

08-1276-CD

GMAC Mort. Vs Sherri Abersold al

FILED
m 1:25 p.m. GK No CC
JUL 11 2008 1 Compl. TO SHFF
William A. Shaw (initials)
Prothonotary/Clerk of Courts ATTY PAID 95.00

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
MICHELE M. BRADFORD, ESQ., Id. No. 69849
JUDITH T. ROMANO, ESQ., Id. No. 58745
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JENINE R. DAVEY, ESQ., Id. No. 87077
LAUREN R. TABAS, ESQ., Id. No. 93337
VIVEK SRIVASTAVA, ESQ., Id. No. 202331
JAY B. JONES, ESQ., Id. No. 86657
PETER MULCAHY, ESQ., Id. No. 61791
ANDREW SPIVACK, ESQ., Id. No. 84439
JAIME MCGUINNESS, ESQ., Id. No. 90134
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 178679

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC
1100 VIRGINIA DRIVE
P.O. BOX 8300
FORT WASHINGTON, PA 19034

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO. 2008-1276-CD

CLEARFIELD COUNTY

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

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

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

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

Notice to Defend:
Daniel J. Nelson, 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

GMAC MORTGAGE, LLC
1100 VIRGINIA DRIVE
P.O. BOX 8300
FORT WASHINGTON, PA 19034

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

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE,
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

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

3. On 08/22/2007 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL, LLC., FKA, HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200714868. The PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 02/01/2008 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	\$50,835.39
Interest	\$1,894.72
01/01/2008 through 07/10/2008	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$51.54
08/22/2007 to 07/10/2008	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$54,581.65
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$54,581.65

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$54,581.65, together with interest from 07/10/2008 at the rate of \$9.92 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: _____
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
SHEETAL R. SHAH-JANI, ESQUIRE
JENINE R. DAVEY, ESQUIRE
LAUREN R. TABAS, ESQUIRE 93337
VIVEK SRIVASTAVA, ESQUIRE
JAY B. JONES, ESQUIRE
PETER MULCAHY, ESQUIRE
ANDREW SPIVACK, ESQUIRE
JAIME MCGUINNESS, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain tract of land designated as Section 13A, Lot 207 in the Treasure Lake Subdivision in Sandy Township, Clearfield County Recorder's Office.

BEING KNOWN AS PARCEL NUMBER: 128-C2-13A-207-00-21

EXCEPTING AND RESERVING therefrom and subject to:

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

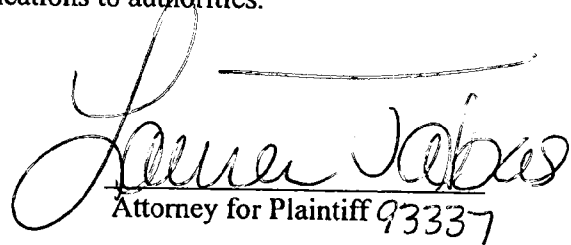
PROPERTY ADDRESS: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD

VERIFICATION

I hereby state that I am the 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 of the pleading, that I am 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 my knowledge, information and belief.

Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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


Attorney for Plaintiff 93337

DATE: 7/10/08

FILED

JUL 11 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1276-CD

GMAC MORTGAGE, LLC

vs

SHERRI ABERSOLD f/k/a SHERRI G. CURLEY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVICE # 1 OF 1

FILED

9/9/08
JUL 31 2008

William A. Shaw
Prothonotary/Clerk of Courts

SERVE BY: 08/10/2008

HEARING:

PAGE: 104409

771-7941

DEFENDANT: SHERRI ABERSOLD f/k/a SHERRI G. CURLEY

ADDRESS: 1371 TREASURE LAKE AKA 1714 CROOKED ISLAND RD
DUBOIS, PA 15801

Sec 13A Lot 207

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

② at Bank ① on Crooked Island 1st on ④

07-23-08 NOTE

07-24-08 NOTE

SHERIFF'S RETURN

NOW, 07-25-08 AT 1245 AM/PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON SHERRI ABERSOLD f/k/a SHERRI G. CURLEY, DEFENDANT

BY HANDING TO Sherri Abersold / DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED Sec 13A Lot 207 Treasure Lake, Dubois, PA 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR SHERRI ABERSOLD f/k/a SHERRI G. CURLEY

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO SHERRI ABERSOLD f/k/a SHERRI G. CURLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

Mark A. Courlet

Print Deputy Name

FILED

JUL 31 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC

Plaintiff

vs.

