

08-2173-CD  
Suntrust Mort. Vs Charles Yerage

5  
**FILED** *44y pd.  
m1101801 9500*  
NOV 12 2008  
4CC  
William A. Shaw  
Prothonotary/Clerk of Courts  
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  
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. 51791  
ANDREW SPIVACK, ESQ., Id. No. 84439  
JAIME MCGUINNESS, ESQ., Id. No. 90134  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000 190284

ATTORNEY FOR PLAINTIFF

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

Plaintiff

v

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 08-2173-CD

CLEARFIELD COUNTY

**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.

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

1. Plaintiff is

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

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

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

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

3. On 04/12/2006 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS A NOMINEE FOR SUNTRUST MORTGAGE INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200605641. 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 07/01/2008 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	\$97,884.61
Interest	\$3,168.72
06/01/2008 through 11/10/2008	
(Per Diem \$19.44)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$198.38
04/12/2006 to 11/10/2008	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$103,251.71

Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
<b>TOTAL</b>	\$103,251.71

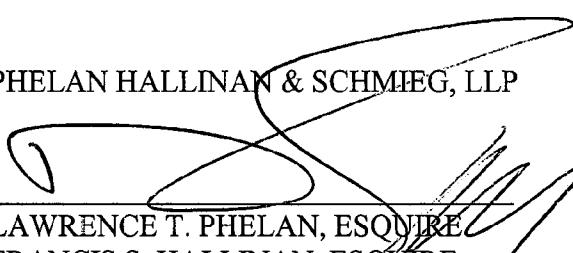
7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's 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. The action does not come under Act 6 of 1974 because the original mortgage amount exceeds the dollar amount provided in the statute.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$103,251.71, together with interest from 11/10/2008 at the rate of \$19.44 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: 

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  
VIVEK SRIVASTAVA, ESQUIRE  
JAY B. JONES, ESQUIRE  
PETER MULCAHY, ESQUIRE  
ANDREW SPIVACK, ESQUIRE  
JAIME MCGUINNESS, ESQUIRE

Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain piece or parcel of surface land situate, lying and being in the Township of Decatur, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner, said corner being on the right-of-way line of State Highway Leg Rt. 17125 leading from Gearhartville to New Liberty, said corner also being a common corner with that of land belonging to John Wood and designated as Lot #2 in the property subdivision of the said John Wood; thence along the property of John Wood which is designated as Lot #2, North 54 degrees 45 minutes West 200 feet to a stake corner, said corner is also a common corner with that of Lot #2 belonging to John Wood; thence along the land of John Wood (this land is not as yet subdivided) North 37 degrees 00 minutes East 200 feet to a stake corner, said corner being a common corner with that of land belonging to Fred Granlun, thence along the lot of Fred Granlun South 54 degrees 45 minutes East 200 feet to a stake corner, said corner being on the right-of-way line of the above noted highway; thence along the right-of-way line of the above noted highway South 37 degrees minutes West 200 feet to the place of beginning.

CONTAINING .92 acre, more or less, and being Lots Nos. 3 and 4 in the subdivision of the property of John Wood. EXCEPTING AND RESERVING all the coal, fireclay, iron, ore, oil, gas and other minerals upon or under this land, as reserved in prior deeds.

PARCEL NO. 112-P12-000-046.7

**PROPERTY BEING: 425 KEYSTONE HILL ROAD**

**VERIFICATION**

I hereby state that I am the attorney for the 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.

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.

DATE: 11/10/08

Attorney for Plaintiff

D. Sedlock  
#62205

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-2173-CD

SUNTRUST MORTGAGE, INC.

vs

CHARLES YERAGE and JILL ERRIGO

SERVICE # 2 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 12/10/2008

HEARING:

PAGE: 104932

DEFENDANT: JILL ERRIGO

ADDRESS: RR#1 BOX 443 AKA 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

5  
FILED

013-2980  
DEC 03 2008

William A. Shaw  
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

12/10/08

**SHERIFF'S RETURN**

NOW, 12/3/08 AT 935 AM/PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON JILL ERRIGO, DEFENDANT

BY HANDING TO Charles Yerage, boyfriend

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

ADDRESS SERVED 425 Keystone Hill rd Phil.ipsburg Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR JILL ERRIGO

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO JILL ERRIGO

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy S. Hunter  
Deputy Signature

S. Hunter

Print Deputy Name

**FILED**  
DEC 03 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-2173-CD

SUNTRUST MORTGAGE, INC.

