CQS



Name of Addressee, Street, and Post Office Address

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 14086 TYRONE PIKE CURWENSVILLE, PA 16833		
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				
5				
6				
7				
8				
9				
10				
11				
12		Re: DAVID S. KRAUSE	139509 TEAM 4	SZ F
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.



Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

CHASE HOME FINANCE, LLC : **CLEARFIELD COUNTY**
Plaintiff, : **COURT OF COMMON PLEAS**
v. :
: **CIVIL DIVISION**
: :
DAVID S. KRAUSE : **NO. 2006-1599-CD**
TONYA L. KRAUSE :
A/K/A TONYA L. STRICKLER :
Defendant(s).

FILED

JUL 06 2007
m 111:157/w
William A. Shaw
Prothonotary/Clerk of Courts
No 4/c.

**AFFIDAVIT OF SERVICE OF NOTICE OF SHERIFF'S SALE
PURSUANT TO P.R.C.P., 404(2)/403**

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **DAVID S. KRAUSE** on **MAY 24, 2007** at **14086 TYRONE PIKE, CURWENSVILLE, PA 16833 & 737 SPRING VALLEY ROAD, WEST DECATUR, PA 16878** in accordance with the Order of Court dated **JANUARY 8, 2007**. The property was posted on **JUNE 4, 2007**. Publication was advertised in **THE PROGRESS** on **MAY 29, 2007** & in **CLEARFIELD COUNTY LEGAL JOURNAL** on **JUNE 1, 2007**.

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

PHELAN HALLINAN & SCHMIEG, LLP

By:

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

Dated: July 5, 2007

7160 3901 9845 0725 7598

TO: DAVID S. KRAUSE
14086 TYRONE PIKE
CURWENSVILLE, PA 16833

SENDER: TEAM4/SZF

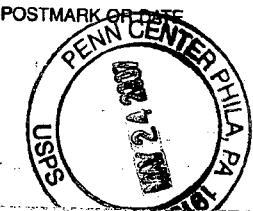
REFERENCE: 139509
PAIGE

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.12
	Restricted Delivery	
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



7160 3901 9845 0725 7581

TO: DAVID S. KRAUSE
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

SENDER: TEAM4/SZF

REFERENCE: 139509
PAIGE

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	.41
	Certified Fee	2.65
	Return Receipt Fee	2.12
	Restricted Delivery	
	Total Postage & Fees	5.21

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



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

CHASE HOME FINANCE, LLC.

Plaintiff

vs.

DAVID S. KRAUSE

TONYA L. KRAUSE a/k/a TONYA L. STRICKLER

Defendants

*
*
*
*
*
*

NO. 06-1599-CD

ORDER

NOW, this 8th day of January, 2007 the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **David S. Krause** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by first class mail and by certified mail, return receipt requested, at the Defendant's last known address, 737 Spring Valley Road, West Decatur, PA 16878 and by posting the mortgaged premises known in this herein action as 14086 Tyrone Pike, Curwensville, PA 16833. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and first class mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **David S. Krause**, by sending copies of same to Defendant's last known address by certified and first class mail and by posting the premises.

BY THE COURT,

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

JAN 09 2007

/s/ Fredric J. Ammerman

FREDERIC J. AMMERMAN
President Judge

Attest,

William L. Brown
Prothonotary/
Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF CHASE HOME FINANCE, LLC

DEFENDANT(S) DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER

CLEARFIELD County
No. 2006-1599-CD
Our File #: 139509

Please post premises with Notice of Sheriff's Sale per court order

SERVE AT: 14086 TYRONE PIKE
CURWENSVILLE, PA 16833

Type of Action
- Notice of Sheriff's Sale

Sale Date: 7/6/07

SERVED

Served and made known to David S. & Tonya L. KRAUSE, Defendant, on the 4th day of June, 2007, at 1010, o'clock A.m., at 14086 Tyrone Pike, Curwenville

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.

