

07-620 CD

Chase, Flomo, Flin, Vs. Tracey Hoyt al

JP Morgan et al vs Tracey Hoyt et al
2007-620-CD

VERIFICATION

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

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

Date: April 3, 2008


Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

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

Attorney for Plaintiff

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

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

Plaintiff : CIVIL DIVISION

v.

NO. 07-620-CD

TRACEY R. HOYT
TERRI L. HOYT A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT

Defendants

CERTIFICATE OF SERVICE

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

1.
TRACEY R. HOYT
74 ROLAND DRIVE
WESTOVER, PA 16692
and
4203 RIDGE ROAD
WESTOVER, PA 16692



Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: April 3, 2008

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

CHASE HOME FINANCE LLC S/B/M TO *
CHASE MANHATTAN MORTGAGE CORPORATION *
Plaintiff *
vs. *
TRACEY R. HOYT NO. 07-620-CD
TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A
TERRI L. HOLT, *
Defendants *

O R D E R

NOW, this 8th day of April, 2008, the Plaintiff is granted leave to serve the
NOTICE OF SALE upon the Defendant **TRACEY R. HOYT** by:

1. Publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal;
2. By first class mail and by certified mail, return receipt requested, at the Defendant's 4203 Ridge Road, Westover, PA 16692 and to the mortgaged premises, 74 Roland Drive, Westover, PA 16692; and
3. By posting the mortgaged premises known in this herein action as 74 Roland Drive, Westover, PA 16692.

Service by the aforementioned means is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of Service.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED 3CC
04/08/2008 APR 08 2008 Atty Schmieg
William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 08 2008

**William A. Shaw
Prothonotary/Clerk of Courts**

DATE: 4/8/08

X You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20704
NO: 07-620-CD

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

vs.

DEFENDANT: TRACEY R. HOYT AND TERRI L HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 12/27/2007

LEVY TAKEN 1/29/2008 @ 9:47 AM

POSTED 1/29/2008 @ 9:47 AM

SALE HELD 6/6/2008

SOLD TO HOMESALES, INC.

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 8/19/2008

DATE DEED FILED 8/19/2008

PROPERTY ADDRESS 74 ROLAND DRIVE WESTOVER , PA

FILED
01/01/04
AUG 19 2008
LSM

William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

@ SERVED TRACEY R. HOYT

CAMBRIA COUNTY UNABLE TO SERVE TRACEY R. HOYT, DEFENDANT, AT 177 BENDER ROAD, APT 4, PATTON, PENNSYLVANIA.
DEFENDANT NO LONGER RESIDES AT THAT ADDRESS.

1/30/2008 @ 9:58 AM SERVED TERRI L. HOYT A/K/A TERRI LEE HOYT ET AL

SERVED TERRI L. HOYT A/K/A TERRI LEE HOYT ET AL, DEFENDANT, AT HIS/HER RESIDENCE 263 MICHAEL STREET, APT 108,
WESTOVER, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TERRI L. HOYT

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.

5/29/2008 @ SERVED TRACEY R. HOYT

SERVED TRACEY R. HOYT, DEFENDANT, AT HIS/HER RESIDENCE BY REG & CERT MAIL PER COURT ORDER TO 4203 RIDGE ROAD,
WESTOVER, CLEARFIELD COUNTY, PENNSYLVANIA CERT #70060810000145074111. SIGNED FOR BY TRACEY HOYT

5/29/2008 @ SERVED TRACEY R. HOYT

SERVED TRACEY R. HOYT, DEFENDANT AT HIS/HER RESIDENCE BY REG & CERT MAIL PER COURT ORDER TO 72 ROLAND, DRIVE,
WESTOVER, CLEARFIELD COUNTY, PA CERT #70060810000145074104. SIGNED FOR BY TRACEY HOYT

@ SERVED

NOW, APRIL 1, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR
APRIL 4, 2008 TO JUNE 6, 2008.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20704

NO: 07-620-CD

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

DEFENDANT: TRACEY R. HOYT AND TERRI L HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT

Execution REAL ESTATE

SHERIFF RETURN

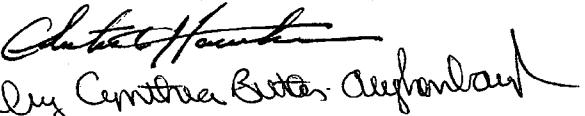
SHERIFF HAWKINS \$447.22

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2008


Chester A. Hawkins
Sheriff

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

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

vs.

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRILLEE HOYT
A/K/A TERRILL HOLT

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-620-CD Term 20
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: 74 ROLAND DRIVE, WESTOVER, PA 16692
(See Legal Description attached)

Amount Due \$46,914.84

Interest from 12/27/07 to Sale \$ _____.

Per diem \$7.71

Add'l Costs \$3,957.00

Writ Total \$

Prothonotary costs 132.00
Willie L. Sharpe

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

Dated 12/27/07
(SEAL)

Received this writ this 27th day
of December A.D. 2007
At 3:20 A.M./P.M.

Chester G. Hawkenis
Sheriff *Cynthia Butler-Chephner*

No. 07:620.CD..... Term 20 ...A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

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

vs.

TRACEY R. HOYT
TERRIL HOYT
A/K/A TERRILEE HOYT
A/K/A TERRIL L. HOLT

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$46,914.84
Int. from 12/27/07 To Date of Sale (\$7.71 per diem)	
Costs	
Protho Pd.	132.00
Sheriff	

Attorney for Plaintiff(s)

Address: TRACEY R. HOYT
177 BENDER ROAD, APT. 4 A/K/A TERRILEE HOYT
PATTON, PA 16668 A/K/A TERRIL HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

Received this with this
C.A.
M.A.M.A.

LEGAL DESCRIPTION

ALL that certain lot, piece or parcel of ground situate, lying and being in the Borough of Westover, County of Clearfield and State of Pennsylvania, more fully bounded and described as follows:

BEGINNING at a point on a common corner of lands described herein and the Northwestern most point of lands now or formerly of Trudell Poole South 71 degrees 42 minutes East a distance of 218.20 feet to a point; thence North 25 degrees 10 minutes East a distance of 168.53 to a point; thence North 64 degrees 24 minutes West a distance of 216.93 to a point; thence South 31 degrees 25 minutes West a distance of 84.91 feet to a point; thence South 20 degrees 77 minutes West a distance of 112.26 to a point being the point and place of beginning.

CONTAINING 0.9289 acre of land and more fully set forth in a survey dated September 10, 1981 entitled ?Plot Plan of Cloyd G. and Margaret E. Roland recorded and made a part of a Deed recorded in Clearfield County Deed Book 1623, page 568.

BEING a portion of the premises, the title to which became vested in Cloyd G. Roland and Margaret Roland by Deed of John W. Phillips and Ella Phillips dated February 6, 1942 and recorded in Clearfield County Record Book 375, page 204. Cloyd G. Roland died February 1, 1987, thereby vesting complete title in Margaret Roland by operation of law.

TITLE TO SAID PREMISES IS VESTED IN Tracy R. Hoyt and Terri L. Hoyt, husband and wife, by Deed from Margaret Roland, widow, dated 07/16/2002, recorded 07/19/2002, in Deed Mortgage Inst# 200211489.