SHERRI ABERSOLD F/K/A SHERRI
G. CURLEY

Defendant(s)

: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 2008-1276-CD
:
: CLEARFIELD COUNTY
:
:
:

PRAECIPE TO SUBSTITUTE VERIFICATION
TO CIVIL ACTION COMPLAINT
IN MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the verification originally filed with the complaint in the instant matter.

Phelan Hallinan & Schmieg, LLP
Attorney for Plaintiff

By: *Francis S. Hallinan*

Francis S. Hallinan, Esquire

Date: 7/30/08

FILED *NCC*
12:15 PM
AUG 04 2008 *GP*

William A. Shaw
Prothonotary/Clerk of Courts

PHS #: 178679

VERIFICATION

Jeffrey Stephan
Limited Signing Officer

ISO hereby states that he/she is
_____ of GMAC MORTGAGE, LLC, servicing agent for Plaintiff in
this matter, that he/she 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/her
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.

DATE: 7/16/08

Name: _____

Title: _____

Jeffrey Stephan
Limited Signing Officer

Company: GMAC MORTGAGE, LLC

Loan: 0474954997

File #: 178679

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

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC

Plaintiff

vs.

**SHERRI ABERSOLD F/K/A SHERRI
G. CURLEY**

Defendant(s)

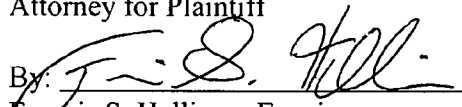
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 2008-1276-CD**
:
: **CLEARFIELD COUNTY**
:
:
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Praecipe to attach Verification of Complaint was sent via first class mail to the following on the date listed below:

SHERRI ABERSOLD F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE,, A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Phelan Hallinan & Schmieg, LLP
Attorney for Plaintiff

By: 
Francis S. Hallinan, Esquire

Date: 7/30/08

FILED

AUG 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104409
NO: 08-1276-CD
SERVICES 1
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: GMAC MORTGAGE, LLC
vs.
DEFENDANT: SHERRI ABERSOLD f/k/a SHERRI G. CURLEY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	713520	10.00
SHERIFF HAWKINS	PHELAN	713520	84.69

FILED
OCT 15 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste.1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

GMAC MORTGAGE, LLC

vs.

**SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801**

: **CLEARFIELD COUNTY**
:
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 2008-1276-CD**
:
:

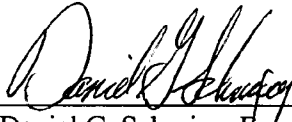
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **SHERRI ABERSOLD F/K/A SHERRI G. CURLEY**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$54,581.65
Interest - 07/11/2008 - 10/01/2008	<u>\$823.36</u>
TOTAL	\$55,405.01

I hereby certify that (1) the addresses of the Defendant(s) are as shown above, and (2) that 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: 10/06/08



PHS# 178679

PRO PROTHY

FILED Any pd 20.00
m/11/21/08 1cc Notice
OCT 06 2008 to Def.
S
William A. Shaw
Prothonotary/Clerk of Courts
Statement to Any
(62)

PHELAN HALLINAN & SCHMIEG, LLP
By: LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

NO. 2008-1276-CD

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY

CLEARFIELD COUNTY

Defendant(s)

TO: SHERRI ABERSOLD, F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

COPY

DATE OF NOTICE: September 16, 2008


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 (10) 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 notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

Office of the Prothonotary
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 15853
(814) 765-2641 x5988

Daniel J. Nelson
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641


JASON RICCO
Legal Assistant

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste. 1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

GMAC MORTGAGE, LLC

vs.

**SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY**

: **CLEARFIELD COUNTY**
:
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 2008-1276-CD**
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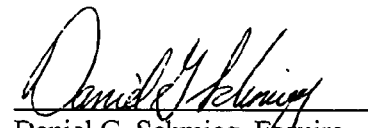
VERIFICATION OF NON-MILITARY SERVICE

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

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

(b) that defendant **SHERRI ABERSOLD F/K/A SHERRI G. CURLEY** is over 18 years of age and resides at **1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DU BOIS, PA 15801.**

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
Attorney for Plaintiff

FILED

OCT 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

GMAC MORTGAGE, LLC

vs.