Other: Posted premises with Notice of Sheriff's Sale

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

I, Ronald Moll, 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 4th day

of June, 2007

Notary:

Patricia E. Harris

By:

Ronald Moll

I, Patricia E. Harris, a Notary Public
State of New Jersey

On the 4th day of June, 2007

Commission Expires June 16, 2008

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 _____, 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

25

105

NOTICE OF ACTION
IN MORTGAGE FORECLOSURE
IN THE COURT OF
COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
NO. 2006-1599-CD

CHASE HOME FINANCE, LLC
vs.

DAVID S. KRAUSE
TONYAL. KRAUSE A/K/A
TONYAL. STRICKLER.

NOTICE
TO: DAVID S. KRAUSE
NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY

TAKE NOTICE that the real estate located at 14086 TYRONE PIKE, CURWENSVILLE, PA 16833 is scheduled to be sold at Sheriff's Sale on Friday, July 6, 2007 at 10:00 A.M. CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield, PA 16830, to enforce the court judgement of \$109,956.74, obtained by CHASE HOME FINANCIAL, LLC (the mortgagee).

All that certain parcel of land, with the improvements thereon erected, situate in the Township of Ferguson, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the bank of the West Branch of Little Clearfield Creek South sixty-eight (68) degrees West, thirteen and two-tenths (13.2) perches to a public road (known as Tyrone Pike); thence along said road, South twenty-nine degrees thirty (30) minutes East, twenty-four and four-tenths (24.4) perches to a post; thence North sixty-eight (68) degrees East, twenty and three-tenths (20.3) perches to a creek; thence up the same, North eight (8) degrees thirty (30) minutes West, fourteen (14) perches; South eighty-nine (89) degrees thirty (30) minutes West, seventeen and five-tenths (17.5) perches, North two (2) degrees East, six (6) perches to a post and place of beginning. CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

TITLE TO SAID PREMISES IS VESTED IN David S. Krause and Tonya L. Krause, husband and wife, as Tenants by the Entireties, by Deed from Elizabeth K. Noll, a single individual, dated 05/23/2005, recorded 05/25/2005, in Deed Mortgage Inst# 200507757.

Being Premises 14086 TYRONE PIKE, CURWENSVILLE, PA 16833.

Improvements consist of residential property. Sold as the property of DAVID S. KRAUSE & TONYA L. KRAUSE

A/K/A TONYAL. STRICKLER
CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on AUGUST 6, 2007, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

Daniel G. Schmieg, Esquire
Suite 1400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215)563-7000
Attorney for Plaintiff

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 4th day of June, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of May 29, 2007. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison
Notary Public
Clearfield, Pa

My Commission Expires
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Cheryl J. Robison, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Oct. 31, 2007
Member, Pennsylvania Association Of Notaries

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

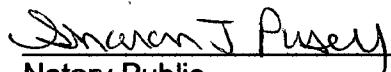
:

On this 1st day of June AD 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of June 1, 2007, Vol. 19 No. 22. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.



Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Houtzdale, Clearfield County, PA
My Commission Expires, April 7, 2011

Full Spectrum Legal Services
400 Fellowship Rd Suite 220
Mt Laurel NJ 08054

William A. Shaw
Prothonotary/Clerk of Courts

JUL 06 2007

FILED

NOTICE OF
ACTION IN MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
NO. 2006-1599-CD

CHASE HOME FINANCE, LLC vs.
DAVID S. KRAUSE, TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER

NOTICE
TO: DAVID S. KRAUSE
"NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY"

TAKE NOTICE that the real estate located at 14086 TYRONE PIKE, CURWENSVILLE, PA 16833 is scheduled to be sold at Sheriff's Sale on Friday, JULY 6, 2007 at 10:00 A.M., CLEARFIELD County Courthouse, 1 North 2nd Street, Ste. 116, Clearfield; PA 16830, to enforce the court judgment of \$109,956.74, obtained by CHASE HOME FINANCE, LLC (the mortgagee).

