

08-2173-CD

Suntrust Mort. Vs Charles Yerge

5
FILED *Any pd. 9500*
m 1:01 PM
NOV 12 2008 *4cc*
Wm
William A. Shaw *Shurff*
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. 69349
JUDITH T. ROMANO, ESQ., Id. No. 58745
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JENINE R. DAVEY, ESQ., Id. No. 37077
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

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. *08-2173-CD*

CLEARFIELD COUNTY

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

Defendants

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
PHILPSBURG, 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>
TOTAL	\$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

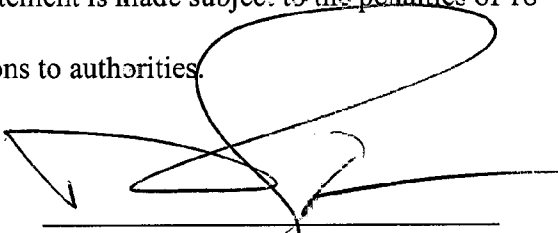
PROPERTY BEING: 425 KEYSTONE HILL ROAD

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. Sedwick
#62205

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

SUNTRUST MORTGAGE, INC.

vs

SERVICE # 2 OF 4

CHARLES YERAGE and JILL ERRIGO

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
013:29801
DEC 03 2008

William A. Shaw
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

12/2/08 *JP*

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 Philpsburg 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 Answered 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

SERVICE # 1 OF 4

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 12/10/2008

HEARING:

PAGE: 104932

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

12/2/08 Li

SHERIFF'S RETURN

NOW,

12/3/08

AT

935

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

2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

S. Hunter

Print Deputy Name

FILED

DEC 03 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

S
FILED *pd \$20.00 Atty*
m/12:15 *lcc + notice to defts*
JAN 08 2009 *lcc + statement to Atty*
LM
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>
TOTAL	\$104,379.23

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

LM

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
vs.	:	
	:	CIVIL DIVISION
CHARLES YERAGE	:	
JILL ERRIGO	:	No. 08-2173-CD
	:	

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, 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 8, 2009

By: William A. Schmiege CM DEPUTY
Prothonotary

If you have any questions concerning this matter please contact:

Daniel G. Schmiege

Daniel G. Schmiege, 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 DIVISION

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.

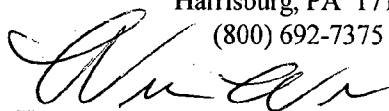
IMPORTANT NOTICE

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) 563-7000

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.

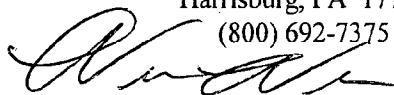
IMPORTANT NOTICE

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:

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(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

FILE COPY

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: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Vs.

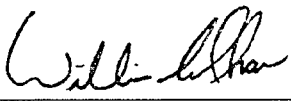
Charles Yerage
Jill Errigo
Defendant(s)

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

SLNTRUST.ORTGAGE, INC.

vs.

CHARLES YERAGE

JILL ERRIGO

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 03-2173-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

Per diem \$17.16

Add'l Costs

Writ Total

\$104,379.23

Prothonotary costs \$ 135.00

\$2,853.50

\$

Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

Note: Please attach description of Property.

190284

FILED 4th pd. 2000
m 11:03 AM
FEB 10 2009 REC & LOWRITS
w/prop desc.
to Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
EW

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

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

FILED

FEB 10 2009

SUNTRUST MORTGAGE, INC.

William A. Shaw
Prothonotary/Clerk of Courts

vs.

CHARLES YERAGE
JILL ERRIGO

PRAECIPE 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

(215) 563-7000

**CLEARFIELD COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 08-2173-CD


DANIEL G. SCHMIEG, ESQUIRE
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

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 Praecipe 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.)

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

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.

FEBRUARY 9, 2009

Date


DANIEL G. SCHMIEG, ESQUIRE
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

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 Praecipe 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.)

None

4. Name and address of the last recorded holder of every mortgage of record:

NAME

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

SUNTRUST MORTGAGE, INC.

901 SEMMES AVENUE

MERS

RICHMOND, VA 23224

3300 SW 34TH 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.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

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

None


7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
TENANT/OCCUPANT	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	6th Floor, Strawberry Sq., Dept 28061 Harrisburg, PA 17128
Internal Revenue Service Federated Investors Tower	13TH Floor, Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222
Department of Public Welfare TPL Casualty Unit Estate Recovery Program	P.O. Box 8486 Willow Oak Building Harrisburg, PA 17105

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

FEBRUARY 9, 2009

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Copy

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

Interest from 1/8/09 to Sale

Per diem \$17.16

Add'l Costs

Writ Total

Prothonotary costs \$104,379.23
135.00

\$

\$2,853.50

Willie L. Hays

OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 2/10/09
(SEAL)

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

Prothy Pd. 135.00

Sheriff

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

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
PHILLPSBURG, 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".

9
FILED
9/3:30 PM
FEB 20 2009
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

_____ Day of _____ 2009

So Answers,



Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMIDT

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 Levied, Attached or Sold.
Jill Errigo

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 deputize 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 & SCHMIDT, 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	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
75.00	9.00	9.00	0.00	2.50	26.00			46.50	(28.50)

17. AFFIRMED and subscribed to before me this 10

20 day of Dec 20 08

23. Corinne Peters
COMMONWEALTH OF PENNSYLVANIA

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

24. My Commission Expires Sept 5, 2009
Member, Pennsylvania Association of Notaries

So Answer.

18. Signature of Dep. Sheriff

19. Date

21. Signature of Sheriff

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd.

Page

SHERIFF'S RETURN SIGNATURE

25. Date Received

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMIEG

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 → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. Charles Yerage		
	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: <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 deputize 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: <input type="checkbox"/> Defendant(s) personally served. <input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____ <input type="checkbox"/> Adult in charge of Defendant's residence. <input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s). <input type="checkbox"/> 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: <input type="checkbox"/> Moved <input type="checkbox"/> Unknown <input type="checkbox"/> No Answer <input type="checkbox"/> Vacant <input type="checkbox"/> 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 20 day of Dec 2008 23. <i>Caroline Peters</i> Notary Public COMMONWEALTH OF PENNSYLVANIA Notarial Seal Corinne H. Peters, Notary Public Bellefonte Boro, Centre County				So Answer. 18. Signature of Dep. Sheriff <i>[Signature]</i> 21. Signature of Sheriff <i>[Signature]</i>		19. Date 12/9/08 22. Date			
24. I, _____, Sheriff of Centre County, do hereby certify that _____ is an authorized authority and title Member, Pennsylvania Association of Notaries				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

SUNTRUST MORTGAGE, INC.

VS.

CHARLES YERAGE and JILL ERRIGO

TERM & NO. 08-2173-CD

COMPLAINT IN MORTGAGE FORECLOSURE

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 deputize 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,

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
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PETER F. SMITH
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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 deputize 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,

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 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 190284

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

ATTORNEY FOR PLAINTIFF

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	\$750.00
Subtotal	\$103,251.71
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	\$0.00
TOTAL	\$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

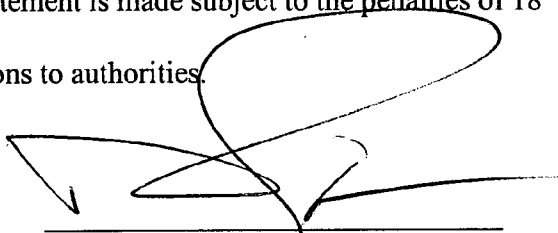
PROPERTY BEING: 425 KEYSTONE HILL ROAD

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: 11/10/28



Attorney for Plaintiff

D. Seniors
#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 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

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

v.

NO. 08-2173-CD

CLEARFIELD COUNTY

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

Defendants

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>
TOTAL	\$103,251.71

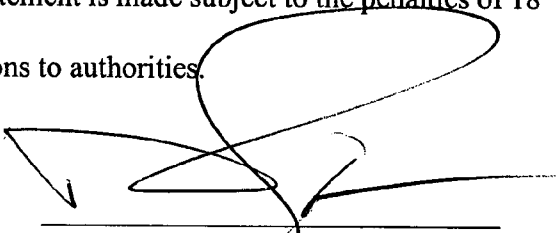
7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's 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: 11/10/28



Attorney for Plaintiff

D. Sedwick
#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
01/11/19/2009
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

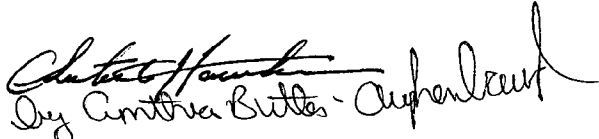
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$240.44

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

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

SUNTRUST MORTGAGE, INC.

VS

CHARLES YERAGE

JILLERRIGO

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

Writ Total

Prothonctary costs

\$104,379.23

135.00

\$ _____

\$2,853.50

\$ _____

William L. Hays
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated

2/10/09

(SEAL)

190284

Received this writ this 10th day
of February A.D. 2009
At 3:00 A.M./P.M.

Charles A. Hawkins
By *Sgt Cynthia Bitternigh*

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)

Real Debt	Costs
	\$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
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:

RDR	15.00
SERVICE	15.00
MILEAGE	17.60
LEVY	15.00
MILEAGE	17.60
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.04
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	35.20
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$240.44

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	104,379.23
INTEREST @ 17.1600	1,939.08
FROM 01/08/2009 TO 05/01/2009	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

TOTAL DEBT AND INTEREST	\$106,358.31
--------------------------------	---------------------

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	240.44
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

TOTAL COSTS	\$375.44
--------------------	-----------------

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 ROAD PHILIPSBURG, 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 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