vs

CHARLES YERAGE and JILL ERRIGO

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 12/10/2008

HEARING:

PAGE: 104932

SERVICE # 1 OF 4

DEFENDANT: CHARLES YERAGE  
ADDRESS: RR#1 BOX 443 AKA 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

12/10/08 Lw

5  
FILED

07/29/08  
DEC 03 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, 12/3/08 AT 9:35 AM / PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON CHARLES YERAGE, DEFENDANT

BY HANDING TO Charles Yerage, self

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

ADDRESS SERVED 425 Keystone Hill rd Philipsburg Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR CHARLES YERAGE

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO CHARLES YERAGE

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
DAY OF December 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Chester  
Deputy Signature

S. Hunter  
Print Deputy Name

**FILED**  
DEC 03 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

*pd \$20.00 Atty  
1cc & notice to defts  
m/12/15 LM  
JAN 08 2009 1cc & statement to Atty*  
William A. Shaw  
Prothonotary/Clerk of Courts  
Attorney for Plaintiff

**SUNTRUST MORTGAGE, INC.**

vs.

**CHARLES YERAGE**  
**JILL ERRIGO**  
RR 1 BOX 443, A/K/A  
425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
: **CIVIL DIVISION**  
: **No. 08-2173-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 **CHARLES YERAGE, and**  
**JILL ERRIGO**, 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	\$103,251.71
Interest - 11/11/2008 to 01/07/2009	<u>\$1,127.52</u>
<b>TOTAL</b>	<b>\$104,379.23</b>

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*  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 1-8-2009

*William A. Shaw*  
PRO PROTHY

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

Attorney for Plaintiff

**SUNTRUST MORTGAGE, INC.**

: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
: **CIVIL DIVISION**  
: **No. 08-2173-CD**  
:

**vs.**

**CHARLES YERAGE**  
**JILL ERRIGO**

**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 CHARLES YERAGE is over 18 years of age and resides at RR 1 BOX 443, A/K/A 425 KEYSTONE HILL ROAD, PHILIPSBURG, PA 16866.

(c) that defendant JILL ERRIGO is over 18 years of age and resides at RR 1 BOX 443, A/K/A 425 KEYSTONE HILL ROAD, PHILIPSBURG, PA 16866.

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

*Daniel G. Schmieg*  
\_\_\_\_\_  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

(Rule of Civil Procedure No. 236) – Revised

SUNTRUST MORTGAGE, INC.

vs.

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443, A/K/A  
425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

: CLEARFIELD COUNTY

: COURT OF COMMON PLEAS

:

: CIVIL DIVISION

:

: No. 08-2173-CD

:

:

*COPY*

Notice is given that a Judgment in the above captioned matter has been entered  
against you on January 3, 2009

By: William H. Shan DEPUTY  
Prothonotary

If you have any questions concerning this matter please contact:

Daniel G. Schmieg

Daniel G. Schmieg, Esquire  
Attorney or Party Filing  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
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.\*\***

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

SUNTRUST MORTGAGE, INC.

COURT OF COMMON PLEAS  
CIVIL DIVISON

Plaintiff

v.

NO. 08-2173-CD

CHARLES YERAGE  
JILL ERRIGO

CLEARFIELD COUNTY

Defendant(s)

TO: CHARLES YERAGE  
RR 1 BOX 443, A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

DATE OF NOTICE: December 24, 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.

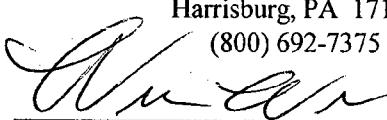
**IMPORTANT NOTICE**

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

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

  
VIENNA C. VITACOLONNA

Legal Assistant

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) 563-7090

ATTORNEY FOR PLAINTIFF

SUNTRUST MORTGAGE, INC.

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

v.

NO. 08-2173-CD

CHARLES YERACE  
JILL ERRIGO

CLEARFIELD COUNTY

Defendant(s)

TO: JILL ERRIGO  
RR 1 BOX 443, A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSEURG, PA 16866

**DATE OF NOTICE: December 24, 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.

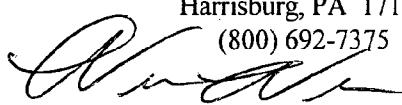
**IMPORTANT NOTICE**

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

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375



VIENNA C. VITACOLONNA  
Legal Assistant

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

Suntust Mortgage, Inc.  
Plaintiff(s)

No.: 2008-02173-CD

Real Debt: \$104,379.23

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Charles Yerage  
Jill Errigo  
Defendant(s)

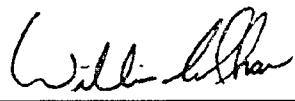
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 8, 2009

Expires: January 8, 2014

Certified from the record this January 8, 2009

  
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**

SUNTRUST MORTGAGE, INC.

vs.