ALL that certain parcel of land, with the improvements thereon erected, situate in the Township of Ferguson, County of Clearfield, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the bank of the West Branch of Little Clearfield Creek South sixty-eight (68) degrees West, thirteen and two-tenths (13.2) perches to a public road (known as Tyrone Pike); thence along said road, South twenty-nine degrees thirty (30) minutes East, twenty-four and four-tenths (24.4) perches to a post; thence North sixty-eight (68) degrees East, twenty and three-tenths (20.3) perches to a creek; thence up the same, North eight (8) degrees thirty (30) minutes West, fourteen (14) perches; South eighty-nine (89) degrees thirty (30) minutes West, seventeen and five-tenths (17.5) perches; North two (2) degrees East, six (6) perches to a post and place of beginning.

CONTAINING two (2) acres and 131 perches net.

BEING further identified as Clearfield County Tax Map No. 113-C13-44 as shown on the assessment map in the records of Clearfield County, PA.

BEING the same premises as vested unto the Borrowers herein by deed being recorded simultaneously herewith.

TITLE TO SAID PREMISES IS VESTED IN David S. Krause and Tonya L. Krause, husband and wife, as Tenants by the Entireties, by Deed from Elizabeth K. Noll, a single individual, dated 05/23/2005, recorded 05/25/2005, in Deed Mortgage Inst# 200507757.

Being Premises 14086 TYRONE PIKE, CURWENSVILLE, PA 16833.

Improvements consist of residential property.

Sold as the property of DAVID S. KRAUSE & TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on AUGUST 6, 2007, distribution will be made in accordance with the schedule unless exceptions are filed within ten days thereto.

Daniel G. Schmieg, Esquire, Suite 1400, One Penn Center, 1617 John F. Kennedy Boulevard, Philadelphia, PA 19103-1814. (215) 563-7000, Attorney for Plaintiff.

Full Spectrum Legal Services Inc., 400 Fellowship Rd., Suite 220, Mt. Laurel, NJ 08054.

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
Plaintiff

THE COURT OF COMMON PLEAS

VS

DAVID S. KRAUSE
TONY.A L. KRAUSE
A/K/A TONYA L. STRICKLER
Defendants

1. *What is the relationship between the two concepts of the state?*

CIVIL DIVISION

CLEARFIELD COUNTY

No. 2006-1599-CD

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 Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: June 19, 2007

PAW.

PHS # 139509

FILED

JUN 20 2007

JUN 20 2001

William A. Shaw

Prothonotary/Clerk of Courts

no c/s

AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE, LLC	CLEARFIELD County
DEFENDANT(S)	DAVID S. KRAUSE TONYA L. KRAUSE A/K/A TONYA L. STRICKLER	No. 2006-1599-CD Our File #: 139509
Please serve upon:	TONYA L. KRAUSE A/K/A TONYA L. STRICKLER	Type of Action - Notice of Sheriff's Sale
SERVE AT:	737 SPRING VALLEY ROAD WEST DECATUR, PA 16878	Sale Date: July 6, 2007 @ 10:00AM
SERVED		

Served and made known to TONYA L. KRAUSE, Defendant, on the 1ST day of June, 2007 at 3:45', o'clock P.m., at 737 SPRING VALLEY RD, West Decatur, PA 16878,

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 45 Height 5'5" Weight 135 lbs Race Caucasian Sex F Other _____

I, D.M. ELLIS, 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.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Monica Crilly, Notary Public
City Of Altoona, Blair County

My Commission Expires Aug 27, 2009

Member, Pennsylvania Association of Notaries

By: D.M. ELLIS

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

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

FILED

JUN 20 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20580
NO: 06-1599-CD

PLAINTIFF: CHASE HOME FINANCE, LLC

vs.