**Premises being: 74 ROLAND DRIVE
WESTOVER, PA 16692**

Tax Parcel No. D16-000-0000

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME TRACEY R. HOYT

NO. 07-620-CD

NOW, August 18, 2008, 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 June 06, 2008, I expose the within described real estate of Tracey R. Hoyt And Terri L Hoyt A/K/A Terri Lee Hoyt A/K/A Terri L. Holt to public venue or outcry at which time and place I sold the same to HOMESALES, INC. he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	33.33
LEVY	15.00
MILEAGE	33.33
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	17.74
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	133.32
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	4.50
BILLING/PHONE/FAX	10.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$447.22

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$30.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	46,914.84
INTEREST @ 7.7100 %	1,249.02
FROM 12/27/2007 TO 06/06/2008	
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	\$48,203.86
COSTS:	
ADVERTISING	435.94
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	30.50
SHERIFF COSTS	447.22
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	132.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	1,431.74
TOTAL COSTS	\$2,766.40

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

Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009

Stephen Ames, Ext.1244
Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

April 1, 2008

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN
MORTGAGE CORPORATION v.
TRACEY R. HOYT and TERRI L. HOYT
74 ROLAND DRIVE WESTOVER, PA 16692-0000
Court No. 07-620-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for April 4, 2008 due to the following: Service Of Nos.

The Property is to be relisted for the June 6, 2008 Sheriff's Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,
CHRISTINE SCHOFFLER for
Phelan Hallinan & Schmieg, LLP



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5906

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20704 TERM & NO. 07-620-CD

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

VS.

TRACEY R. HOYT AND TERRI L HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT

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

SERVE BY: FEB 28, 2008

**MAKE REFUND PAYABLE TO ATTORNEY'S OFFICE
RETURN TO BE SENT TO THIS OFFICE**

SERVE: TRACEY R. HOYT

ADDRESS: 177 BENDER ROAD, APT 4
PATTON, PA 16668

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CAMBRIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Thursday, January 31, 2008.

RESPECTFULLY,

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

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

CASE # PLAINTIFF
90034-08 CHASE HOME FINANCE 07-620
DATE 2/04/08

DEFENDANT
HOYT, TRACEY

NOT FOUND AS TO THE WITHIN NAMED DEFENDANT, TRACEY R. HOYT,
AT 177 BENDER RD. APT. 4, PATTON, PA. 16668. DEFENDANT
DOES NOT RESIDE AT THIS ADDRESS. REPORTEDLY THE DEFENDANT
LIVES IN CLEARFIELD COUNTY. MY COSTS PAID BY ATTORNEY FOR
PLAINTIFF.

SHERIFF'S COSTS 24.00
PRO 3.00
TOTAL COSTS 27.00

SD ANSWERS,

Bob Kalar
SHERIFF

SWORN AND SUBSCRIBED TO BEFORE ME THIS 28TH DAY OF FEB. 08.

PROTHONOTARY *Patty Reckord*

C A M B R I A C O U N T Y
S H E R I F F

2/27/08

PHELAN HALLINAN AND SCHMIEG
ONE PENN CTR #1400

BOB KOLAR, SHERIFF
CAMBRIA COUNTY
PENNSYLVANIA

PHILADELPHIA PA 19103-0000

STATEMENT

BOB KOLAR, SHERIFF SHERIFF, CAMBRIA COUNTY, PA	CIVIL REC & DOCKETING & R GENERAL NOT FOUND PROTHONOTARY NOTARY REFUND ON DOCKET SERVICE RETURN BY FAX	9.00 5.00 3.00 73.00 10.00
CHASE HOME FINANCE 07-620 90034-08 NOTICE - CHASE HOME VS. HOYT CHASE HOME FINANCE 07-620		

HOYT, TRACEY

PHELAN HALLINAN AND SCHMIEG
ONE PENN CTR #1400

PHILADELPHIA, PA 19103

TOTAL COSTS.....	100.00
TOTAL RECEIPTS.....	100.00

149329

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISIONCHASE HOME FINANCE LLC S/B/M TO
CHASE MANHATTAN MORTGAGE CORPORATION *

Plaintiff *

vs. *

TRACEY R. HOYT *

TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A
TERRI L. HOLT, *

Defendants *

NO. 07-620-CD

ORDER

NOW, this 8th day of April, 2008, the Plaintiff is granted leave to serve the
NOTICE OF SALE upon the Defendant **TRACEY R. HOYT** by:

1. Publication one time in The Progress (Clearfield) and the Clearfield County
Legal Journal;
2. By first class mail and by certified mail, return receipt requested, at the
Defendant's 4203 Ridge Road, Westover, PA 16692 and to the mortgaged
premises, 74 Roland Drive, Westover, PA 16692; and
3. By posting the mortgaged premises known in this herein action as 74
Roland Drive, Westover, PA 16692.

Service by the aforementioned means is to be done by Plaintiff's attorney, who will
file with the Prothonotary's Office an Affidavit of Service.

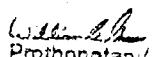
I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

BY THE COURT,

/S/ Fredric J AmmermanFREDRIC J. AMMERMAN
President Judge

APR 08 2008

Attest.


Prothonotary/
Clerk of Courts

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:

TRACEY R. HOYT
4203 RIDGE ROAD
WESTOVER, PA 16692

2. Article Number

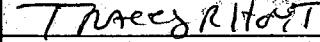
(Transfer from service label)

7006 0810 0001 4507 4111

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY**A. Signature** Agent
 Addressee**B. Received by (Printed Name)** TRACEY R. HOYT 5-29-08**C. Date of Delivery****D. Is delivery address different from item 1? Yes**
If YES, enter delivery address below: No**3. Service type**

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

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

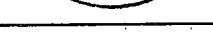
For delivery information visit our website at www.usps.com

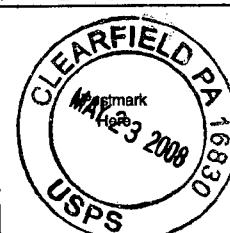
OFFICIAL USE

Postage	\$ 59
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 541

7006 0810 0001 4507 4111

Sent To TRACEY R. HOYT
4203 RIDGE ROAD
WESTOVER, PA 16692
**Street, Apt. No.,
or PO Box No.**
City, State, ZIP+4

PS Form 3800, June 2002  See Reverse for Instructions



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:

TRACEY R. HOYT
74 ROLAND DRIVE
WESTOVER, PA 16692

2. Article Number 7006 0810 0001 4507 4104
(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY**A. Signature** Agent
 Addressee**B. Received by (Printed Name)**

TRACEY R. HOYT 5-09-08

C. Date of Delivery

5-09-08

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No**3. Service Type**

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7006 0810 0001 4507 4104

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**For delivery information visit our website at www.usps.com**OFFICIAL USE**

<input type="checkbox"/>	Postage	\$ 59
<input type="checkbox"/>	Certified Fee	
<input type="checkbox"/>	Return Receipt Fee (Endorsement Required)	
<input type="checkbox"/>	Restricted Delivery Fee (Endorsement Required)	
<input type="checkbox"/>	Total Postage & Fees	\$ 5.41

**Sent To**

Street, Apt. No.;
or PO Box No.
City, State, ZIP+4

TRACEY R. HOYT
74 ROLAND DRIVE
WESTOVER, PA 16692

PS Form 3800, June 2002

(See Reverse for Instructions)

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

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

vs.

TRACEY R. HOYT
TERRILL HOYT
A/K/A TERRILLEE HOYT
A/K/A TERRILL HOLT

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-620-CD Term 20.....

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	\$46,914.84
Interest from 12/27/07 to Sale	\$ _____
Per diem \$7.71	\$ _____
Add'l Costs	\$3,957.00
Writ Total	\$ _____

Prothonotary costs

D. A. M. *132.00*

Attorney for the Plaintiff(s) *J. M. S.*

Note: Please attach description of Property.