CHARLES YERAGE

JILL ERRIGO

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 08-2173-CD

**PRAECIPE FOR WRIT OF EXECUTION**  
(Mortgage Foreclosure)

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	
Interest from 1/8/09 to Sale	\$104,379.23
Per diem \$17.16	135.00
Add'l Costs	\$
Writ Total	\$2,853.50
	\$

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Note: Please attach description of Property.

190284

**FILED** Atty pd. 2000  
M 11.03.09  
FEB 10 2009 10:00 a.m. 2009  
cc: follow its  
w/prop. desc.  
S William A. Shaw  
Prothonotary/Clerk of Courts to Sheriff  
610

No. 08-2173-CD .....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

**FILED**

FEB 10 2009

SUNTRUST ORTGAGE, INC.

William A. Shaw  
Prothonotary/Clerk of Courts

vs.

CHARLES YERAGE  
JILL ERRIGO

.....  
PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

  
Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Address: CHARLES YERAGE  
RR1 BOX 443 A/K/A KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

JILL ERRIGO  
RR1 BOX 443 A/K/A KEYSTONE  
HILL ROAD  
PHILLIPSBURG, PA 16866

**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**

**SUNTRUST ORTGAGE, INC.**  
**1001 SEMMES AVENUE P.O. BOX AVENUE**  
**RICHMOND, VA 23224-7767**

**Plaintiff,**

**v.**

**CHARLES YERAGE**  
**JILL ERRIGO**  
**RR1 BOX 443 A/K/A KEYSTONE HILL ROAD**  
**PHILLIPSBURG, PA 16866**

**Defendant(s).**

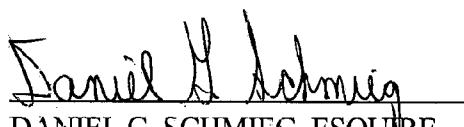
:  
: **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**  
: **CIVIL DIVISION**  
: **NO. 08-2173-CD**  
:  
:  
:  
:  
:  
:

**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.A. §4904 relating to unsworn falsification to authorities.

  
**DANIEL G. SCHMIEG, ESQUIRE**  
Attorney for Plaintiff

<b>SUNTRUST ORTGAGE, INC.</b>	:	
<b>1001 SEMMES AVENUE P.O. BOX AVENUE</b>	:	
<b>RICHMOND, VA 23224-7767</b>	:	
<b>Plaintiff,</b>	:	<b>CLEARFIELD COUNTY</b>
<b>v.</b>	:	<b>COURT OF COMMON PLEAS</b>
<b>CHARLES YERAGE</b>	:	<b>CIVIL DIVISION</b>
<b>JILL ERRIGO</b>	:	
<b>RR1 BOX 443 A/K/A KEYSTONE HILL ROAD</b>	:	<b>NO. 08-2173-CD</b>
<b>PHILLIPSBURG, PA 16866</b>	:	
<b>Defendant(s).</b>	:	
	:	

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**SUNTRUST ORTGAGE, INC.**, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeipe for the Writ of Execution was filed, the following information concerning the real property located at **RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILLIPSBURG, PA 16866**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>CHARLES YERAGE</b>	<b>RR1 BOX 443 A/K/A KEYSTONE HILL ROAD PHILLIPSBURG, PA 16866</b>
<b>JILL ERRIGO</b>	<b>RR1 BOX 443 A/K/A KEYSTONE HILL ROAD PHILLIPSBURG, PA 16866</b>

**2. Name and address of Defendant(s) in the judgment:**

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>Same as Above</b>	

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.

FEBRUARY 9, 2009  
Date

  
**DANIEL G. SCHMIEG, ESQUIRE**  
 Attorney for Plaintiff

<b>SUNTRUST ORTGAGE, INC.</b>	:	
<b>1001 SEMMES AVENUE P.O. BOX AVENUE</b>	:	
<b>RICHMOND, VA 23224-7767</b>	:	
<b>Plaintiff,</b>	:	<b>CLEARFIELD COUNTY</b>
<b>v.</b>	:	<b>COURT OF COMMON PLEAS</b>
	:	<b>CIVIL DIVISION</b>
<b>CHARLES YERAGE</b>	:	<b>NO. 08-2173-CD</b>
<b>JILL ERRIGO</b>	:	
<b>RR1 BOX 443 A/K/A KEYSTONE HILL ROAD</b>	:	
<b>PHILLIPSBURG, PA 16866</b>	:	
<b>Defendant(s).</b>	:	
	:	

**AFFIDAVIT PURSUANT TO RULE 3129.1**

**SUNTRUST ORTGAGE, INC.**, 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 **RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILLIPSBURG, PA 16866**.

