

06-2136-CD  
ABN Amro Mort. Vs M. Patrick

ABN Amro Mortgage vs Michael Patrick et  
2006-2136-CD

THOMAS I. PULEO, LLC  
By: Thomas I. Puleo, Esquire  
Identification No. 27615  
660 Sentry Parkway, Suite 210  
Blue Bell, PA 19422  
(610) 941-3600

FILED Any pd \$85.00  
m/3:03/01  
DEC 26 2006 2cc  
Sheriff  
William A. Shaw  
Prothonotary/Clerk of Courts

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
CIVIL ACTION - LAW

ABN AMRO MORTGAGE GROUP, INC.  
7159 Corklan Drive  
Jacksonville, Florida 32258

v.

: No. 06-2136-CD

MICHAEL PATRICK and  
NICOLE KIBLER  
364 Cecil Hurd Hwy  
La Jose, PA 15753

CIVIL ACTION - EJECTMENT  
COMPLAINT

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.

David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5982

AVISO

USTED HA SIDO DEMANDADO/A EN CORTE. Si usted desea defenderse de las demandas que se presentan más adelante en las siguientes páginas, debe tomar acción dentro de los próximos veinte (20) días después de la notificación de esta Demanda y Aviso radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y si usted falla de tomar acción como se describe anteriormente, el caso puede proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier otra reclamación o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin más aviso adicional. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUIENTE OFICINA. ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, ES POSIBLE QUE ESTA OFICINA LE PUEDA PROVEER INFORMACION SOBRE AGENCIAS QUE OFREZCAN SERVICIOS LEGALES SIN CARGO O BAJO COSTO A PERSONAS QUE CUALIFICAN.

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CIVIL ACTION - EJECTMENT  
COMPLAINT

1. Plaintiff, ABN AMRO MORTGAGE GROUP, INC., is a corporation organized and existing under laws of the State of Delaware, with offices as stated above.

2. Defendants, MICHAEL PATRICK and NICOLE KIBLER, are individuals presently residing at 364 Cecil Hurd Highway a/k/a Route 36, Borough of Newburg, Clearfield County, Pennsylvania, and presently occupy the property without permission of the legal owner.

3. Said premises, 364 Cecil Hurd Highway a/k/a Route 36, Borough of Newburg, Clearfield County, Pennsylvania, as more fully described in the legal description attached hereto, made a part hereof and marked Exhibit "A", was sold by Chester A. Hawkins, Sheriff of Clearfield County, at a Judicial or Sheriff's Sale held at Clearfield, Pennsylvania, on December 1, 2006, after due advertisement according to law, under and by virtue of a Writ of Execution issued on June 19, 2006, out of the Court of Common Pleas of Philadelphia County, as No. 06-739-CD, at the suit of ABN AMRO Mortgage Group, Inc. v. Michael Patrick and Nicole Kibler.

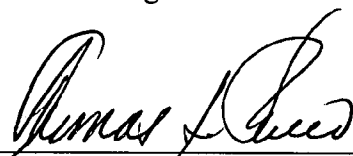
4. Said described property was purchased at the said sale by the attorney on the writ for the plaintiff herein, who is entitled to possession thereof.

5. Settlement on the above referenced property has been made by plaintiff with the Sheriff of Clearfield County.

6. Defendants are presently in possession of the said premises and have not vacated the said premises subsequent to the Sheriff's Sale despite demands from the plaintiff for possession.

7. Plaintiff's abstract of title is attached hereto, made a part hereof and marked Exhibit "B".

WHEREFORE, plaintiff requests judgment for possession against defendants.

  
\_\_\_\_\_  
THOMAS I. PULEO  
Attorney for Plaintiff

DESCRIPTION

ALL THAT property located in Newburg Borough, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at an 1 1/4 inch iron pipe being a common corner of the properties now or formerly of Emily M. Hurd, widow, and Glenn E. Thomson; thence along the Thomson property, South 56 degrees West, 271 feet to a 3/4 inch pipe placed at the Eastern boundary of the right of way of the Pennsylvania Department of Highway Route No. 36; thence along said right of way, North 28 degrees West, 150 feet to a 3/4 inch iron pipe on the Eastern boundary of the said right of way; thence along the residue of lands now or formerly of Emily M. Hurd, widow, North 56 degrees East, 306 feet to a 3/4" iron pipe on the boundary of the Glenn E. Thomson property; thence along the Thomson Property, South 16 degrees East 159.7 feet to a 1 1/4 inch pipe and the place of beginning.

IDENTIFIED as Clearfield County Assessment Map No. 14-D13-36.

Tax Parcel 14-D13-36 (Assessment \$9,525.00)

*ARACOR Search and Abstract Services, Inc.*  
*One Penn Center, 1617 J.F.K. Boulevard, Suite 305*  
*Philadelphia, Pennsylvania 19103*  
*(215) 496-0900*  
*FAX (215) 496-0904*

**RECORD OWNER AND LIEN CERTIFICATE**

Effective Date: 3/8/2005

Order Number: A100967  
Client Number: 2380636

Premises: ROUTE 36, BOROUGH OF NEWBURG  
CLEARFIELD COUNTY, PA

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as an abstractor for its negligence, mistakes or omissions in a sum not to exceed Two Thousand Dollars.

**DESCRIPTION**

ALL THAT property located in Newburg Borough, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at an 1 1/4 inch iron pipe being a common corner of the properties now or formerly of Emily M. Hurd, widow, and Glenn E. Thomson; thence along the Thomson property, South 56 degrees West, 271 feet to a 3/4 inch pipe placed at the Eastern boundary of the right of way of the Pennsylvania Department of Highway Route No. 36; thence along said right of way, North 28 degrees West, 150 feet to a 3/4 inch iron pipe on the Eastern boundary of the said right of way; thence along the residue of lands now or formerly of Emily M. Hurd, widow, North 56 degrees East, 306 feet to a 3/4" iron pipe on the boundary of the Glenn E. Thomson property; thence along the Thomson Property, South 16 degrees East 159.7 feet to a 1 1/4 inch pipe and the place of beginning.

IDENTIFIED as Clearfield County Assessment Map No. 14-D13-36.

Tax Parcel 14-D13-36 (Assessment \$9,525.00)

**RECORD OWNER**

**TITLE TO SAID PREMISES IS VESTED IN** Michael Patrick and Nicole Kibler by Deed from J.E. Hamilton, Jr. Family Trust by its Trustee James Hamilton dated 12/17/2002, recorded and 12/23/2002, in Instrument #200220526.

**Subject to the encumbrances and claims as follows:**

**TAXES:**

Receipts for Township, County and School Taxes for the years 2002 to 2004, inclusive.  
Township, County and School Taxes for current year 2005.  
(Payment should be verified) (Tax Parcel #14-D13-36)  
Assessment \$9,525.00

**WATER AND SEWER RENTS:**

Receipts for Water and Sewer Rents for the years 2002 to 2004.  
Water and Sewer Rents for current year 2005.  
(Payment should be verified)

**MECHANICS AND MUNICIPAL CLAIMS:** None

**MORTGAGES:**

1. \$64,986.00 - Michael Patrick and Nicole Kibler  
To: ABN Amro Mortgage Group Incorporated  
Dated: 12/17/2002 Recorded: 12/23/2002  
Instrument #200220527  
Mortgagee's Addr: 2600 West Big Beaver Road, Troy, MI 48084

JUDGMENTS: None

BANKRUPTCIES: None

REQUIREMENTS/EXCEPTIONS:

1. **NOTICE:** The current public records fail to reflect any indications of the existence of a Homeowners or Condominium Association. Proof to be provided that subject premises is not a part of nor subject to assessment fees, service dues, or other charges of a Homeowners or Condominium Association; otherwise, receipts to be produced and filed with Company.
2. **NOTICE:** Probate Search of the fee owner(s) identified in this report discloses no estate filed of record
3. **IMPORTANT NOTICE:** Notice required under Rule 3129 for any possible outstanding support obligations filed of record or with the Domestic Relations section of the County, and the Commonwealth of Pennsylvania, Department of Welfare.
4. Possible additional assessment for taxes on any new construction or major improvement to premises.
5. Subject to any and all recorded Rights, Restrictions, Easements, Covenants, etc., that may appear of record.
6. **NOTICE: THIS REPORT DOES NOT INCLUDE ANY COPIES, PLEASE IDENTIFY ANY DOCUMENT(S) YOU MAY REQUIRE COPIES OF AND THEY WILL BE PROMPTLY ORDERED AND FORWARDED TO YOU AT A MINIMUM COST.**

ST/sl

VERIFICATION

**Michele deCraen** hereby states that he is *loan admin.* of ABN AMRO Mortgage Group, Inc., the plaintiff, or servicing agent for plaintiff, in this matter; that he is authorized to take this Verification; and that the statements made in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that the statements made therein are subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

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

*12/12/06*

*[Signature]*

*Michele deCraen*

**Michele deCraen**  
**Loan Administration Officer**





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

DOCKET # 102291  
NO: 06-2136-CD  
SERVICE # 1 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: ABN AMRO MORTGAGE GROUP, INC.  
vs.  
DEFENDANT: MICHAEL PATRICK and NICOLE KIBLER

**SHERIFF RETURN**

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NOW, January 15, 2007 AT 9:57 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON MICHAEL PATRICK DEFENDANT AT 364 CECIL HURD HWY., LAJOSE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHAEL PATRICK, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

**FILED**  
0/3:55 am  
MAR 21 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 102291  
NO: 06-2136-CD  
SERVICE # 2 OF 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: ABN AMRO MORTGAGE GROUP, INC.  
vs.  
DEFENDANT: MICHAEL PATRICK and NICOLE KIBLER

**SHERIFF RETURN**

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NOW, January 15, 2007 AT 9:57 AM SERVED THE WITHIN COMPLAINT IN EJECTMENT ON NICOLE KIBLER DEFENDANT AT 364 CECIL HURD HWY., LAJOSE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO NICOLE KIBLER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EJECTMENT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102291  
NO: 06-2136-CD  
SERVICES 2  
COMPLAINT IN EJECTMENT

PLAINTIFF: ABN AMRO MORTGAGE GROUP, INC.  
vs.  
DEFENDANT: MICHAEL PATRICK and NICOLE KIBLER

SHERIFF RETURN

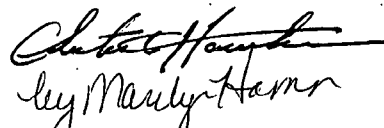
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PULEO	6226	20.00
SHERIFF HAWKINS	PULEO	6226	50.19

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

**GOLDBECK McCAFFERTY & McKEEVER**  
Suite 5000 - Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322  
**Attorney for Plaintiff**

**FILED** NoCC.

m/2:09pm  
APR 29 2010

William A. Shaw  
Prothonotary/Clerk of Courts

ABN AMRO MORTGAGE GROUP, INC.

vs.

NICOLE KIBLER and  
MICHAEL KIBLER

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY

No. 2006-02136-CD

**PRAECIPE TO DISCONTINUE AND END**

TO THE PROTHONOTARY:

Kindly mark the above case Discontinued and Ended upon payment of your costs only.

By: 

**GOLDBECK MCCAFFERTY & MCKEEVER**

Michael McKeever Pa. ID 56129

Gary McCafferty Pa. ID 42386

Lisa Lee Pa. ID 78020

Kristina Murtha Pa. ID 61858

David Fein Pa. ID 82628

✓ Thomas Puleo Pa. ID 27615

Attorneys for Plaintiff