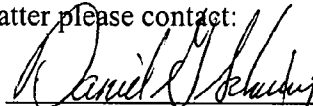
SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 2008-1276-CD
:
:

Notice is given that a Judgment in the above captioned matter has been entered against you on October 16, 2008.

By:  DEPUTY

If you have any questions concerning this matter please contact:


Daniel G. Schmieg, Esquire
Attorney or Party Filing
1617 JFK Boulevard, Ste. 1400
Philadelphia, PA 19103
(215) 563-7000

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

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

GMAC Mortgage, LLC
Plaintiff(s)

Vs.

Sherri Abersold
Defendant(s)

No.: 2008-01276-CD

Real Debt: \$55,405.01

Atty's Comm: \$

Costs: \$

Int. From: \$

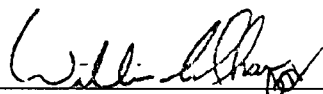
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: October 6, 2008

Expires: October 6, 2013

Certified from the record this 6th day of October, 2008.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

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

GMAC.MORTGAGE, LLC

vs.

SHERRI ABERSOLD
F/K/A.SHERRI.G.CURLEY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 2008-1276-CD

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

FILED ^(E)

NOV 05 2008

M/12:20/08

William A. Shaw

Prothonotary/Clerk of Courts

1 CENT w/ 6 WAYS

TO SHERR

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$55,405.01

Interest from OCTOBER 29, 2008 to Sale \$ _____

Per diem \$9.11

Add'l Costs

Writ Total

\$2,963.50

Prothonotary costs

\$

\$135.-

Daniel G. Schmieg
.....
DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

Note: Please attach description of Property.

178679

No. 2008-1276-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

SHERRI ABERSOLD F/K/A SHERRI G CURLEY

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

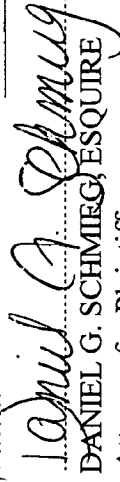
Real Debt \$55,405.01

Int. from
To Date of Sale (\$9.11 per diem)

Costs _____

Prothy Pd. _____

Sheniff


DANIEL G. SCHMIEGE, ESQUIRE
Attorney for Plaintiff

Address: SHERRI ABERSOLD F/K/A SHERRI G CURLEY
1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain tract of land designated as Section 13A, Lot 207 in the Treasure Lake Subdivision in Sandy Township, Clearfield County Recorder's Office.

BEING KNOWN AS PARCEL NUMBER: 128-C2-13A-207-00-21

EXCEPTING AND RESERVING therefrom and subject to

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

TITLE TO SAID PREMISES IS VESTED IN Sherri G. Curley, widow, by Deed from Dr. Jan Brown, single, dated 03/24/2003, recorded 03/25/2003, in Deed Mortgage Inst# 200304684.

Premises being: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Tax Parcel No. 1280-C02-13A-00207-00-21

FILED
NOV 05 2008
William A. Shaw
Prothonotary/Clerk of Courts

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

GMAC.MORTGAGE,LLC

vs.

SHERRI ABERSOLD
F/K/A.SHERRI.G.CURLEY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No.

No. 2003-1276-CD

No.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD.COUNTY, PENNSYLVANIA:

PREMISES: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due	\$55,405.01
------------	-------------

Interest from October 29, 2008 to Sale	\$_____.
--	----------


Per diem \$9.11

Add'l Costs

Writ Total

Prothonotary costs	\$2,963.50
--------------------	------------

\$



OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 11-5-08

(SEAL)

No. 2008-1276-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

SHERRI ABERSOLD F/K/A SHERRI G CURLEY

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs


Real Debt \$55,405.01

Int. from
To Date of Sale (\$9.11 per diem)

Costs

Prothy Pd.

Sheriff


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Address: SHERRI ABERSOLD F/K/A SHERRI G CURLEY
1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain tract of land designated as Section 13A, Lot 207 in the Treasure Lake Subdivision in Sandy Township, Clearfield County Recorder's Office.