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.)
<b>None</b>	

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.)
------	---

**SUNTRUST MORTGAGE, INC.**

**901 SEMMES AVENUE**  
**RICHMOND, VA 23224**

**3300 SW 34<sup>TH</sup> AVENUE**  
**SUITE 101**  
**OCALA, FL 34474**

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.)
<b>None</b>	

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**

**RR1 BOX 443 A/K/A 425 KEYSTONE HILL  
ROAD  
PHILLIPSBURG, PA 16866**

**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<sup>th</sup> Floor, Strawberry Sq., Dept 28061  
Harrisburg, PA 17128**

**Internal Revenue Service  
Federated Investors Tower**

**13<sup>TH</sup> 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.A. §4904 relating to unsworn falsification to authorities.

FEBRUARY 9, 2009

Date



**DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff**

CC

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

SUNTRUST MORTGAGE, INC.

vs.

CHARLES YERAGE

JILL FERRICO

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....

No. 08-2173-CD

No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILLIPSBURG, PA 16866  
(See Legal Description attached)

Amount Due	
Interest from 1/8/09 to Sale	\$ _____
Per diem \$17.16	\$ _____
Add'l Costs	\$2,853.50
Writ Total	\$ _____

*Willie Shaffer*

Prothonotary costs \$104,379.23  
\$35.00

OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 2/10/09  
(SEAL)

190284

No. 08-2173-CD .....

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

SUNTRUST ORTGAGE, INC.

vs.

CHARLES YERAGE  
JILL ERRIGO

WRIT OF EXECUTION  
(Mortgage Foreclosure)

	Costs
Real Debt	\$104,379.23
Int. from 1/8/09 To Date of Sale (\$17.16 per diem)	_____
Costs	_____
Prothly Pd.	<u>135.00</u>

Sheriff

  
DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

Address: CHARLES YERAGE  
RR1 BOX 443 A/K/A KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

JILL ERRIGO  
RR1 BOX 443 A/K/A KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

**LEGAL DESCRIPTION**

**ALL** that certain piece or parcel of surface land situate, lying and being in the Township of Decatur, County of Clearfield and State of Pennsylvania, bounded and described as follows:

**BEGINNING** at a stake corner, said corner being on the right-of-way line of State Highway Leg Rt. 17125 leading from Gearhartville to New Liberty, said corner also being a common corner with that of land belonging to John Wood and designated as Lot #2 in the property subdivision of the said John Wood; thence along the property of John Wood which is designated as Lot #2, North 54 degrees 45 minutes West 200 feet to a stake corner, said corner is also a common corner with that of Lot #2 belonging to John Wood; thence along the land of John Wood (this land is not as yet subdivided) North 37 degrees 00 minutes East 200 feet to a stake corner, said corner being a common corner with that of land belonging to Fred Granlun; thence along the lot of Fred Granlun South 54 degrees 45 minutes East 200 feet to a stake corner, said corner being on the right-of-way line of the above noted highway; thence along the right-of-way line of the above noted highway South 37 degrees 00 minutes West 200 feet to the place of beginning.

**CONTAINING .92 acre, more or less, and being Lots Nos. 3 and 4 in the subdivision of the property of John Wood.**

**EXCEPTING AND RESERVING** all the coal, fireclay, iron, ore, oil, gas and other minerals upon or under this land, as reserved in prior deeds.

**BEING THE SAME PREMISES** which Diana Condon, Executrix of the Last Will and Testament of Dorothy I. Fye, by deed dated February 8, 1993, and recorded in the Recorder's Office in and for Clearfield County, Pennsylvania, on February 12, 1993, in Book 1513, Page 473, granted and conveyed unto Warren Russell and Beverly Russell, husband and wife.

**TITLE TO SAID PREMISES IS VESTED IN** Charles Yerage, a single man and Jill Errigo, a single woman, by Deed from Warren Russell and Beverly Russell, h/w, dated 08/31/2000, recorded 12/19/2000 in Instrument Number 200018663.

