

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR PENNSYLVANIA
HOUSING FINANCE AGENCY
PURSUANT TO A TRUST INDENTURE
DATED AS OF APRIL 1, 1982, Assignee
of PENNSYLVANIA HOUSING
FINANCE AGENCY, Assignee of JERSEY
SHORE STATE BANK,

Plaintiff,

vs.

JOSEPH PAUL GOSS, SR. and ROYETTA
GOSS,

Defendants.

CIVIL DIVISION

NO. 07-2128-CD

**COMPLAINT IN MORTGAGE
FORECLOSURE**

Code - MORTGAGE FORECLOSURE

Filed on behalf of
Plaintiff

Counsel of record for this
party:

Louis P. Vitti, Esquire
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.
916 Fifth Avenue
Pittsburgh, PA 15219

(412) 281-1725

FILED Att'y pd. 85.00
m/10:46
DEC 31 2007
LMA
William A. Shaw
Prothonotary/Clerk of Courts

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

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ET AL.

Plaintiff,

vs.

JOSEPH PAUL GOSS, SR. and ROYETTA GOSS

Defendant(s).

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)
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)
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)
)

NO:

COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

**PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830**

(814) 765-2641 - EXT. 20

COMPLAINT IN MORTGAGE FORECLOSURE

NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a national association duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 North Front Street, Harrisburg, PA 17101.

2. Kimberly A. Goss (hereinafter "Decedent") is an individual who died October 28, 2007 domiciled at Clearfield, Clearfield County, Pennsylvania.

3. Defendant Joseph Paul Goss, Sr. is an individual who resides at 1830 Gravel Lane, Hyde, Pennsylvania 16843, who is an heir of a deceased mortgagor and a real owner of the mortgaged property.

4. Defendant Royetta Goss, is an individual who resides at 1830 Gravel Lane, Hyde, Pennsylvania 16843, who is an heir of a deceased mortgagor and a real owner of the mortgaged property.

5. On the 6th day of June, 2003, in consideration of a loan of Fifty Nine Thousand Nine Hundred and 00/100 (\$59,900.00) Dollars made by Jersey Shore State Bank, a PA corporation, to Decedent, the said Decedent executed and delivered to Jersey Shore State Bank, a PA corporation, a "Note" secured by a Mortgage with the Decedent as mortgagor and Jersey Shore State Bank, as mortgagee, which mortgage was recorded on the 9th day of June, 2003, in the Office of the Recorder of Deeds of Clearfield County at Instrument No. 200309865. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

6. The premises secured by the mortgage are:

SEE EXHIBIT "A" ATTACHED HERETO.

7. On the 9th day of June, 2003, Jersey Shore State Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfiled County on the 9th day of June, 2003 at Instrument No. 200309866. The said assignment is incorporated herein by reference.

8. On the 9th day of November, 2007, Pennsylvania Housing Finance Agency, a PA corporation, assigned to the Plaintiff, U.S. Bank National Association, as trustee, et al., the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfiled County and the said assignment is incorporated herein by reference.

9. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

10. Since August 1, 2007, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

11. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

12. The amount due on said mortgage is itemized on the attached schedule.

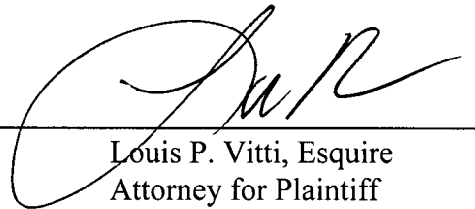
13. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Sixty One Thousand Seven Hundred Eighty One and 19/100 Dollars (\$61,781.19) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY



Louis P. Vitti, Esquire
Attorney for Plaintiff

GOSS

SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE

Unpaid Principal Balance	54,425.27
Interest @ 4.7500% from 07/01/07 through 12/31/2007 (Plus \$7.0827 per day after 12/31/2007)	1,296.14
Late charges through 12/27/2007 0 months @ 12.50 Accumulated beforehand (Plus \$12.50 on the 17th day of each month after 12/27/2007)	50.00
Attorney's fee	2,721.26
Escrow deficit	<u>3,288.52</u>
(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	
BALANCE DUE	61,781.19

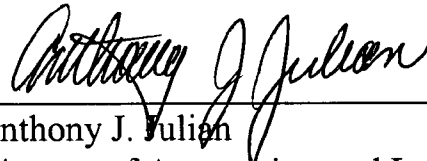
The land referred to in this policy is located in the County of Clearfield, Borough of Clearfield, State of Pennsylvania, and described as follows:

Being a lot 50 feet in width on East Market Street and extending in a Northerly direction 169 feet in depth. On the north by lot of Ann McMullen; on the east by lot now or formerly of J.S. Kramer; on the west by lot now or formerly of P.A. Gaulin; on the South by East Market Street; fronting fifty feet on East Market Street and extending back one hundred sixty-nine feet to lot of said Ann McMullen.