149329

FILED Atty pd. 20.00

12/14/07
DEC 27 2007 ICC & Lewinits

William A. Shaw
Prothonotary/Clerk of Courts
w/prop desc.
to Sheriff

(64)

No. 07-620-CD Term 20 ... A.D.

William A. Sherry
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEC 27 2007
FILED

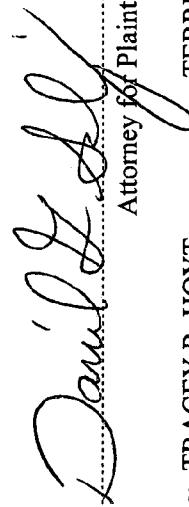
CHASE HOME FINANCE LLC, S/B/M TO CHASE
MANHATTAN MORTGAGE CORPORATION

vs.
Terry L. Hoyt

TRACEY R. HOYT
TERRIL HOYT
A/K/A TERRILEE HOYT
A/K/A TERRIL HOLT

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: TRACEY R. HOYT
177 BENDER ROAD, APT. 4 A/K/A TERRILEE HOYT
PATTON, PA 16668 A/K/A TERRIL HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

TERRIL HOYT
A/K/A TERRILEE HOYT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

LEGAL DESCRIPTION

ALL that certain lot, piece or parcel of ground situate, lying and being in the Borough of Westover, County of Clearfield and State of Pennsylvania, more fully bounded and described as follows:

BEGINNING at a point on a common corner of lands described herein and the Northwestern most point of lands now or formerly of Trudell Poole South 71 degrees 42 minutes East a distance of 218.20 feet to a point; thence North 25 degrees 10 minutes East a distance of 168.53 to a point; thence North 64 degrees 24 minutes West a distance of 216.93 to a point; thence South 31 degrees 25 minutes West a distance of 84.91 feet to a point; thence South 20 degrees 77 minutes West a distance of 112.26 to a point being the point and place of beginning.

CONTAINING 0.9289 acre of land and more fully set forth in a survey dated September 10, 1981 entitled ?Plot Plan of Cloyd G. and Margaret E. Roland recorded and made a part of a Deed recorded in Clearfield County Deed Book 1623, page 568.

BEING a portion of the premises, the title to which became vested in Cloyd G. Roland and Margaret Roland by Deed of John W. Phillips and Ella Phillips dated February 6, 1942 and recorded in Clearfield County Record Book 375, page 204. Cloyd G. Roland died February 1, 1987, thereby vesting complete title in Margaret Roland by operation of law.

TITLE TO SAID PREMISES IS VESTED IN Tracy R. Hoyt and Terri L. Hoyt, husband and wife, by Deed from Margaret Roland, widow, dated 07/16/2002, recorded 07/19/2002, in Deed Mortgage Inst# 200211489.

**Premises being: 74 ROLAND DRIVE
WESTOVER, PA 16692**

Tax Parcel No. D16-000-0000

CHASE HOME FINANCE LLC, S/B/M TO	:	
CHASE MANHATTAN MORTGAGE	:	
CORPORATION	:	CLEARFIELD COUNTY
3415 VISION DRIVE	:	COURT OF COMMON PLEAS
COLUMBUS, OH 43219	:	
Plaintiff,		CIVIL DIVISION
v.		
TRACEY R. HOYT	:	NO. 07-620-CD
177 BENDER ROAD, APT. 4	:	
PATTON, PA 16668	:	
TERRI L. HOYT	:	
A/K/A TERRI LEE HOYT	:	
A/K/A TERRI L. HOLT	:	
263 MICHAEL STREET, APT. 108	:	
WESTOVER, PA 16692	:	
Defendant(s).		

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE
CORPORATION, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **74 ROLAND DRIVE, WESTOVER, PA 16692**.

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

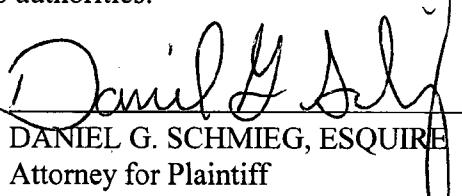
NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
TRACEY R. HOYT	177 BENDER ROAD, APT. 4 PATTON, PA 16668
TERRI L. HOYT	263 MICHAEL STREET, APT. 108 WESTOVER, PA 16692
A/K/A TERRI LEE HOYT	
A/K/A TERRI L. HOLT	

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.

12/26/07
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

Plaintiff, : NO. 07-620-CD

TRACEY R. HOYT
177 BENDER ROAD, APT. 4
PATTON, PA 16668
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129

CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **74 ROLAND DRIVE, WESTOVER, PA 16692**.

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

74 ROLAND DRIVE
WESTOVER, PA 16692

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

Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division

6th Floor, Strawberry Sq., Dept 28061
Harrisburg, PA 17128

Internal Revenue Service
Federated Investors Tower

13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

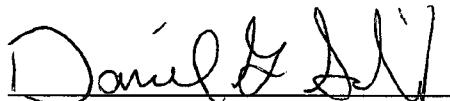
Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program

P.O. Box 8486
Willow Oak Building
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.

12/26/07

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, S/B/M TO	:	
CHASE MANHATTAN MORTGAGE	:	
CORPORATION	:	CLEARFIELD COUNTY
3415 VISION DRIVE	:	COURT OF COMMON PLEAS
COLUMBUS, OH 43219	:	
	:	CIVIL DIVISION
Plaintiff,	:	
v.	:	NO. 07-620-CD
	:	
TRACEY R. HOYT	:	
177 BENDER ROAD, APT. 4	:	
PATTON, PA 16668	:	
TERRI L. HOYT	:	
A/K/A TERRI LEE HOYT	:	
A/K/A TERRI L. HOLT	:	
263 MICHAEL STREET, APT. 108	:	
WESTOVER, PA 16692	:	

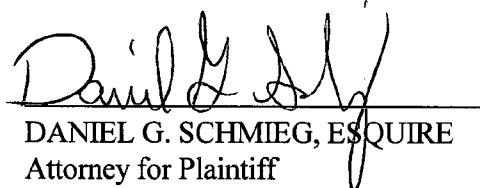
Defendant(s).

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

OPY

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

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

vs.

TRACEY.R.HOYT
TERRILL.HOYT
A/K/A.TERRIL.LEE.HOYT
A/K/A.TERRILL.HOLT

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: 74 ROLAND DRIVE, WESTOVER, PA 16692
(See Legal Description attached)

Amount Due	\$46,914.84
Interest from 12/27/07 to Sale	\$ _____.
Per diem \$7.71	
Add'l Costs	\$3,957.00
Writ Total	\$ 132.00

Prothonotary costs

Willie L. Hargan

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

Dated 12/27/07
(SEAL)

No. 07-620-CD Term 20 ... A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

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

vs.

TRACEY R. HOYT
TERRIL. HOYT
A/K/A TERRILEE HOYT
A/K/A TERRIL. HOLT

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$46,914.84

Int. from 12/27/07
To Date of Sale (\$7.71 per diem)

	Costs
Protho Pd.	<u>132.00</u>

Sheriff Daniel J. Holt
Attorney for Plaintiff(s)

Address: TRACEY R. HOYT
177 BENDER ROAD, APT. 4 A/K/A TERRILEE HOYT
PATTON, PA 16668 A/K/A TERRIL. HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

TERRIL. HOYT
A/K/A TERRILEE HOYT
A/K/A TERRIL. HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

LEGAL DESCRIPTION

ALL that certain lot, piece or parcel of ground situate, lying and being in the Borough of Westover, County of Clearfield and State of Pennsylvania, more fully bounded and described as follows:

BEGINNING at a point on a common corner of lands described herein and the Northwestern most point of lands now or formerly of Trudell Poole South 71 degrees 42 minutes East a distance of 218.20 feet to a point; thence North 25 degrees 10 minutes East a distance of 168.53 to a point; thence North 64 degrees 24 minutes West a distance of 216.93 to a point; thence South 31 degrees 25 minutes West a distance of 84.91 feet to a point; thence South 20 degrees 77 minutes West a distance of 112.26 to a point being the point and place of beginning.

CONTAINING 0.9289 acre of land and more fully set forth in a survey dated September 10, 1981 entitled ?Plot Plan of Cloyd G. and Margaret E. Roland recorded and made a part of a Deed recorded in Clearfield County Deed Book 1623, page 568.

BEING a portion of the premises, the title to which became vested in Cloyd G. Roland and Margaret Roland by Deed of John W. Phillips and Ella Phillips dated February 6, 1942 and recorded in Clearfield County Record Book 375, page 204. Cloyd G. Roland died February 1, 1987, thereby vesting complete title in Margaret Roland by operation of law.

TITLE TO SAID PREMISES IS VESTED IN Tracy R. Hoyt and Terri L. Hoyt, husband and wife, by Deed from Margaret Roland, widow, dated 07/16/2002, recorded 07/19/2002, in Deed Mortgage Inst# 200211489.

**Premises being: 74 ROLAND DRIVE
WESTOVER, PA 16692**

Tax Parcel No. D16-000-0000

Oct. 7, 2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

h
Deputy Prothonotary

PHELAN HALLINAN & SCHMIEG, LLP
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

149329

ATTORNEY FOR PLAINTIFF

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

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

NO. 07-620-CJ

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

File #: 149329

FILED 4CC Sheriff
m/11/00 5:01 PM
APR 20 2007 Atty pd 85.00
C

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE

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

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

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

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

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

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

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

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

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

1. Plaintiff is

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

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

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

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

3. On 07/16/2002 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200211490. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
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 10/01/2006 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	\$41,085.01
Interest	\$1,949.64
09/01/2006 through 04/19/2007	
(Per Diem \$8.44)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$36.09
07/16/2002 to 04/19/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$44,870.74
Escrow	
Credit	(\$74.34)
Deficit	\$0.00
Subtotal	<u>(\$74.34)</u>
TOTAL	\$44,796.40

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. 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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$44,796.40, together with interest from 04/19/2007 at the rate of \$8.44 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
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain parcel of land and improvements thereon situate in Westover Borough, Clearfield County, Pennsylvania and designated as Parcel No. 20-D16-10 and more fully described in a Deed dated July 16, 2002 and intended to be recorded contemporaneously herewith.

PROPERTY BEING: 74 ROLAND DRIVE

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.

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4-17-07

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 4 Services

Sheriff Docket # **102713**

CHASE HOME FINANCE LLC,S/B/M

Case # 07-620-CD

vs.

TRACEY R. HOYT & TERRI L HOYT A/K/A TERRI LEE HOYT a/k/a TERRI L.
HOLT

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO TRACEY R HOYT, DEFENDANT. 74 ROLAND DR., WESTOVER, PA. "EMPTY".

SERVED BY: /

FILED
OCT 3 03 AM
SEP 28 2007
WAS
William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 4 Services

Sheriff Docket # **102713**

CHASE HOME FINANCE LLC,S/B/M

Case # 07-620-CD

vs.

TRACEY R. HOYT & TERRI L HOYT A/K/A TERRI LEE HOYT a/k/a TERRI L.
HOLT

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO TERRI L HOYT AKA TERRI LEE HOYT AKA TERRI L. HOLT, DEFENDANT. 74 ROLAND DR., WESTOVER, PA. "EMPTY".

SERVED BY: /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 4 Services

Sheriff Docket # **102713**

CHASE HOME FINANCE LLC,S/B/M

Case # 07-620-CD

vs.

TRACEY R. HOYT & TERRI L HOYT A/K/A TERRI LEE HOYT a/k/a TERRI L.
HOLT

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW September 28, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO TRACEY R. HOYT, DEFENDANT. NEW:177 BENDER RD.APT#4,PATTON,PA. 16668.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102713
NO: 07-620-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC, S/B/M

VS.

DEFENDANT: TRACEY R. HOYT & TERRI L HOYT A/K/A TERRI LEE HOYT a/k/a TERRI L. HOLT

SHERIFF RETURN

NOW, May 17, 2007 AT 8:17 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TERRI L. HOYT aka TERRI LEE HOYT aka TERRI L. HOLT DEFENDANT AT 263 MICHAEL ST., APT 108, WESTOVER, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TERRI L. HOYT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102713
NO: 07-620-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC,S/B/M

vs.

DEFENDANT: TRACEY R. HOYT & TERRI L HOYT A/K/A TERRI LEE HOYT a/k/a TERRI L. HOLT

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	590633	40.00
SHERIFF HAWKINS	PHELEN	590633	60.00

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
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

149329

ATTORNEY FOR PLAINTIFF

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

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

NO. 07-620-CD

CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

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

APR 20 2007

Attest.

William L. Hess
Prothonotary/
Clerk of Courts

NOTICE

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1. Plaintiff is

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

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

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

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

3. On 07/16/2002 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200211490. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
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 10/01/2006 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	\$41,085.01
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(Per Diem \$8.44)	
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Subtotal	\$44,870.74
Escrow	
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TOTAL	\$44,796.40

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8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. 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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$44,796.40, together with interest from 04/19/2007 at the rate of \$8.44 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
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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PROPERTY BEING: 74 ROLAND DRIVE

VERIFICATION

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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.

francis s. hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4-17-07

PHELAN HALLINAN & SCHMIEG, LLP
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

149329

ATTORNEY FOR PLAINTIFF

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

Plaintiff
v.

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

NO. 07-6020-CD
CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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

APR 20 2007

Attest.

William L. Hause
Prothonotary/
Clerk of Courts

We hereby certify the
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DATE: 4-17-07

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COURT OF COMMON PLEAS
CIVIL DIVISION
TERM
NO. 07-620-CD
CLEARFIELD COUNTY

Defendants

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COMPLAINT IN MORTGAGE FORECLOSURE

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APR 20 2007

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Plaintiff

vs.

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TERRI LEE HOYT
A/K/A TERRI L. HOLT

Defendants

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY

: No. 07-620-CD

FILED

OCT 02 2007

W/11:55/4

William A. Shaw
Prothonotary/Clerk of Courts

I CERT TO BORN
W/REINSTATE COMPLAINT
TO STA

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

1 REINSTATE COMPLAINT
TO STA

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: September 28, 2007

/jmr, Svc Dept.
File# 149329

FILED NO cc
311102701
NOV 20 2007
6P

William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEY FOR PLAINTIFF

Chase Home Finance LLC, s/b/m to Chase
Manhattan Mortgage Corporation
3415 Vision Drive
Columbus, OH 43219

Plaintiff

Court of Common Pleas

vs.
Tracey R. Hoyt
Terri L. Hoyt
a/k/a Terri Lee Hoyt
a/k/a Terri L. Holt
74 Roland Drive
Westover, PA 16692

Defendants

Civil Division

Clearfield County

No. 07-620-CD

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on April 20, 2007. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".

2. The foreclosure action was placed on hold for several months for a repayment plan, on which the Defendant eventually defaulted.

3. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendant.

4. On November 2, 2007, the Sheriff's Office verbally advised counsel for Plaintiff that Tracey Hoyt was personally served on October 24, 2007.

5. On November 14, 2007, Plaintiff sent the Defendant a ten day letter notifying her of its intention to file a default judgment.

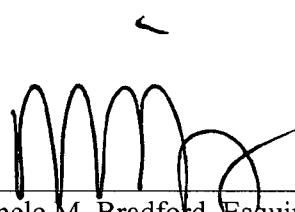
6. To date, the Clearfield County Sheriff's Office has not filed the Affidavit of Service, which was made on October 24, 2007.

7. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the Affidavit of Service of the Complaint with the Prothonotary. Interest accrues at the rate of \$8.44 per day on this mortgage account. Additionally, Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense.

8. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of Service.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the Affidavit of Service of the Complaint with the Prothonotary within seven days.

11/19/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

EXHIBIT A

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

OCT 02 2007

PHELAN HALLINAN & SCHMIEG, LLP
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

149329

Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

ATTORNEY FOR PLAINTIFF

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

Plaintiff

v.

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

FILED
APR 20 2007
William A. Shaw
Prothonotary/Clerk of Courts

File #: 149329

ATTORNEY FILE COPY
PLEASE RETURN

OCT 7 2007 Document
Reinstated/Revised to Sheriff/Attorney
for service.

W.A.S.
Deputy Prothonotary

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 x 5982

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

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

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

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

1. Plaintiff is

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

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

TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692-0000

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

3. On 07/16/2002 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200211490. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
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 10/01/2006 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	\$41,085.01
Interest	\$1,949.64
09/01/2006 through 04/19/2007	
(Per Diem \$8.44)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$36.09
07/16/2002 to 04/19/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$44,870.74
Escrow	
Credit	(\$74.34)
Deficit	\$0.00
Subtotal	<u>(\$74.34)</u>
TOTAL	\$44,796.40

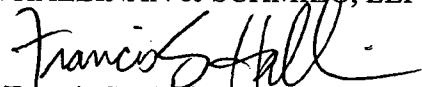
7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. 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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$44,796.40, together with interest from 04/19/2007 at the rate of \$8.44 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
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain parcel of land and improvements thereon situate in Westover Borough, Clearfield County, Pennsylvania and designated as Parcel No. 20-D16-10 and more fully described in a Deed dated July 16, 2002 and intended to be recorded contemporaneously herewith.

PROPERTY BEING: 74 ROLAND DRIVE

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.

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE
Attorney for Plaintiff

DATE: 4-17-07

VERIFICATION

Michele M. Bradford, Esquire hereby states that she is the attorney for the Plaintiff in this action, that she is authorized to make this Verification, and that the statements made in the foregoing Motion to Direct Sheriff to file Affidavit of Service and Brief in support thereof are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

11/19/07
Date

PHELAN HALLINAN & SCHMIEG, LLP



Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED *No cc*
m/11/02 2007
NOV 20 2007
William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEY FOR PLAINTIFF

Chase Home Finance LLC, s/b/m to Chase
Manhattan Mortgage Corporation
3415 Vision Drive
Columbus, OH 43219
Plaintiff

Court of Common Pleas

vs.
Tracey R. Hoyt
Terri L. Hoyt
a/k/a Terri Lee Hoyt
a/k/a Terri L. Holt
74 Roland Drive
Westover, PA 16692
Defendants

Civil Division

Clearfield County

No. 07-620-CD

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Direct Sheriff to File
Affidavit of Service and Brief in Support thereof were served upon the following interested
parties via first class mail on the date indicated below:

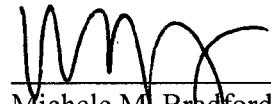
Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 South 2nd Street
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Tracey R. Hoyt
Terri L. Hoyt
74 Roland Drive
Westover, PA 16692

11/19/07
Date

PHELAN HALLINAN & SCHMIEG, LLP



Michele M. Bradford, Esquire
Attorney for Plaintiff

CA
FILED 2cc Atty Bradford
014:00801
NOV 20 2007 1cc Sheriff
(without memo)
William A. Shaw
Prothonotary/Clerk of Courts
GW

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

Chase Home Finance LLC, s/b/m to Chase	:	Court of Common Pleas
Manhattan Mortgage Corporation	:	
3415 Vision Drive	:	
Columbus, OH 43219	:	
Plaintiff	:	Civil Division
vs.	:	
Tracey R. Hoyt	:	Clearfield County
Terri L. Hoyt	:	
a/k/a Terri Lee Hoyt	:	
a/k/a Terri L. Holt	:	
74 Roland Drive	:	No. 07-620-CD
Westover, PA 16692	:	
Defendants	:	

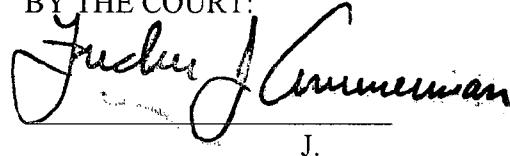
ORDER

AND NOW, this 20th day of November, 2007, upon consideration of

Plaintiff's Motion to Direct Sheriff to File Affidavit of Service, and any response thereto, it is
hereby:

ORDERED and DECREED that the Sheriff of Clearfield County is hereby directed to
complete and file an Affidavit of Service of the foreclosure Complaint within seven days of the
date of this Order.

BY THE COURT:


J. Zimmerman

FILED

NOV 20 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/20/07

You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103262
NO: 07-620-CD
SERVICE # 1 OF 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC, s/b/m
vs.
DEFENDANT: TRACEY R. HOYT al

SHERIFF RETURN

NOW, October 04, 2007, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TRACEY R. HOYT.

NOW, October 24, 2007 AT 11:45 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TRACEY R. HOYT, DEFENDANT. THE RETURN OF CAMBRIA COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

FILED
0/3:50am
NOV 26 2007
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103262
NO: 07-620-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: CHASE HOME FINANCE LLC, s/b/m

vs.

DEFENDANT: TRACEY R. HOYT al

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	631612	10.00
SHERIFF HAWKINS	PHELAN	631612	12.00
CAMBRIA CO.	PHELAN	631610	53.98

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


Chester A. Hawkins
Sheriff

**SHERIFF'S RETURN OF SERVICE
CAMBRIA COUNTY**

Plaintiff(s)	NUMBER 07-620-CD	
CHASE HOME FINANCE LLC, S/B/M TO CHASE MANHATTAN MORTGAGE CORPORATION	SHERIFF'S NUMBER	
	COST	MILEAGE
	DISTRICT	
Defendant(s)		
TRACEY R. HOYT		
TERRI L. HOYT A/K/A		
TERRI LEE HOYT A/K/A TERRI L. HOLT		
Serve Tracey R. Hoyt at: 177 BENDER ROAD, APT. 4 PATTON, PA 16668	TYPE OF ACTION	
	Summons <u>xx</u> Complaint	
	<u> </u> Other	
	Mortgage Foreclosure	

Special Instructions**TO BE COMPLETED BY SHERIFF**

Served and made known to TRACEY R. HOYT, ET AL, Defendant, on the 24 day of OCT., 2007 at 11:45 o'clock, Am., at CAMBRIA CO. COURTHOUSE, County of CAMBRIA Commonwealth of Pennsylvania, in the manner described below:

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

SHERIFF *Bob Hallinan*
By: _____, Deputy Sheriff

On the _____ day of _____, 20____, at _____ o'clock, _____.m., Defendant not found because:
 Moved Unknown No Answer Vacant Other

SHERIFF
By: _____

DEPUTIZED SERVICE

Now, this _____ day of _____, 20____, I, Sheriff of _____ County, Pennsylvania do hereby depelize the Sheriff of County to serve this Complaint and make return thereof and according to law.