BEING KNOWN AS PARCEL NUMBER: 128-C2-13A-207-00-21


EXCEPTING AND RESERVING therefrom and subject to:

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

TITLE TO SAID PREMISES IS VESTED IN Sherri G. Curley, widow, by Deed from Dr. Jan Brown, single, dated 03/24/2003, recorded 03/25/2003, in Deed Mortgage Inst# 200304684.

Premises being: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Tax Parcel No. 1280-C02-13A-00207-00-21


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

GMAC MORTGAGE, LLC
1100 VIRGINIA DRIVE P.O. BOX 8300
FORT WASHINGTON, PA 19034

Plaintiff,

v.

SHERRI ABERSOLD
F/K/A SHERRI G CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 2008-1276-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

GMAC MORTGAGE, LLC, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DU BOIS, PA 15801.**

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

NAME

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

**SHERRI ABERSOLD F/K/A SHERRI G
CURLEY**

**1371 TREASURE LAKE A/K/A 171
CROOKED ISLAND ROAD
DU BOIS, PA 15801**

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.A §4904 relating to unsworn falsification to authorities.

OCTOBER 29, 2008

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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	1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD DU BOIS, PA 15801
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	6 th Floor, Strawberry Sq., Dept 28061 Harrisburg, PA 17128
Internal Revenue Service Federated Investors Tower	13 TH 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
TREASURE LAKE PROPERTY OWNERS ASSOCIATION	13 TREASURE LAKE DU BOIS, PA 15801

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

OCTOBER 29, 2008
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

FILED
2011:3384
JUL 11 2008
CLERK OF COURT
CLEARFIELD COUNTY
PA
6111:3384
cc
610

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire

Atty. I.D. No. 69849

One Penn Center, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC

Plaintiff

v.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

Defendant

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 2008-1276-CD

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on July 11, 2008, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on October 6, 2008 in the amount of \$55,405.01. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. The Property is listed for Sheriff's Sale on February 6, 2009.

5. Additional sums have been incurred or expended on Defendant's behalf since the Complaint was filed and Defendant has been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$50,835.39
Interest Through February 6, 2009	\$3,983.46
Per Diem \$9.92	
Late Charges	\$206.16
Legal fees	\$1,300.00
Cost of Suit and Title	\$1,130.00
Sheriff's Sale Costs	\$0.00
Property Inspections/ Property Preservation	\$90.00
Appraisal/Brokers Price Opinion	\$0.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$0.00
TOTAL	\$57,545.01

6. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendant.

8. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

DATE: 1/20/09

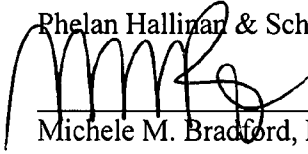
By:  Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

Exhibit “A”



William A. Shaw
Prothonotary/Clerk of Courts

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
MICHELE M. BRADFORD, ESQ., Id. No. 69849
JUDITH T. ROMANO, ESQ., Id. No. 58745
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JENINE R. DAVEY, ESQ., Id. No. 87077
LAUREN R. TABAS, ESQ., Id. No. 93337
VIVEK SRIVASTAVA, ESQ., Id. No. 202331
JAY B. JONES, ESQ., Id. No. 86657
PETER MULCAHY, ESQ., Id. No. 61791
ANDREW SPIVACK, ESQ., Id. No. 84439
JAIME MCGUINNESS, ESQ., Id. No. 90134
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 178679

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC
1100 VIRGINIA DRIVE
P.O. BOX 8300
FORT WASHINGTON, PA 19034

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO. 2008-1276-CD

CLEARFIELD COUNTY

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

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

Defendant

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

**ATTORNEY FILE COPY
PLEASE RETURN**

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:
Daniel J. Nelson, 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

GMAC MORTGAGE, LLC
1100 VIRGINIA DRIVE
P.O. BOX 8300
FORT WASHINGTON, PA 19034

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

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE,
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

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

3. On 08/22/2007 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL, LLC., FKA, HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200714868. The PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 02/01/2008 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	\$50,835.39
Interest	\$1,894.72
01/01/2008 through 07/10/2008	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$51.54
08/22/2007 to 07/10/2008	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$54,581.65
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$54,581.65

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$54,581.65, together with interest from 07/10/2008 at the rate of \$9.92 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.