Premises being: RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

Tax Parcel No. 112-P12-000-046.7

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104932  
NO: 08-2173-CD  
SERVICE # 3 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: SUNTRUST MORTGAGE, INC.  
vs.  
DEFENDANT: CHARLES YERAGE and JILL ERRIGO

**SHERIFF RETURN**

---

NOW, November 26, 2008, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CHARLES YERAGE.

NOW, December 09, 2008 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON CHARLES YERAGE, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

S  
**FILED**  
01/13/2009  
FEB 20 2009  
2009  
WAM  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 104932  
NO: 08-2173-CD  
SERVICE # 4 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: SUNTRUST MORTGAGE, INC.  
vs.  
DEFENDANT: CHARLES YERAGE and JILL ERRIGO

**SHERIFF RETURN**

---

NOW, November 26, 2008, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JILL ERRIGO.

NOW, December 09, 2008 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JILL ERRIGO, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104932  
NO: 08-2173-CD  
SERVICES 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: SUNTRUST MORTGAGE, INC.  
vs.  
DEFENDANT: CHARLES YERAGE and JILL ERRIGO

**SHERIFF RETURN**

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	747700	40.00
SHERIFF HAWKINS	PHELAN	747700	60.00
CENTRE CO.	PHELAN	752293	46.50

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2009



Chester A. Hawkins  
Sheriff

# SHERIFF'S OFFICE

PHELAN HALLINAN & SCHMI

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

### SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Suntrust Mortgage, Inc.	2. Case Number 08-2173-CD
3. Defendant(s) Charles Yerage & Jill Errigo	4. Type of Writ or Complaint: Complaint 502914

SERVE  5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold.  
Jill Errigo

AT 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)  
1502 East Presqueisle St., Philipsburg, PA 16866

7. Indicate unusual service:  Reg Mail  Certified Mail  Deputize  Post  Other

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

Sheriff of Centre County

### 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER SUITE 1400 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

### SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.  SIGNATURE of Authorized CCSD Deputy of Clerk and Title 14. Date Filed 15. Expiration/Hearing Date

### TO BE COMPLETED BY SHERIFF

16. Served and made known to \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ m., at 1502 East Presqueisle St., Philipsburg, PA 16866, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.  
 Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_.  
 Adult in charge of Defendant's residence.  
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).  
 Agent or person in charge of Defendant's office or usual place of business.  
 \_\_\_\_\_ and officer of said Defendant company.  
 Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

Moved  Unknown  No Answer  Vacant  Other Not found

Remarks: 12-05-08 not found checked with post office no such address

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 26.00	Postage	Misc.	Total Costs 46.50	Costs Due or Refund (28.50)
------------------------	----------------	-----------------	--------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 10

So Answer.

18. Signature of Dep. Sheriff

19. Date

12/9/08

21. Signature of Sheriff

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. Page

23. COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Corinne H. Peters, Notary Public  
My Commission Expires Sept. 5, 2009

24. My Commission Expires Sept. 5, 2009 SHERIFF'S RETURN SIGNATURE  
Member Pennsylvania Notary Public and Title

25. Date Received

# SHERIFF'S OFFICE

PHELAN HALLINAN & SCHMI

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

### SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) <b>Suntrust Mortgage, Inc.</b>	2. Case Number <b>08-2173-CD</b>
3. Defendant(s) <b>Charles Yerage &amp; Jill Errigo</b>	4. Type of Writ or Complaint: <b>Complaint 502914</b>

SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. <b>Charles Yerage</b>
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <b>1502 East Presqueisle St., Philipsburg, PA 16866</b>

7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other
---

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

*Sheriff of Centre County*

### 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator <b>PHELAN HALLINAN &amp; SCHMIEG, LLP</b>	10. Telephone Number <b>(215) 563-7000</b>	11. Date
ONE PENN CENTER SUITE 1400 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	12. Signature	

### SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

### TO BE COMPLETED BY SHERIFF

16. Served and made known to \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at 1502 East Presqueisle St., Philipsburg, PA 16866, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.

\_\_\_\_\_ and officer of said Defendant company.

Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

- Moved  Unknown  No Answer  Vacant  Other Not found

Remarks: 12-05-08 not found checked with post office no such address

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 26.00	Postage	Misc.	Total Costs 46.50	Costs Due or Refund (28.50)
------------------------	----------------	-----------------	--------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 10

So Answer.