SHERIFF
By: _____, Deputy Sheriff.

ATTORNEY FOR PLAINTIFF:

Name Francis S. Hallinan, Esquire
 Id. No. 62695
 Address One Penn Center Plaza Suite 1400
Philadelphia, PA 19103

TO BE COMPLETED BY PROTHONOTARY

ATTEST
Pro Prothy
Hatty Beckwith
Date 10-29-07

C A M B R I A C O U N T Y

S H E R I F F

=====

10/29/07

PHELAN HALLINAN AND SCHMIEG
ONE PENN CTR #1400

BOB KOLAR, SHERIFF
CAMBRIA COUNTY
PENNSYLVANIA

PHILADELPHIA PA 19103-0000

STATEMENT

BOB KOLAR, SHERIFF SHERIFF, CAMBRIA COUNTY, PA	CIVIL REC & DOCKETING & R	9.00
	CIVIL SERVICE	9.00
	GENERAL MILEAGE	32.98
	PROTHONOTARY NOTARY	3.00
CHASE HOME FINANCE 07-620 90231-07	REFUND ON DOCKET	46.02
COMPLAINT - CHASE HOME VS. HOYT		
CHASE HOME FINANCE 07-620		

V S

HOYT, TRACEY

PHELAN HALLINAN AND SCHMIEG
ONE PENN CTR #1400

PHILADELPHIA, PA 19103

TOTAL COSTS.....	100.00
TOTAL RECEIPTS.....	100.00

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SOLVED

600 KOLAR, BURRITON
CAMBRIA COUNTY
PENNSYLVANIA

ONE PENN CTL #1400
PHILADELPHIA AND SCHMIDT

0000-00101 A9

PHILADELPHIA

ТИЭМЭТАГ

MAILED
MAILING
MAILING

00.001
00.001

..... TOTAL RECEIPTS TOTAL COSTS

FILED

DEC 05 2007

William A. Shaw
Prothonotary/Clerk of Courts
I want to know (GK)

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

ATTORNEY FOR PLAINTIFF

Chase Home Finance LLC, s/b/m to Chase
Manhattan Mortgage Corporation
3415 Vision Drive
Columbus, OH 43219

Plaintiff

Court of Common Pleas

vs.
Tracey R. Hoyt
Terri L. Hoyt
a/k/a Terri Lee Hoyt
a/k/a Terri L. Holt
74 Roland Drive
Westover, PA 16692

Defendants

Civil Division

Clearfield County

No. 07-620-CD

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Order granting Motion to Direct Sheriff to
File Affidavit of Service were served upon the following interested parties via first class mail on
the date indicated below:

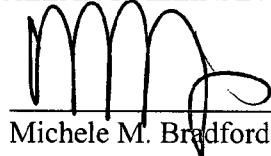
Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 South 2nd Street
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Tracey R. Hoyt
Terri L. Hoyt
74 Roland Drive
Westover, PA 16692

11/29/07
Date

PHELAN HALLINAN & SCHMIEG, LLP



Michele M. Bradford, Esquire
Attorney for Plaintiff

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 *Atty pd.*
mj: 124/67 20.00
DEC 27 2007 *CCO Notice*
William A. Shaw
Prothonotary/Clerk of Courts
Statement to *Atty*
GK

CHASE HOME FINANCE LLC, S/B/M TO :
CHASE MANHATTAN MORTGAGE :
CORPORATION : CLEARFIELD COUNTY
3415 VISION DRIVE : COURT OF COMMON PLEAS
COLUMBUS, OH 43219 :
Plaintiff, : CIVIL DIVISION
v.
TRACEY R. HOYT : NO. 07-620-CD
177 BENDER ROAD, APT. 4 :
PATTON, PA 16668 :
TERRI L. HOYT :
A/K/A TERRI LEE HOYT :
A/K/A TERRI L. HOLT :
263 MICHAEL STREET, APT. 108 :
WESTOVER, PA 16692 :
Defendant(s).

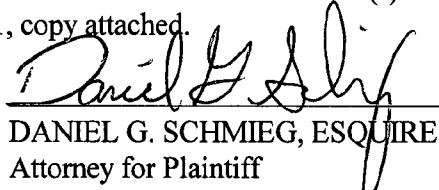
PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against TRACEY R. HOYT and TERRILL HOYT A/K/A TERRI LEE HOYT A/K/A TERRILL HOLT, 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:

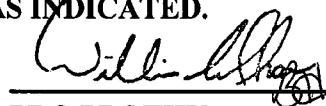
As set forth in the Complaint	\$ 44,796.40
Interest - 04/20/07 TO 12/26/07	\$ 2,118.44
TOTAL	<u>\$ 46,914.84</u>

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: 12/27/07


PRO PROTHY

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

ATTORNEY FOR PLAINTIFF

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

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

TRACEY R. HOYT : NO. 07-620-CD
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
Defendants

TO: TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT
263 MICHAEL STREET, APT. 108
WESTOVER, PA 16692

FILE COPY

DATE OF NOTICE: NOVEMBER 14, 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

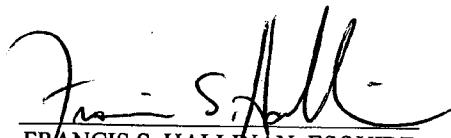
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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

ATTORNEY FOR PLAINTIFF

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

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

TRACEY R. HOYT : NO. 07-620-CD
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT
Defendants

TO: **TRACEY R. HOYT**
74 ROLAND AVENUE
WESTOVER, PA 16692

FILE COPY

DATE OF NOTICE: NOVEMBER 14, 2007

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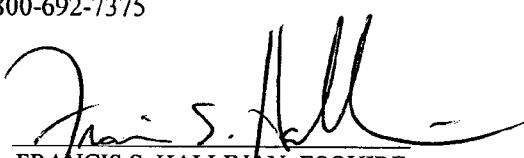
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ATTORNEY FOR PLAINTIFF

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MANHATTAN MORTGAGE CORPORATION

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

TRACEY R. HOYT : NO. 07-620-CD
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT

Defendants

FILE COPY

TO: TRACEY R. HOYT
177 BENDER ROAD, APT. 4
PATTON, PA 16668

DATE OF NOTICE: NOVEMBER 14, 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

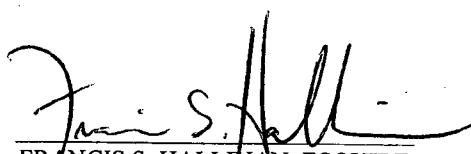
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800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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, S/B/M TO

CHASE MANHATTAN MORTGAGE

CORPORATION

3415 VISION DRIVE

COLUMBUS, OH 43219

:

:

:

:

:

:

:

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

Plaintiff,

:

NO. 07-620-CD

v.

:

TRACEY R. HOYT

177 BENDER ROAD, APT. 4

PATTON, PA 16668

TERRI L. HOYT

A/K/A TERRI LEE HOYT

A/K/A TERRI L. HOLT

263 MICHAEL STREET, APT. 108

WESTOVER, PA 16692

:

:

:

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

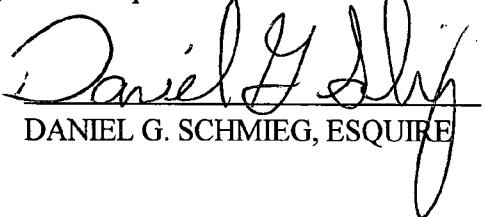
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant TRACEY R. HOYT is over 18 years of age and resides at 177 BENDER ROAD, APT. 4, PATTON, PA 16668.