PHILAN HALLINAN & SCHMIEG, LLP

BY: _____
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
SHEETAL R. SHAH-JANI, ESQUIRE
JENINE R. DAVEY, ESQUIRE
LAUREN R. TABAS, ESQUIRE 93337
VIVEK SRIVASTAVA, ESQUIRE
JAY B. JONES, ESQUIRE
PETER MULCAHY, ESQUIRE
ANDREW SPIVACK, ESQUIRE
JAIME MCGUINNESS, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain tract of land designated as Section 13A, Lot 207 in the Treasure Lake
Subdivision in Sandy Township, Clearfield County Recorder's Office.

BEING KNOWN AS PARCEL NUMBER: 128-C2-13A-207-00-21

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
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3. All minerals and mining rights of every kind and nature.
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5. The right of the owner and/or operator of any recreational facilities within the said Treasure Lake Subdivision to assess fees and charges against Grantee, its heirs, administrators, executors, successors and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

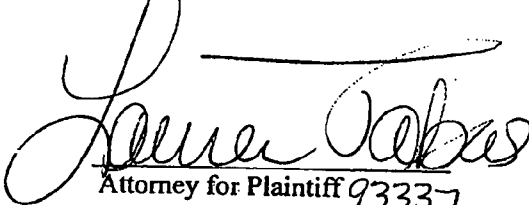
PROPERTY ADDRESS: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD

VERIFICATION

I hereby state that I am the 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 of the pleading, that I am 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 my knowledge, information and belief.

Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

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


Attorney for Plaintiff 93337

DATE: 7/10/08

Exhibit “B”

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste.1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

GMAC MORTGAGE, LLC

: CLEARFIELD COUNTY

vs.

: COURT OF COMMON PLEAS

SHERRI ABERSOLD
F/K/A SHERRI G. CURLEY
1371 TREASURE LAKE
A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

ATTORNEY FILE COPY
PLEASE RETURN TO CLERK DIVISION

: NO. 2008-1276-CD

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **SHERRI ABERSOLD F/K/A SHERRI G. CURLEY**, Defendant(s), to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint
Interest - 07/11/2008 - 10/01/2008
TOTAL

\$54,581.65
\$823.36
\$55,405.01

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

ATTORNEY FILE COPY
PLEASE RETURN


Daniel G. Schmieg, Esquire
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 10/06/08

PHS# 178679

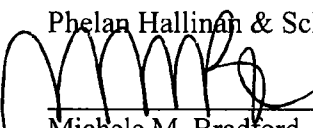

PRO PROTHY

FILED
OCT 06 2008
William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages 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.

DATE: 1/20/09

By: 
Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

GMAC MORTGAGE, LLC

Plaintiff

v.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

Defendant

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 2008-1276-CD

CERTIFICATION OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

1371 TREASURE LAKE,

A/K/A 171 CROOKED ISLAND ROAD

DU BOIS, PA 15801

DATE:

11/20/09

By:

Phelell Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC
Plaintiff,
v.

SHERRI ABERSOLD F/K/A SHERRI G CURLEY
Defendant(s)

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 2008-1276-CD
:

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Plaintiff in the above action sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DU BOIS, PA 15801.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders 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 Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. 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: January 8, 2009

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

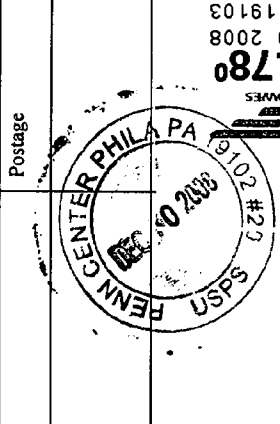
178679

FILED NO cc
m/10:48:37
JAN 12 2009 @10
5
William A. Shaw
Prothonotary/Clerk of Courts

CQS

Name and
Address
of Sender

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

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD DU BOIS, PA 15801	 <p>MAILED FROM ZIP CODE 19103 \$ 02.78 DEC 10 2008 0004218010 02 1M UNITED STATES POSTAGE PITNEY BOWES</p>	
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		TREASURE LAKE PROPERTY OWNERS ASSOCIATION 13 TREASURE LAKE DU BOIS, PA 15801		
8				
9				
10				
11				
12				
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900,S913 and S921 for limitations of coverage.

Re: SHERRI ABERSOLD F/K/A SHERRI G CURLEY 178679 TEAM 3/ALE

LA

: Court of Common Pleas

:
:
: Civil Division

:
:
: CLEARFIELD County


:
: No. 2008-1276-CD

$$\vdots$$

AND NOW, this 23rd day of January 2009, a Rule is entered upon the Defendant to show cause why an Order should not be entered granting Plaintiff's Motion to Reassess Damages.

Rule Returnable on the 6th day of February 2009, at 9:30 in the Clearfield
County Courthouse, Clearfield, Pennsylvania.
AM

BY THE COURT


J. _____

178679

1/2:40 Gm 2cc
Atty Bradford
Gm

1/31/09
1/31/09
1/31/09
1/31/09

DATE: 1/31/09

☒ You are responsible for serving all appropriate parties.

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

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

5
FILED NOCC
m/12:58pm
FEB 03 2009
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC MORTGAGE, LLC

Plaintiff

v.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

Defendant

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 2008-1276-CD

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's January 23, 2009 Rule directing the Defendant to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

SHERRI ABERSOLD

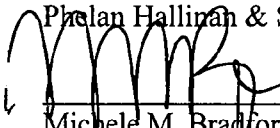
F/K/A SHERRI G. CURLEY

1371 TREASURE LAKE,

A/K/A 171 CROOKED ISLAND ROAD

DU BOIS, PA 15801

DATE: 1/30/09

Phelan Hallinan & Schmieg, LLP
By: 
Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED

FEB 03 2009

William A. Sharv
Prothonotary/Clerk of Courts

(4)

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

GMAC MORTGAGE, LLC,
Plaintiff

vs.

SHERRI ABERSOLD f/k/a SHERRI G. CURLEY,
Defendant

* NO. 08-1276-CD
*
*
*
*

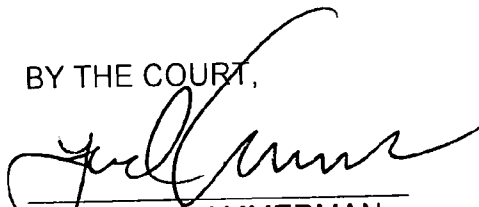
ORDER

NOW, this 6th day of February, 2009, the Prothonotary is ORDERED to amend the *in rem* judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$50,835.39
Interest through February 6, 2009	\$ 3,983.46
Per Diem \$9.92 Late charges	\$ 206.16
Legal Fees	\$ 1,300.00
Cost of Suit and Title	\$ 1,130.00
Sheriff's Sale Costs	\$ 0.00
Property Inspections/Property Preservation	\$ 90.00
Appraisal/Brokers Price Opinion	\$ 0.00
Mortgage Insurance Premium/	
Private Mortgage Insurance	\$ 0.00
Non Sufficient Funds Charge	\$ 0.00
Suspense/Misc. Credits	\$ 0.00
Escrow Deficit	\$ 0.00
TOTAL	\$57,545.01

This Court notes that no further interest shall be due or payable by the Defendant past the date of February 6, 2009 as the Plaintiff continued the Sheriff's Sale for no apparent reason. In addition, the Court will not entertain any further Motions to Reassess Damages.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED

014006H
FEB 09 2009

4CC
Amy Bradford

William A. Shaw
Prothonotary/Clerk of Courts

FILED

FEB 09 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 2/19/09

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

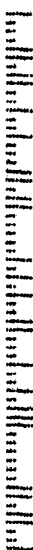
____ Special Instructions:

Answered
1371 T.K.
Dubois PA 15801

No. PHONE # LISTED
TO CALL DEPT.