DEFENDANT: DAVID S. KRAUSE AND TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 04/30/2007

LEVY TAKEN 05/07/2007 @ 8:55 AM

POSTED 05/07/2007 @ 8:55 AM

SALE HELD 07/06/2007

SOLD TO FANNIE MAE

SOLD FOR AMOUNT \$50,000.00 PLUS COSTS

WRIT RETURNED 08/10/2007

DATE DEED FILED 08/10/2007

PROPERTY ADDRESS 14086 TYRONE PIKE CURWENSVILLE , PA 16833

FILED
01/30/2008
AUG 10 2008
S

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

05/09/2007 @ SERVED DAVID S. KARUSE

SERVED DAVID S. KRAUSE, DEFENDANT, BY REG & CERT MAIL PER COURT ORDER TO 737 SPRING VALLEY ROAD, WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA CERT #70060810000145072605 RETURNED UNCLAIMED ON 5/30/07.

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.

05/15/2007 @ 11:14 AM SERVED TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

SERVED TONYA L. KRAUSE A/K/A TONYA L. STRICKLER, DEFENDANT, AT HER RESIDENCE 737 SPRING VALLEY ROAD, WEST DECATUR, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20580
NO: 06-1599-CD

PLAINTIFF: CHASE HOME FINANCE, LLC

vs.

DEFENDANT: DAVID S. KRAUSE AND TONYA L. KRAUSE A/K/A TONYA L. STRICKLER

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$1,221.68

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester Hawkins
Ivy Annthea Butcher - Deputy
Chester A. Hawkins
Sheriff

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

CHASE HOME FINANCE, LLC

vs.

DAVID S. KRAUSE

TONY A. L. KRAUSE
A/K/A. TONY A. L. STRICKLER

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20

No. 2006-1599-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: 14086 TYRONE PIKE, CURWENSVILLE, PA 16833
(See Legal Description attached)

Amount Due \$109,956.74

Interest from 04/27/07 to Sale \$-----
per diem \$18.08

Add'l Costs \$3,878.08

Total \$-----

Prothonotary costs 139.00

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

Dated 4/30/07
(SEAL)

139509

Received April 30, 2007 @ 3:00 P.M.
Chester A. Hawkeis
by Cynthia Butler-Aylenback

No. 2006-1599-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CHASE HOME FINANCE, LLC

vs.

DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs	
Real Debt	\$109,956.74
Int. from 04/27/07 To Date of Sale (\$18.08 per diem)	
Costs	
Prothy Pd.	<u>139.00</u>
Sheriff	

David S. Krause..... Attorney for Plaintiff(s)

Address: DAVID S. KRAUSE
TONYA L. KRAUSE
A/K/A TONYA L. STRICKLER
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

LEGAL DESCRIPTION

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Premises being: 14086 TYRONE PIKE
CURWENSVILLE, PA 16833

Tax Parcel No. G13-000-00044

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME DAVID S. KARUSE

NO. 06-1599-CD

NOW, August 10, 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 July 06, 2007, I exposed the within described real estate of David S. Krause and Tonya L. Krause A/K/A Tonya L. Strickler to public venue or outcry at which time and place I sold the same to FANNIE MAE he/she being the highest bidder, for the sum of \$50,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	10.67
LEVY	15.00
MILEAGE	5.82
POSTING	15.00
CSDS	10.00
COMMISSION	1,000.00
POSTAGE	10.19
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	50,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$1,221.68

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	109,956.74
INTEREST @ 18.0800 %	1,265.60
FROM 04/27/2007 TO 07/06/2007	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$111,262.34
COSTS:	
ADVERTISING	379.78
TAXES - COLLECTOR	696.44
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.50
SHERIFF COSTS	1,221.68
LEGAL JOURNAL COSTS	180.00
PROTHONOTARY	139.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$2,791.40

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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DAVID S. KRAUSE
737 SPRING VALLEY ROAD
WEST DECATUR, PA 16878

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**2. Article Number
(Transfer from service label)**

7006 0810 0001 4507 2605

Domestic Return Receipt

102595-02-MA1560

PS Form 3811, February 2004

PA 16837
MAY 29 2007