18. Signature of Dep. Sheriff

19. Date

21. Signature of Sheriff

22. Date

20. day of Dec 2008

23. Carrie Peters  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal

Carrie H. Peters, Notary Public  
Bellefonte, PA, Centre County

24. I KNOWLEDGEABLY AFFIRMED AND SIGNED THIS 10 DAY OF Dec, 2008, SHERIFF'S RETURN SIGNATURE  
OF AN AUTHORIZED NOTARY PUBLIC  
Member, Pennsylvania Association of Notaries

SHERIFF OF CENTRE COUNTY

Amount Pd. \_\_\_\_\_ Page \_\_\_\_\_

25. Date Received



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

OFFICE (814) 765-2641

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 104932

TERM & NO. 08-2173-CD

SUNTRUST MORTGAGE, INC.

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

CHARLES YERAGE and JILL ERRIGO

SERVE BY: **12/10/08**  
COURT DATE:

**MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.**

**SERVE:** JILL ERRIGO

**ADDRESS:** 1502 EAST PRESQUEISLE ST., PHILIPSBURG, PA 16866

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 CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, November 26, 2008.

RESPECTFULLY,

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

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS  
SHERIFF

Sheriff's Office  
Clearfield County

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

OFFICE (814) 765-2641  
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 104932

TERM & NO. 08-2173-CD

SUNTRUST MORTGAGE, INC.

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

CHARLES YERAGE and JILL ERRIGO

**SERVE BY: 12/10/08**  
**COURT DATE:**

**MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.**

**SERVE:** CHARLES YERAGE

**ADDRESS:** 1502 EAST PRESQUEISLE ST., PHILIPSBURG, PA 16866

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 CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, November 26, 2008.

RESPECTFULLY,

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

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

NOV 12 2008

Attest.

*William L. Brown*  
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 190284

ATTORNEY FOR PLAINTIFF

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

Plaintiff

v.

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 08-2173-CD

CLEARFIELD COUNTY

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

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.

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

1. Plaintiff is

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

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

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

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

3. On 04/12/2006 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS A NOMINEE FOR SUNTRUST MORTGAGE INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200605641. 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 07/01/2008 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	\$97,884.61
Interest 06/01/2008 through 11/10/2008 (Per Diem \$19.44)	\$3,168.72
Attorney's Fees	\$1,250.00
Cumulative Late Charges 04/12/2006 to 11/10/2008	\$198.38
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$103,251.71
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
<b>TOTAL</b>	<b>\$103,251.71</b>

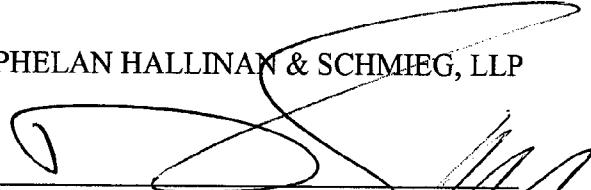
7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's 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. The action does not come under Act 6 of 1974 because the original mortgage amount exceeds the dollar amount provided in the statute.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$103,251.71, together with interest from 11/10/2008 at the rate of \$19.44 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: 

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  
VIVEK SRIVASTAVA, ESQUIRE  
JAY B. JONES, ESQUIRE  
PETER MULCAHY, ESQUIRE  
ANDREW SPIVACK, ESQUIRE  
JAIME MCGUINNESS, ESQUIRE

Attorneys for Plaintiff

## **LEGAL DESCRIPTION**

ALL that certain piece or parcel of surface land situate, lying and being in the Township of Decatur, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake corner, said corner being on the right-of-way line of State Highway Leg Rt. 17125 leading from Gearhartville to New Liberty, said corner also being a common corner with that of land belonging to John Wood and designated as Lot #2 in the property subdivision of the said John Wood; thence along the property of John Wood which is designated as Lot #2, North 54 degrees 45 minutes West 200 feet to a stake corner, said corner is also a common corner with that of Lot #2 belonging to John Wood; thence along the land of John Wood (this land is not as yet subdivided) North 37 degrees 00 minutes East 200 feet to a stake corner, said corner being a common corner with that of land belonging to Fred Granlun; thence along the lot of Fred Granlun South 54 degrees 45 minutes East 200 feet to a stake corner, said corner being on the right-of-way line of the above noted highway; thence along the right-of-way line of the above noted highway South 37 degrees minutes West 200 feet to the place of beginning.

CONTAINING .92 acre, more or less, and being Lots Nos. 3 and 4 in the subdivision of the property of John Wood. EXCEPTING AND RESERVING all the coal, fireclay, iron, ore, oil, gas and other minerals upon or under this land, as reserved in prior deeds.

PARCEL NO. 112-P12-000-046.7

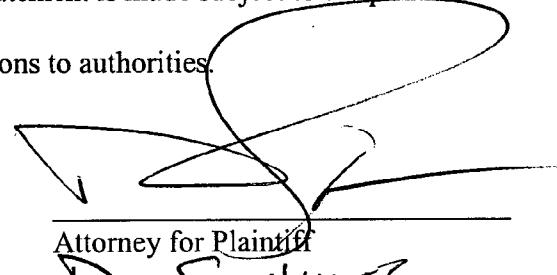
**PROPERTY BEING: 425 KEYSTONE HILL ROAD**

**VERIFICATION**

I hereby state that I am the attorney for the 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.

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.

DATE: 11/10/08

  
\_\_\_\_\_  
Attorney for Plaintiff

D. Schmitz  
#62205

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

NOV 12 2008

Attest.

*William E. Schaeffer*  
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 190284

ATTORNEY FOR PLAINTIFF

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

Plaintiff

v.

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

Defendants

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 08-2173-CD

CLEARFIELD COUNTY

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

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.**

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

1. Plaintiff is

SUNTRUST MORTGAGE, INC.  
1001 SEMMES AVENUE  
P.O. BOX 27767  
RICHMOND, VA 23224-7767

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

CHARLES YERAGE  
JILL ERRIGO  
RR 1 BOX 443  
A/K/A 425 KEYSTONE HILL ROAD  
PHILIPSBURG, PA 16866

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

3. On 04/12/2006 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS A NOMINEE FOR SUNTRUST MORTGAGE INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200605641. 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 07/01/2008 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	\$97,884.61
Interest	\$3,168.72
06/01/2008 through 11/10/2008	
(Per Diem \$19.44)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$198.38
04/12/2006 to 11/10/2008	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$103,251.71

Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
<b>TOTAL</b>	\$103,251.71

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.

**VERIFICATION**

I hereby state that I am the attorney for the 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.

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.

DATE: 11/10/08

Attorney for Plaintiff

D. Seamus  
#62205

FILED

FEB 26 2009

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20925  
NO: 08-2173-CD

PLAINTIFF: SUNTRUST ORTGAGE, INC.  
VS.  
DEFENDANT: CHARLES YERAGE AND JILL ERRIGO

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 2/10/2009

LEVY TAKEN 3/4/2009 @ 10:47 AM

POSTED 3/4/2009 @ 10:47 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 6/23/2009

DATE DEED FILED **NOT SOLD**

**FILED**

01/11/9801  
JUN 23 2009

William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

3/13/2009 @ 10:25 AM SERVED CHARLES YERAGE

SERVED CHARLES YERAGE, DEFENDANT, AT HIS RESIDENCE RR#1, BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHARLES YERAGE

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.

3/13/2009 @ 10:25 AM SERVED JILL ERRIGO

SERVED JILL ERRIGO, DEFENDANT, AT HER RESIDENCE RR#1, BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHARLES YERAGE, BOYFRIEND/ CO-DEFENDANT

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, MARCH 20, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR MAY 1, 2009 DUE TO A LOAN MODIFICATION.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20925  
NO: 08-2173-CD

PLAINTIFF: SUNTRUST ORTGAGE, INC.

vs.

DEFENDANT: CHARLES YERAGE AND JILL ERRIGO

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$240.44

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins  
by Amitha Butte- Aufenthal*  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

Pa.R.C.P. 3180-3183 and Rule 3257

SUNTRUST MORTGAGE, INC.

vs

CHARLES YERAGE

JILL ERRIGO

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ....

No. 08-2173-CD

No. ....

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD, PHILLIPSBURG, PA 16866  
(See Legal Description attached)

Amount Due	\$104,379.23
Interest from 1/8/09 to Sale	135.00
Per diem \$17.16	\$ _____
Add'l Costs	\$2,853.50
Writ Total	\$ _____

*Will Shaffer*

OFFICE OF THE PROTHONOTARY OF CLEARFIELD  
COUNTY, PENNSYLVANIA

Dated 2/10/09  
(SEAL)

190284

Received this writ this 10<sup>th</sup> day  
of February A.D. 2009  
At 11:00 A.M. (P.M.)

*Charles C. Hawkins*  
by Cynthia Butler-Coughlin

No. 08-2173-CD.....

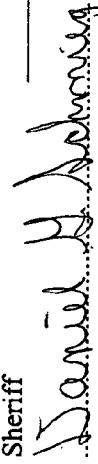
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
SUNTRUST ORTAGE, INC.

vs.