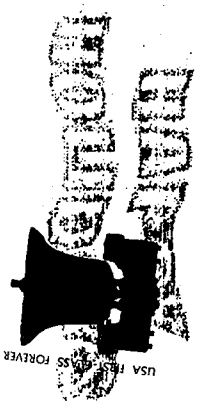
East of Conover Road
Cld. County Court House
1 North 2nd St.
Cpa. PA 16830

16830+2472



1030

JOHNSTOWN PA 159
NO. DEPT. PHONE PA 11



NO. 2008-1276-CD

Dec 15, 2008

Court of Common Pleas,

I'm writing in response to the foreclosure notification I received on 12-10-08. The docst states I may be eligible to postpone foreclosure. I'm aware I should seek legal representation, and if I cannot afford an attorney (which I cannot) the legal service is available through a number listed on paperwork. I called court administrator on 12-15-08 that office can only handle criminal defense and Mid-Penn Legal MAY be able to help me. I've spoken with GMAC mortgage countless times to rectify offering 700.00 - 1500.00 to reinstate due to the fact I paid 40,000.00 down on this house in 2003 through S&T bank. I became laid off in Nov. 2007 @ which time I enrolled in Penn State attempting to get better employment however not able to pay mortgage I became employed @ Penty Youth Services in DuBois (still employed w/ P.R.Y.S) through a listing on Penn State Web. I would like the opportunity to sell my home knowing of course back payments will come out of sell price as its the only way I can continue my education. I'm asking the Court to postpone the sale for good cause having listed some

of the reasons above. I don't want to make this plea long because time is valuable to all and I could state MANY more facts w/ documentation.

Sincerely,
Therrell A. Abensold

NOTE: I do have any documentation you would like to see.

Paycheck
Mortgage
School
Tax

5
FILED ICC Att
m/11:12em Bradford
FEB 18 2009
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

GMAC MORTGAGE, LLC

Plaintiff

v.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

Defendant

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 2008-1276-CD

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's February 6, 2009 Order was served upon the following individuals on the date indicated below.

SHERRI ABERSOLD

F/K/A SHERRI G. CURLEY

1371 TREASURE LAKE,

A/K/A 171 CROOKED ISLAND ROAD

DU BOIS, PA 15801

DATE: 2/17/09

Phelan Hallinan & Schmieg, LLP
By: [Signature]
Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED

FEB 18 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20882
NO: 08-1276-CD

PLAINTIFF: GMAC MORTGAGE, LLC
vs.
DEFENDANT: SHERRI ABERSOLD F/K/A SHERRI G. CURLEY

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/5/2008

LEVY TAKEN 12/2/2008 @ 1:45 PM

POSTED 12/2/2008 @ 1:45 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 7/17/2009

DATE DEED FILED **NOT SOLD**

FILED
019:00 Lm
JUL 17 2009
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

12/10/2008 @ 10:33 AM SERVED SHERRI ABERSOLD F/K/A SHERRI G. CURLEY

SERVED, SHERRI ABERSOLD F/K/A SHERRI G. CURLEY, DEFENDANT, AT HER RESIDENCE 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PRESTON CURLEY, SON/ADULT AT RESIDENCE

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

@ SERVED

NOW, FEBRUARY 6, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR FEBRUARY 6, 2009 TO APRIL 3, 2009.

@ SERVED

NOW, APRIL 2, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR APRIL 3, 2009 TO JUNE 5, 2009.

@ SERVED

NOW, JUNE 1, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR JUNE 5, 2009.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20882
NO: 08-1276-CD

PLAINTIFF: GMAC MORTGAGE, LLC

VS.

DEFENDANT: SHERRI ABERSOLD F/K/A SHERRI G. CURLEY

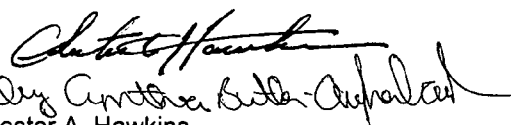
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$263.41

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

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

GMAC.MORTGAGE, LLC

vs.

SHERRIABERSOLD
F/K/A.SHERRI.G.CURLEY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No.

No. 2008-1276-CD

No.

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD, DU BOIS, PA 15801
(See Legal Description attached)

Amount Due \$55,405.01

Interest from October 29, 2008 to Sale \$ _____

Per diem \$9.11

Add'l Costs

Writ Total

Prothonotary costs \$2,963.50

\$135.00 \$

OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated Nov. 5, 2008
(SEAL)

178679

Received this writ this 5th day
of November A.D. 2008
At 3:00 A.M./P.M.