(c) that defendant TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT is over 18 years of age, and resides at 263 MICHAEL STREET, APT. 108, WESTOVER, PA 16692.

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

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

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

Plaintiff, :
v. : NO. 07-620-CD

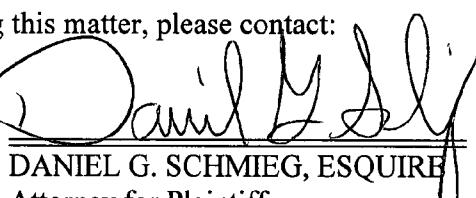
TRACEY R. HOYT :
177 BENDER ROAD, APT. 4 :
PATTON, PA 16668 :
TERRI L. HOYT :
A/K/A TERRI LEE HOYT :
A/K/A TERRI L. HOLT :
263 MICHAEL STREET, APT. 108 :
WESTOVER, PA 16692 :

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on December 27, 2007.


BY John Doe DEPUTY

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



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

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

COPY

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

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

No.: 2007-00620-CD

COPY

Real Debt: \$46,914.84

Atty's Comm: \$

Vs.

Costs: \$

Tracey R. Hoyt
Terri L. Hoyt
Defendant(s)

Int. From: \$

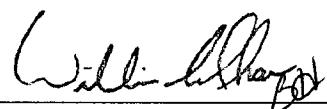
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: December 27, 2007

Expires: December 27, 2012

Certified from the record this 27th day of December, 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

SALE DATE: APRIL 4, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**CHASE HOME FINANCE LLC, S/B/M TO
CHASE MANHATTAN MORTGAGE CORPORATION** No.: 07-620-CD

vs.

**TRACEY R. HOYT
TERRI L. HOYT
A/K/A TERRI LEE HOYT
A/K/A TERRI L. HOLT**

**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:

74 ROLAND DRIVE, WESTOVER, PA 16692.

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


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: February 22, 2008

FILED NO CC
M 10:17 AM
FEB 25 2008
GK

William A. Shaw
Prothonotary/Clerk of Courts

CQS

PHELAN HALLINAN & SCHMIEG

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

Name and
Address
of Sender



KAZ

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 74 ROLAND DRIVE WESTOVER, PA 16692		
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		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 th Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 TH Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105		
7				
8				
9				
10				
11				
12		Re: TRACEY R. HOYT		
		149329 TEAM 4		
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	<p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of 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.</p>	



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

v. Plaintiff : NO. 07-620-CD

TRACEY R. HOYT :
TERRI L. HOYT A/K/A TERRI LEE HOYT :
A/K/A TERRI L. HOLT :

Defendants :

ORDER

AND NOW, this ____ day of _____, 2008, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above-captioned Defendant, **TRACEY R. HOYT**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 74 ROLAND DRIVE, WESTOVER, PA 16692 and 4203 RIDGE ROAD, WESTOVER, PA 16692.

PRO

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

J.

CC: Daniel G. Schmieg, Esq.
1617 JFK Blvd, Ste. 1400
Philadelphia, PA 19103

TRACEY R. HOYT
TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT
74 ROLAND DRIVE
WESTOVER, PA 16692

UA

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

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO	:			
CHASE MANHATTAN MORTGAGE	:	CLEARFIELD COUNTY		
CORPORATION	:	COURT OF COMMON PLEAS		
v.		Plaintiff	:	CIVIL DIVISION
			:	NO. 07-620-CD
TRACEY R. HOYT	:			
TERRI L. HOYT A/K/A TERRI LEE HOYT	:			
A/K/A TERRI L. HOLT	:			
		Defendants	:	

FILED
APR 07 2008
NCC
M.J. MOL

William A. Shaw
Prothonotary/Clerk of Courts

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

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendant, **TRACEY R. HOYT**, by certified mail and regular mail to 74 ROLAND DRIVE, WESTOVER, PA 16692 and 4203 RIDGE ROAD, WESTOVER, PA 16692, and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for **JUNE 6, 2008**.
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendants be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.

3. Attempts to serve Defendant with the Notice of Sale have been unsuccessful, as indicated by the Return of Service attached hereto as Exhibit "A".
4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 74 ROLAND DRIVE, WESTOVER, PA 16692 and 4203 RIDGE ROAD, WESTOVER, PA 16692.

PHELAN HALLINAN & SCHMIEG, LLP

By:



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

Attorney for Plaintiff

CHASE HOME FINANCE LLC S/B/M TO	:	
CHASE MANHATTAN MORTGAGE	:	CLEARFIELD COUNTY
CORPORATION	:	COURT OF COMMON PLEAS
	:	
	Plaintiff	CIVIL DIVISION
v.	:	
	:	NO. 07-620-CD
TRACEY R. HOYT	:	
TERRI L. HOYT A/K/A TERRI LEE HOYT	:	
A/K/A TERRI L. HOLT	:	
	:	
	Defendants	

PLAINTIFF'S MEMORANDUM OF LAW

Pursuant to Pennsylvania Rule of Civil Procedure, Rule 3129.2, it is necessary in a foreclosure action for the Sheriff or Process Server to serve upon the Defendant Notice of the Sale of the mortgaged premises. Specifically, Pa.R.C.P., Rule 3129.2 (c) provides in applicable part as follows:

The written notice shall be prepared by the plaintiff, shall contain the same information as the handbills or may consist of the handbill and shall be served at least thirty days before the sale on all persons whose names and addresses are set forth in the affidavit required by Rule 3129.1.

- (1) Service of the Notice shall be made:
 - (i) upon a defendant...
 - (A) by the sheriff or by a competent adult in the manner prescribed by Rule 402 (a) for the service of original process upon a defendant, or
 - (B) by the plaintiff mailing a copy of the manner prescribed by Rule 403 to the addresses set forth in the affidavit; or

(C) if service cannot be made as provided in the subparagraph (A) or (B), the notice shall be served pursuant to special order of court as prescribed by Rule 430, except that if original process was served pursuant to a special order of court under Rule 430 upon the defendant in the judgment, the notice may be served upon that defendant in the manner provided by the order for service of original process without further application to the court.

Because the whereabouts of Defendant, TRACEY R. HOYT, are unknown, a reasonable investigation of their last known address was made in accordance with Pa.R.C.P. 430(a).

Pennsylvania Rule of Civil Procedure, Rule 430 (a) provides as follows:

(a) If service cannot be made under the applicable rule the Plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

Note: A Sheriff's Return or Affidavit of Service of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa.Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records and motor vehicle records.

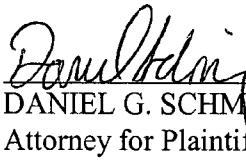
As indicated by the attached Affidavit of Return of Service, marked hereto as Exhibit "A", the Process Server has been unable to serve the Notice of Sale.

A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the
Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 74
ROLAND DRIVE, WESTOVER, PA 16692 and 4203 RIDGE ROAD, WESTOVER, PA 16692.

Respectfully submitted,

PHELAN HALLINAN & SCHMIEG, LLP

By: 
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

File Number: 149329
Attorney Firm: Phelan, Hallinan & Schmieg, LLP
Subject: Tracey R. Hoyt & Terri L. Hoyt

Property Address: 74 Roland Drive, Westover, PA 16692
Possible Mailing Address: (Tracey R. Hoyt) 4203 Ridge Road, Westover, PA 16692
(Terri L. Hoyt) 177 Bender Road, Apartment 4, Patton, PA 16668
(Terri L. Hoyt) P.O. Box 163, Westover, PA 16692
(Terri L. Hoyt) 263 Michael Street, Apartment 108, Westover, PA 16693

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
Tracey R. Hoyt - xxx-xx-4482
Terri L. Hoyt - xxx-xx-6721

B. EMPLOYMENT SEARCH

Tracey R. Hoyt & Terri L. Hoyt - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

Our inquiry of creditors indicated that Tracey R. Hoyt reside(s) at: 4203 Ridge Road, Westover, PA 16692 & Terri L. Hoyt reside(s) at: P.O. Box 163, Westover, PA 16692.

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

Our office contacted directory assistance, which indicated that Terri L. Hoyt reside(s) at: 263 Michael Street, Westover, PA 16692, however had no listing for Tracey R. Hoyt. On 02-27-08 our office made a telephone call to the subject's phone number (814) 247-8693 and received the following information: disconnected.

B. On 02-27-08 our office made several telephone calls to the phone number (910) 497-5263 and received the following information: no answer. On 02-27-08 our office made a telephone call to the phone number (910) 743-5334 and received the following information: disconnected. On 02-27-08 our office made several telephone calls to the phone number (814) 743-5334 and received the following information: answering machine. On 02-27-08 our office made a telephone call to the phone number (814) 247-8114 and received the following information: disconnected.

III. INQUIRY OF NEIGHBORS

On 02-27-08 our office made several phone calls in an attempt to contact P. J. Brahim (814) 674-5588, 177 Bender Road, Apartment 1, Patton, PA 16668: answering machine.

On 02-27-08 our office made several phone calls in an attempt to contact William Noel & Kathy Noel (814) 674-8012, 177 Bender Road, Apartment 2, Patton, PA 16668: no answer.

On 02-27-08 our office made several phone calls in an attempt to contact Mark M. Ward & Christina J. Ward (814) 674-8484, 179 Bender Road, Apartment 4, Patton, PA 16668: no answer.

On 02-27-08 our office made several phone calls in an attempt to contact Travis J. Long & Christina A. Long (814) 743-6303, 3818 Ridge Road, Westover, PA 16692: no answer.

On 02-27-08 our office made several phone calls in an attempt to contact Robert L. Harkleroad (814) 743-5040, 4050 Ridge Road, Westover, PA 16692: no answer.

On 02-27-08 our office made a phone call in an attempt to contact Jean Young (814) 743-6814, 4532 Ridge Road, Westover, PA 16692: spoke with an unidentified female who could not confirm that the subjects reside(s) at 4203 Ridge Road, Westover, PA 16692.

On 02-27-08 our office made several phone calls in an attempt to contact E. D. Fry (814) 247-8213, 100 Roland Drive, Westover, PA 16692: no answer.

On 02-27-08 our office made several phone calls in an attempt to contact Shianna M. Peace (814) 247-8847, 133 Roland Drive, Westover, PA 16692: answering machine.

On 02-27-08 our office made several phone calls in an attempt to contact William E. Roland (814) 247-8750, 170 Roland Drive, Westover, PA 16692: no answer.

Using our white pages database our office was unable to locate any neighbors for 263 Michael Street, Apartment 108, Westover, PA 16693.

IV. ADDRESS INQUIRY

A. NATIONAL ADDRESS UPDATE

On 02-27-08 we reviewed the National Address database and found the following information: Tracey R. Hoyt - 4203 Ridge Road, Westover, PA 16692 & Terri L. Hoyt - 177 Bender Road, Apartment 4, Patton, PA 16668.

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry of creditors, the following is a possible mailing address: (Tracey R. Hoyt) 4203 Ridge Road, Westover, PA 16692 and (Terri L. Hoyt) 177 Bender Road, Apartment 4, Patton, PA 16668, P.O. Box 163, Westover, PA 16692 & 263 Michael Street, Apartment 108, Westover, PA 16693.

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Tracey R. Hoyt & Terri L. Hoyt.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 02-27-08 Vital Records and all public databases have no death record on file for Tracey R. Hoyt & Terri L. Hoyt.

B. COUNTY VOTER REGISTRATION

The county voter registration was unable to confirm a registration for Tracey R. Hoyt & Terri L. Hoyt residing at: last registered address.

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Tracey R. Hoyt - 01-17-1977

Terri L. Hoyt - 01-01-1977

B. A.K.A.

Terri Lee Hoyt; Terri L. Henicohoyt; Theresa Holt; Terri L. Holt

* 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 27th day of February, 2008.

NOTARIAL SEAL
NORA M. FERRER, Notary Public
City of Philadelphia, Phila. County
My Commission Expires November 22, 2009

Nora M. Ferrer

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

IND

AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC...	CLEARFIELD County
DEFENDANT(S)	TRACEY R. HOYT TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT	No. 07-620-CD Our File #: 149329
Please serve upon:	TRACEY R. HOYT	Type of Action - Notice of Sheriff's Sale
SERVE AT:	74 ROLAND DRIVE WESTOVER, PA 16692	Sale Date: APRIL 4, 2008

SERVED

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

Commonwealth of Pennsylvania, in the manner described below:

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

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

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

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary:

By:

NOT SERVED

*****ATTEMPT SERVICE NLT THRE (3) TIMES*****

On the 18th day of MARCH, 2008, at 6:39 o'clock P.m., Defendant NOT FOUND because:

Moved _____ Unknown No Answer Vacant
 1st attempt Date: 3/12/08 Time: 2:07 PM, 2nd attempt Date: 3/15/08 Time: 10:36 AM, 3rd
 attempt Date: 3/18/08 Time: 6:39 PM.
 Other:

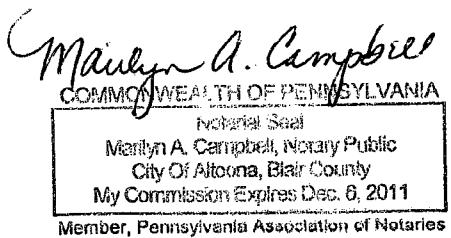
Sworn to and subscribed
before me this 19th day
of MARCH, 2008

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

Dm. Ellis
Dm. Ellis



AFFIDAVIT OF SERVICE

PLAINTIFF	CHASE HOME FINANCE LLC...	CLEARFIELD County
DEFENDANT(S)	TRACEY R. HOYT TERRI L. HOYT A/K/A TERRI LEE HOYT A/K/A TERRI L. HOLT	No. 07-620-CD Our File #: 149329
Please serve upon:	TRACEY R. HOYT	Type of Action - Notice of Sheriff's Sale
SERVE AT:	4203 RIDGE ROAD WESTOVER, PA 16692	Sale Date: APRIL 4, 2008

SERVED

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

Commonwealth of Pennsylvania, in the manner described below:

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

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

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

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary:

By:

NOT SERVED

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

On the 18th day of MARCH, 2008, at 6:20 o'clock P.m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant
 1st attempt Date: 3/12/08 Time: 1:57 PM, 2nd attempt Date: 3/15/08 Time: 10:22 AM, 3rd
 attempt Date: 3/18/08 Time: 6:20 PM.
 Other:

Sworn to and subscribed
before me this 19th day
of MARCH, 2008

Notary:

Attorney for Plaintiff

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

D. M. ELLIS

By: D. M. ELLIS

Marilyn A. Campbell

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Marilyn A. Campbell, Notary Public
 City Of Altoona, Blair County
 My Commission Expires Dec. 6, 2011

Member, Pennsylvania Association of Notaries