CHARLES YERAGE  
JILL ERRIGO

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs	
Real Debt	\$104,379.23
Int. from 1/8/09 To Date of Sale (\$17.16 per diem)	
Costs	
Prothy Pd.	<u>135.00</u>
Sheriff	

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Address: CHARLES YERAGE  
RR1 BOX 443 A/K/A KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

JILL ERRIGO  
RR1 BOX 443 A/K/A KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

**LEGAL DESCRIPTION**

**ALL** that certain piece or parcel of surface land situate, lying and being in the Township of Decatur, County of Clearfield and State of Pennsylvania, bounded and described as follows:

**BEGINNING** at a stake corner, said corner being on the right-of-way line of State Highway Leg Rt. 17125 leading from Gearhartville to New Liberty, said corner also being a common corner with that of land belonging to John Wood and designated as Lot #2 in the property subdivision of the said John Wood; thence along the property of John Wood which is designated as Lot #2, North 54 degrees 45 minutes West 200 feet to a stake corner, said corner is also a common corner with that of Lot #2 belonging to John Wood; thence along the land of John Wood (this land is not as yet subdivided) North 37 degrees 00 minutes East 200 feet to a stake corner, said corner being a common corner with that of land belonging to Fred Granlun; thence along the lot of Fred Granlun South 54 degrees 45 minutes East 200 feet to a stake corner, said corner being on the right-of-way line of the above noted highway; thence along the right-of-way line of the above noted highway South 37 degrees minutes West 200 feet to the place of beginning.

**CONTAINING** .92 acre, more or less, and being Lots Nos. 3 and 4 in the subdivision of the property of John Wood.

**EXCEPTING AND RESERVING** all the coal, fireclay, iron, ore, oil, gas and other minerals upon or under this land, as reserved in prior deeds.

**BEING THE SAME PREMISES** which Diana Condon, Executrix of the Last Will and Testament of Dorothy I. Fye, by deed dated February 8, 1993, and recorded in the Recorder's Office in and for Clearfield County, Pennsylvania, on February 12, 1993, in Book 1513, Page 473, granted and conveyed unto Warren Russell and Beverly Russell, husband and wife.

**TITLE TO SAID PREMISES IS VESTED IN** Charles Yerage, a single man and Jill Errigo, a single woman, by Deed from Warren Russell and Beverly Russell, h/w, dated 08/31/2000, recorded 12/19/2000 in Instrument Number 200018663.

Premises being: RR1 BOX 443 A/K/A 425 KEYSTONE HILL ROAD  
PHILLIPSBURG, PA 16866

Tax Parcel No. 112-P12-000-046.7

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME CHARLES YERAGE NO. 08-2173-CD

NOW, June 23, 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 May 01, 2009, I exposed the within described real estate of Charles Yerage And Jill Errigo 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:**

## PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	15.00	DEBT-AMOUNT DUE	104,379.23
MILEAGE	15.00	INTEREST @ 17.1600	1,939.08
LEVY	17.60	FROM 01/08/2009 TO 05/01/2009	
MILEAGE	17.60	ATTORNEY FEES	
POSTING	15.00	PROTH SATISFACTION	
CSDS	10.00	LATE CHARGES AND FEES	
COMMISSION	0.00	COST OF SUIT-TO BE ADDED	
POSTAGE	5.04	FORECLOSURE FEES	
HANDBILLS	15.00	ATTORNEY COMMISSION	
DISTRIBUTION	25.00	REFUND OF ADVANCE	
ADVERTISING	15.00	REFUND OF SURCHARGE	40.00
ADD'L SERVICE	15.00	SATISFACTION FEE	
DEED		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE	35.20	INTEREST	
ADD'L LEVY		MISCELLANEOUS	
BID/SETTLEMENT AMOUNT		<b>TOTAL DEBT AND INTEREST</b>	<b>\$106,358.31</b>
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	0.00
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$240.44</b>	LIEN SEARCH	
		ACKNOWLEDGEMENT	
<b>DEED COSTS:</b>		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	240.44
REGISTER & RECORDER		LEGAL JOURNAL COSTS	0.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	135.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>	MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$375.44</b>

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

March 19, 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: **SUNTRUST MORTGAGE, INC. v.**  
**CHARLES YERAGE and JILL ERRIGO**  
**RR 1 BOX 443 A/K/A 425 KEYSTONE HILL ROADPHILIPSBURG, PA 16866**  
**Court No. 08-2173-CD**

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is  
scheduled for May 1, 2009 due to the following: Loan Modification.

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

You are hereby directed to immediate 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 matter.

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