Charles A. Hankins
Sheriff By Cynthia Bitter-Adams

No. 2008-1276-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

GMAC MORTGAGE, LLC

vs.

SHERRI ABERSOLD F/K/A SHERRI G CURLEY

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs	
Real Debt		\$55,405.01

Int. from
To Date of Sale (\$9.11 per diem)

Costs _____

Prothy Pd. _____

Sheriff 
DANIEL G. SCHMIEGEL, ESQUIRE
Attorney for Plaintiff

Address: SHERRI ABERSOLD F/K/A SHERRI G CURLEY
1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL that certain tract of land designated as Section 13A, Lot 207 in the Treasure Lake Subdivision in Sandy Township, Clearfield County Recorder's Office.

BEING KNOWN AS PARCEL NUMBER: 128-C2-13A-207-00-21

EXCEPTING AND RESERVING therefrom and subject to:

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

TITLE TO SAID PREMISES IS VESTED IN Sherri G. Curley, widow, by Deed from Dr. Jan Brown, single, dated 03/24/2003, recorded 03/25/2003, in Deed Mortgage Inst# 200304684.

Premises being: 1371 TREASURE LAKE A/K/A 171 CROOKED ISLAND ROAD
DU BOIS, PA 15801

Tax Parcel No. 1280-C02-13A-00207-00-21

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME SHERRI ABERSOLD F/K/A SHERRI G. CURLEY

NO. 08-1276-CD

NOW, July 16, 2009, 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 05, 2009, I exposed the within described real estate of Sherri Abersold F/K/A Sherri G. Curley to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	22.23
LEVY	15.00
MILEAGE	22.23
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.72
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	22.23
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	40.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$263.41

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	55,405.01
INTEREST @ 9.0000	1,971.00
FROM 10/29/2008 TO 06/05/2009	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$57,396.01

COSTS:

ADVERTISING	1,418.94
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	263.41
LEGAL JOURNAL COSTS	126.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$2,083.35

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

Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

February 5, 2009

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: GMAC MORTGAGE, LLC v.
SHERRI ABERSOLD
1371 TREASURE LAKE, A/K/A 171 CROOKED ISLAND ROAD DU BOIS, PA
15801
Court No. 2008-1276-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for February 6, 2009 due to the following: Loss Mitigation.

The Property is to be relisted for the April 3, 2009 Sheriff Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,
KATHERINE TRAUTZ for
Phelan Hallinan & Schmieg, LLP

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

**Representing Lenders in
Pennsylvania and New Jersey**

Foreclosure Manager

April 2, 2009

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

Attn: Real Estate Department

Fax Number: 814-765-5915

**Re: GMAC MORTGAGE, LLC v.
SHERRI ABERSOLD
1371 TREASURE LAKE, A/K/A 171 CROOKED ISLAND ROAD
ADDU BOIS, PA 15801
Court No. 2008-1276-CD**

Dear Sir/Madam:

**Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for April 3, 2009 due to the following: Loss Mitigation.**

The Property is to be relisted for the June 5, 2009 Sheriff Sale.

Thank you for your correspondence in this matter.

**Very Truly Yours,
TOBY BJORKMAN for
Phelan Hallinan & Schmieg, LLP**

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

**Representing Lenders in
Pennsylvania and New Jersey**

Foreclosure Manager

June 1, 2009

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

Attn: Real Estate Department

Fax Number: 814-765-5915

**Re: GMAC MORTGAGE, LLC v.
SHERRI ABERSOLD
1371 TREASURE LAKE, A/K/A 171 CROOKED ISLAND ROAD
ADDU BOIS, PA 15801
Court No. 2008-1276-CD**

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for June 5, 2009 due to the following: Per Client.

Please be advised that no funds were reported to be received.

You are hereby directed to immediately discontinue the advertising of the sale and processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as possible. In addition, please forward a copy of the cost sheet pertaining to this sale to our office via facsimile to 215-567-0072 or regular mail at your earliest convenience.

Thank you for your correspondence in this matters.

**Very Truly Yours,
ELIZABETH HALLINAN for
Phelan Hallinan & Schmieg, LLP**

FILED

JUL 17 2009

William A. Shaw
Prothonotary/Clerk of Courts