EXHIBIT "A"

VERIFICATION

Anthony J. Julian hereby states that he is the Director of Accounting and Loan Servicing of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Anthony J. Julian
Director of Accounting and Loan
Servicing

Date: 12-27-2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

U.S. BANK NATIONAL ASSOCIATION,
as Trustee for the Pennsylvania
Housing Finance Agency, pursuant to a
Trust Indenture dated as of April 1,
1982, Assignee of PENNSYLVANIA
HOUSING FINANCE AGENCY,
Assignee of JERSEY SHORE STATE
BANK,

Plaintiff,

vs.

JOSEPH PAUL GOSS, SR. and
ROYETTA GOSS,

Defendants.

CIVIL DIVISION

NO. 07-2128-CD

PRAECIPE TO DISCONTINUE

MORTGAGE FORECLOSURE

Filed on behalf of Plaintiff

Counsel of record for this party:

Louis P. Vitti, Esquire
PA I.D #01072
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Property Address:

506 E. Market Street
Clearfield, PA 16830

FILED

M/10:35am
MAR 20 2008

1cc + 1 cert of
disc issued to
Atty. Vitti

William A. Shaw
Prothonotary/Clerk of Courts

Louis P. Vitti, Esquire
Attorney for Plaintiff

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

U.S. BANK NATIONAL ASSOCIATION, as Trustee	:	
For Pennsylvania Housing Finance Agency, Pursuant to a	:	
Trust Indenture dated as of April 1, 1982, Assignee of	:	
PENNSYLVANIA HOUSING FINANCE AGENCY,	:	
Assignee of JERSEY SHORE STATE BANK,	:	
Plaintiff	:	
	:	
vs.	:	No. 07-2128-CD
	:	
JOSEPH PAUL GOSS, SR. and ROYETTA GOSS,	:	
	:	
Defendants.	:	

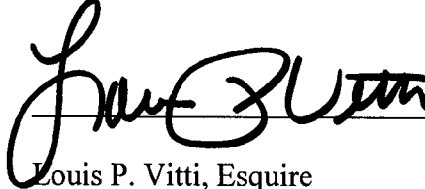
CERTIFICATION OF SERVICE

I, Louis P. Vitti, Esquire, hereby certify that on the 14th day of March, 2008, a true and correct copy of the within Praecipe to Discontinue was served by Regular U.S. Mail upon:

(List name and address of all counsel of record and unrepresented parties. Specify "Pro Se" for unrepresented parties.)

Joseph Paul Goss, Sr.
Royetta Goss
1830 Gravel Lane
Hyde, PA 16843

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.


Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

U.S. Bank National Association
Pennsylvania Housing Finance Agency
Jersey Shore State Bank

Vs.

No. 2007-02128-CD

Joseph Paul Goss Sr.
Royetta Goss

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on March 20, 2008, marked:

Discontinued

Record costs in the sum of \$85.00 have been paid in full by Louis P. Vitti Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 20th day of March A.D. 2008.



William A. Shaw, Prothonotary

lm

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103601
NO: 07-2128-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, As Trustee
vs.
DEFENDANT: JOSEPH PAUL GOSS, SR. and ROYETTA GOSS

SHERIFF RETURN

NOW, January 16, 2008 AT 9:29 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JOSEPH PAUL GOSS SR. DEFENDANT AT 1830 GRAVEL LANE, HYDE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RAYETTA GOSS, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

FILED

01/15/08
MAY 05 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103601
NO: 07-2128-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, As Trustee
vs.
DEFENDANT: JOSEPH PAUL GOSS, SR. and ROYETTA GOSS

SHERIFF RETURN

NOW, January 16, 2008 AT 9:29 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROYETTA GOSS DEFENDANT AT 1830 GRAVEL LANE, HYDE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RAYETTA GOSS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103601
NO: 07-2128-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, As Trustee
vs.
DEFENDANT: JOSEPH PAUL GOSS, SR. and ROYETTA GOSS

SHERIFF RETURN


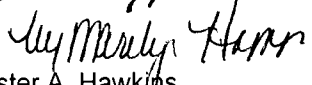
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	6184	20.00
SHERIFF HAWKINS	VITTI	6184	32.08

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff