

00-439-CD
PNC MORTGAGE CORP. OF AMERICA -vs- ROBERT D. WHELPLEY

July 16, 2000 Document
Reinstated/Released to Plaintiff/Attorney
for service.

Federman and Phelan
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102

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Guaranteed

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
TWO PENN CENTER PLAZA, SUITE 900
PHILADELPHIA, PA 19102
(215) 563-7000

ATTORNEY FOR PLAINTIFF

⑩ PNC MORTGAGE CORP. OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 00-439-CJ

⑧ ⑨ ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

CLEARFIELD COUNTY

Defendant(s)

CIVIL ACTION - LAW
MORTGAGE FORECLOSURE
NOTICE

**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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. **

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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

FILED

APR 13 2000

Loan #: 0022708462

William A. Shaw
Prothonotary

1. Plaintiff is

PNC MORTGAGE CORP. OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

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

ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

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

3. On 5/20/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE AND COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1934, Page 429. By Assignment of Mortgage recorded 5/22/98 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Book No. 1934, Page 438.
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 11/1/99 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$43,367.92
Interest	1,652.49
10/1/99 through 4/1/00	
(Per Diem \$9.03)	
Attorney's Fees	800.00
Cumulative Late Charges	0.00
5/20/98 to 4/1/00	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	46,370.41
Escrow	
Credit	0.00
Deficit	<u>327.18</u>
Subtotal	<u>327.18</u>
TOTAL	\$ 46,697.59

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose has been sent to Defendant(s) by Certified Mail, as required by Act 6 of 1974 of the Commonwealth of Pennsylvania on the date(s) set forth in the true and correct copy(s) of such notice(s) attached hereto as Exhibit "A."

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 46,697.59, together with interest from 4/1/00 at the rate of \$9.03 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.


/s/ Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

January 09, 2000

Robert D Whelpley
312 S Highland Street
Dubois PA 15801-9800

RE: Mortgage Company/Loan Services:PNC Mortgage Corp Of America
Loan Number: 0022708462
Property Location: 312 S Highland Street
Dubois PA 15801-9800

NOTICE OF INTENTION TO FORECLOSE MORTGAGE
SENT BY CERTIFIED MAIL AND REGULAR MAIL

Dear Mortgagor/Property Owner:

As of 01-05-00, the mortgage held or serviced by PNC Mortgage Corp of America f/k/a Sears Mortgage Corporation (hereinafter "we", "us", or "ours") on your property located at: 312 S Highland Street, Dubois PA 15801-9800, IS IN SERIOUS DEFAULT because you have not made the mortgage payments since, 11-01-99 through today. The total amount required to bring your mortgage current is calculated below:

* Payments of \$ 427.64 per installment due on the contract date of each installment from 11-01-99 to 01-31-00	1,292.12
* Balance of accumulated late charges	17.27
* Returned check charges00
* Other charges due and payable00
* Total	1,072.67

You may cure this default within THIRTY (30) DAYS of the date of this letter by paying to us the above amount of:

\$ 1,072.67

EXHIBIT A

BS204 BS205
BS207 BS208
BS216 BS218

PLUS any additional monthly payments and late charges which fall due during this period. Any additional monthly payments and late charges will accrue at the amounts set forth above. Such payment must be made either by cashier's check, certified check, or money order, and made to:

PNC MORTGAGE CORP OF AMERICA
ATTN: COLLECTION DEPARTMENT
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202
TELEPHONE (800)736-9090
FACSIMILE (502)581-2570

If you do not cure the default within THIRTY (30) DAYS, we intend to exercise the lender's right to accelerate the mortgage payments. This means that whatever is owing on the original amount borrowed will be considered due immediately and you may lose the chance to pay off the original mortgage in monthly installments.

If full payment of the amount of the default is not made within THIRTY (30) DAYS, *the lender also intends to instruct our attorney to start a lawsuit to foreclose your mortgaged property. If the mortgage is foreclosed, your mortgaged property will be sold by the Sheriff or other similar official to pay off the mortgage debt.* If you cure the default before we begin legal proceedings against you, (but after the 30 day period given in this letter has expired), you will still have to pay the reasonable attorney's fees actually incurred, up to \$50.00. Any attorney's fees will be added to whatever you owe the lender, which may also include our reasonable costs. *If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.*

The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, *you still have the right to cure the default and prevent the sale at any time up to one (1) hour before the Sheriff's or other similar official foreclosure sale. You may do so by paying the total amount of the unpaid monthly payments plus any late or other charges then due, as well as the reasonable attorney's fees and costs connected with the foreclosure sale and perform any other requirements under the mortgage.* It is estimated that the earliest date that such a Sheriff's or other similar official's sale could be held would be approximately seven (7) months from today. A notice of the date of the Sheriff's or similar sale will be sent to you before the sale.

Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment will be by calling us at the following number:

(800)736-9090

EXHIBIT A

BS204 BS205
BS207 BS208
BS216 BS218

This payment must be cashier's check, certified check, or money order and payable to us at the address stated above.

You should realize that a Sheriff's or other similar sale will end your ownership of the mortgaged property and your right to remain in it. If you continue to live in the property after the Sheriff's or other similar official sale, a lawsuit could be started to evict you.

You shall have the right to assert in the foreclosure proceedings the non-existence of a default or any other defense that you may have to acceleration or foreclosure.

You have additional right to help protect your interest in the property:

YOU HAVE THE RIGHT TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT, OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.

YOU MAY HAVE THE RIGHT TO SELL OR TRANSFER THE PROPERTY SUBJECT TO THE MORTGAGE TO A BUYER OR TRANSFeree WHO WILL ASSUME THE MORTGAGE DEBT, PROVIDED THAT ALL THE OUTSTANDING PAYMENTS, CHARGES AND ATTORNEY'S FEES AND COSTS ARE PAID PRIOR TO OR AT THE SALE, AND THAT THE OTHER REQUIREMENTS UNDER THE MORTGAGE ARE SATISFIED. CONTACT US TO DETERMINE UNDER WHAT CIRCUMSTANCES THIS RIGHT MIGHT EXIST.

YOU HAVE THE RIGHT TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

If you cure the default, the mortgage will be restored to the same position as if no default had occurred. However, you are not entitled to this right to cure your default more than three times in any calendar year.

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, YOU ARE ADVISED THAT WE ARE DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

By:
PNC Mortgage Corp of America
Collection Department
PA6

EXHIBIT A

ALL that certain piece or parcel of real estate located in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows:

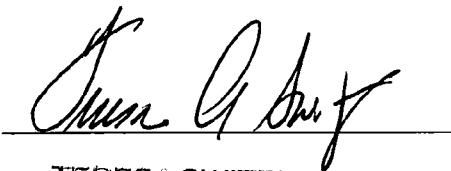
BEGINNING at a point at a corner formed by the intersection of the northerly line of Shaffer Avenue with the easterly line of a 16 foot alley;
THENCE North 45° 38' East 122.6 feet to a point at an alley;
THENCE South 41° 23' East 58.7 feet to a point at South Highland Street;
THENCE South 12° 12' East along South Highland Street to the land now or formerly of Edward Compney, et ux.;
THENCE South 45° 36' West 105.6 feet to an iron pin on the northerly line of Shaffer Avenue;
THENCE North 44° 29' East along Shaffer Avenue 80 feet to the place of beginning. Being all of Lot No. 127 and part of Lot No. 126 on the plan of H.S. Knarr's Addition to the City of DuBois.

PREMISES: 312 SOUTH HIGHLAND STREET

BEING the same tract of land conveyed to Grantor herein by deed of William E. Decker, III, et ux., dated 01/31/97, and recorded in the Office of Recorder of Deeds of Clearfield County, Pennsylvania in Deed Book No. 1822, Page 94.

VERIFICATION

TERESA SWITZER hereby states that she is SECOND VICE PRESIDENT of PNC MORTGAGE CORPORATION OF AMERICA mortgage servicing agent for Plaintiff in this matter, that she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



TERESA SWITZER
2nd VICE PRESIDENT

DATE: 4/11/00

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
Suite 900, Two Penn Center Plaza
(215) 563-7000

PNC MORTGAGE CORP. OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

VS.

8
ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

Attorney for Plaintiff
: COURT OF COMMON PLEAS
: CIVIL DIVISION
:
:
: CLEARFIELD COUNTY
:
: NO. 00-439-CD
:
:

SUGGESTION OF RECORD CHANGE
RE: DEFENDANT'S NAME

TO THE PROTHONOTARY:

FRANK FEDERMAN, ESQUIRE, attorney for the Plaintiff, hereby certifies that, to the best of his knowledge, information and belief the Defendant's name was erroneously listed as:

ROBERT D. WHELPLEY

The correct name for the Defendant is:

ROBERT D. WHELPLEY
A/K/A ROBERT W. WHELPLEY
Kindly change the information on the docket.

Date: May 22, 2000

Frank Federman
Frank Federman
Attorney for Plaintiff

Cc: ROBERT D. WHELPLEY

FILED

JUN 05 2000

William A. Shaw
Prothonotary

FRANK FEDERMAN (2)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PNC MORTGAGE CORP. OF AMERICA
VS
WHELPLEY, ROBERT D.

00-439-CD

COMPLAINT IN MORTGAGE FORECLOSURE
SHERIFF RETURNS

NOW MAY 12, 2000 AFTER DILIGENT SEARCH IN MY BAILIWICK I
RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT
FOUND" AS TO ROBERT D. WHELPLEY, DEFENDANT. DEFENDANT IS
INCARCERATED IN FEDERAL PRISON.

53.52 SHFF. HAWKINS PAID BY: ATTY.
10.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

17th DAY OF May 2000
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

SO ANSWERS,

Chester A. Hawkins
by Marilyn Harry

CHESTER A. HAWKINS
SHERIFF

FILED

MAY 17 2000
WILLIAM A. SHAW
Prothonotary

Federman and Phelan
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102

FEDERMAN AND PHELAN
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
TWO PENN CENTER PLAZA, SUITE 900
PHILADELPHIA, PA 19102
(215) 563-7000

PNC MORTGAGE CORP. OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 00-439-CO

CLEARFIELD COUNTY

ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

Defendant(s)

CIVIL ACTION - LAW
MORTGAGE FORECLOSURE
NOTICE

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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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

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

APR 13 2000

Loan #: 0022708462

Attest.


William L. Shan
Prothonotary

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

1. Plaintiff is

PNC MORTGAGE CORP. OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

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

ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

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

3. On 5/20/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE AND COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1934, Page 429. By Assignment of Mortgage recorded 5/22/98 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Book No. 1934, Page 438.
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 11/1/99 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$43,367.92
Interest	1,652.49
10/1/99 through 4/1/00	
(Per Diem \$9.03)	
Attorney's Fees	800.00
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Cost of Suit and Title Search	<u>550.00</u>
Subtotal	46,370.41
Escrow	
Credit	0.00
Deficit	<u>327.18</u>
Subtotal	<u>327.18</u>
TOTAL	\$ 46,697.59

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose has been sent to Defendant(s) by Certified Mail, as required by Act 6 of 1974 of the Commonwealth of Pennsylvania on the date(s) set forth in the true and correct copy(s) of such notice(s) attached hereto as Exhibit "A."

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 46,697.59, together with interest from 4/1/00 at the rate of \$9.03 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.


/s/ Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

January 09, 2000

Robert D Whelpley
312 S Highland Street
Dubois PA 15801-9800

RE: Mortgage Company/Loan Services:PNC Mortgage Corp Of America
Loan Number: 0022708462
Property Location: 312 S Highland Street
Dubois PA 15801-9800

NOTICE OF INTENTION TO FORECLOSE MORTGAGE
SENT BY CERTIFIED MAIL AND REGULAR MAIL

Dear Mortgagor/Property Owner:

As of 01-05-00, the mortgage held or serviced by PNC Mortgage Corp of America f/k/a Sears Mortgage Corporation (hereinafter "we", "us", or "ours") on your property located at: 312 S Highland Street, Dubois PA 15801-9800, IS IN SERIOUS DEFAULT because you have not made the mortgage payments since, 11-01-99 through today. The total amount required to bring your mortgage current is calculated below:

* Payments of \$ 427.64 per installment due on the contract date of each installment from 11-01-99 to 01-31-00	1,292.12
* Balance of accumulated late charges	17.27
* Returned check charges00
* Other charges due and payable .	.00
* Total	1,072.67

You may cure this default within THIRTY (30) DAYS of the date of this letter by paying to us the above amount of:

\$ 1,072.67

EXHIBIT A

BS204 BS205
BS207 BS208
BS216 BS218

PLUS any additional monthly payments and late charges which fall due during this period. Any additional monthly payments and late charges will accrue at the amounts set forth above. Such payment must be made either by cashier's check, certified check, or money order, and made to:

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By:
PNC Mortgage Corp of America
Collection Department
PA6

EXHIBIT A

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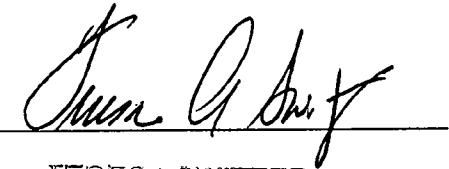
BEGINNING at a point at a corner formed by the intersection of the northerly line of Shaffer Avenue with the easterly line of a 16 foot alley;
THENCE North 45° 38' East 122.6 feet to a point at an alley;
THENCE South 41° 23' East 58.7 feet to a point at South Highland Street;
THENCE South 12° 12' East along South Highland Street to the land now or formerly of Edward Compney, et ux.;
THENCE South 45° 38' West 103.6 feet to an iron pin on the northerly line of Shaffer Avenue;
THENCE North 44° 29' East along Shaffer Avenue 80 feet to the place of beginning. Being all of Lot No. 127 and part of Lot No. 126 on the plan of H.S. Knarr's Addition to the City of DuBois.

PREMISES: 312 SOUTH HIGHLAND STREET

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TERESA SWITZER
2nd VICE PRESIDENT

DATE: 4/11/00

FILED

JUN 12 2000
11:40 AM '00
William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
BY: Lisa D. Blankenburg, Esq.
Atty. I.D. #78020
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
215) 563-7000

PNC MORTGAGE CORP. OF
AMERICA

vs.

ROBERT D. WHELPLEY,
A/K/A ROBERT W.
WHELPLEY

ATTORNEY FOR PLAINTIFF

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 00-439-CD

4
FILED

JUN 12 2000

William A. Shaw
Prothonotary

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

Plaintiff, by its counsel, Lisa D. Blankenburg, Esquire, moves this Honorable Court for an Order directing service of the Complaint upon the above-captioned Defendant(s) by Certified mail and regular mail to the Defendant's last known address and mortgaged premises located at 312 SOUTH HIGHLAND STREET, DUBOIS, PA 15801 and in support thereof avers the following:

1. Attempts to serve Defendant(s) with the Complaint have been unsuccessful, as indicated by the Sheriff's Return of Service attached hereto as Exhibit "A".
2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant(s). An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results is attached hereto as Exhibit "B".
3. Plaintiff submits that it has made a good faith effort to locate the defendants, but has been unable to do so.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Complaint by certified mail and regular mail.


Lisa D. Blankenburg, Esquire

FEDERMAN AND PHELAN
BY: Lisa D. Blankenburg, Esq.
Atty. I.D. #78020
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000
PNC MORTGAGE CORP. OF AMERICA

vs.

ROBERT D. WHELPLEY, A/K/A
ROBERT W. WHELPLEY

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION
CLEARFIELD COUNTY
No.00-439-CD

MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant(s) and the reasons why service cannot be made.

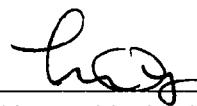
Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith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

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

As indicated by the attached Sheriff's Return of Service, attached hereto and marked as Exhibit "A", the Sheriff has been unable to serve the Complaint. A good faith effort to discover the whereabouts of the Defendant(s) has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked Exhibit "B".

WHEREFORE, Plaintiff respectfully requests service of the Complaint by certified mail and regular mail.

Respectfully submitted:



Lisa D. Blankenburg, Esquire

FRANK FEDERMAN

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PNC MORTGAGE CORP. OF AMERICA
VS
WHELPLEY, ROBERT D.

00-439-CD

COMPLAINT IN MORTGAGE FORECLOSURE
SHERIFF RETURNS

NOW MAY 12, 2000 AFTER DILIGENT SEARCH IN MY BAILIWICK I
RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT
FOUND" AS TO ROBERT D. WHELPLEY, DEFENDANT. DEFENDANT IS
INCARCERATED IN FEDERAL PRISON.

53.52 SHFF. HAWKINS PAID BY: ATTY.
10.00 SURCHARGE PAID BY: ATTY.

EXHIBIT A

SWORN TO BEFORE ME THIS

SO ANSWERS,

DAY OF _____ 2000

CHESTER A. HAWKINS
SHERIFF

PLAYERS NATIONAL LOCATOR

AFFIDAVIT OF GOOD FAITH INVESTIGATION

Loan Number: **0022708462**

Attorney Firm: **TRACK STARS**

Case Number:

Subject: **ROBERT D WHELPLEY**

A.K.A.: **ROBERT D EHELPLEY**

Last Known Address: **312 S. HIGHLAND STREET
DUBOIS, PA 15801**

Last Known Number: () -

Michael K Gross, being duly sworn according to law, deposes and says:

1. I am employed in the capacity of President for Players National Locator.
2. On 04/03/2000, I conducted an investigation into the whereabouts of the above named defendant(s). The results of my investigation are as follows:

EXHIBIT B

CREDIT INFORMATION -

- A. SOCIAL SECURITY NUMBER: **200-58-6262**
- B. EMPLOYMENT SEARCH:
Unable to locate a good employer for Robert.
- C. INQUIRY OF CREDITORS:
The creditors indicated that Robert is living at 312 S Highland Street, Dubois, Pa. 15801 with no valid home phone number.

INQUIRY OF TELEPHONE COMPANY -

- A. DIRECTORY ASSISTANCE SEARCH:
The directory assistance has no listing for Robert Whelpley. Contacted 814-637-5277 and spoke with Robert's ex mother in law who stated Robert is in jail and there are renters at the property.

INQUIRY OF NEIGHBORS -

N/A

INQUIRY OF POST OFFICE -

- A. NATIONAL ADDRESS UPDATE:
As of March 30, 2000 the National Change of Address (NCOA) has no change for Robert from last known address.

MOTOR VEHICLE REGISTRATION -

- A. MOTOR VEHICLE & DMV OFFICE:
The Pennsylvania Department of Drivers Licensing has Robert listed at last known address.

OTHER INQUIRIES -

- A. DEATH RECORDS:
As of March 30, 2000 the Social Security Administration has no death record on file for Robert D Whelpley and or a.k.a.'s under his social security number.
- B. PUBLIC LICENSES (PILOT, REAL ESTATE, ETC.):
None Found

C. COUNTY VOTER REGISTRATION:

The Clearfield County Voters Registration Office has Robert listed at last known address.

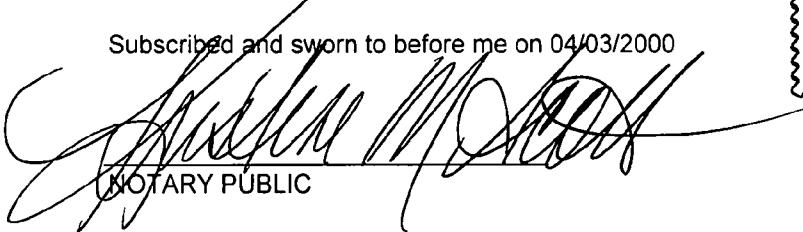
ADDITIONAL INFORMATION ON SUBJECT -

.A. DATE OF BIRTH:

1961


AFFIANT Michael K Gross

Subscribed and sworn to before me on 04/03/2000


NOTARY PUBLIC

"NOTARY SEAL"
Kristine M. Scott, Notary Public
St. Louis County, State of Missouri
My Commission Expires 9/2/2002

Players National Locator 16201 Westwoods Business Park Drive St. Louis, MO 63021
Phone: (636) 230-9922 Fax: (636) 230-0558

EXHIBIT B

VERIFICATION

Lisa D. Blankenburg, Esquire, hereby states that she is the Attorney for the Plaintiff in this action, that she is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of her knowledge, information and belief.

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

Date: June 7, 2000

Lisa D. Blankenburg, Esquire

FILED

JUN 12 2000
M 140 PM NOCC
William A. Shaw
Prothonotary
E. K. B.

FEDERMAN AND PHELAN
BY: Lisa D. Blankenburg, Esq.
Atty. I.D. #78020
Ste. 900/Two Penn Center Plaza
Philadelphia, PA 19102
215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORP. OF
AMERICA

Court of Common Pleas

vs.

Civil Division

ROBERT D. WHELPLEY,
A/K/A ROBERT W.
WHELPLEY

CLEARFIELD County

NO. 00-439-CD

CERTIFICATION OF SERVICE

I, Lisa D. Blankenburg, Esquire, hereby certify that a copy of the Motion for Service Pursuant to Special Order of Court has been sent to the individual(s) as indicated below by first class mail, postage prepaid, on the date listed below.

ROBERT D. WHELPLEY, A/K/A ROBERT W. WHELPLEY at:

312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

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

Date: June 7, 2000


Lisa D. Blankenburg, Esquire
Attorney for Plaintiff

FILED

JUN 12 2000

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
BY: Lisa D. Blankenburg, Esq.
Atty. I.D. #78020
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORP. OF : Court of Common Pleas
AMERICA : Civil Division
vs. : CLEARFIELD County
ROBERT D. WHELPLEY, A/K/A :
ROBERT W. WHELPLEY : NO. 00-439-CD

ORDER

AND NOW, this 13th day of June, 2000, upon consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court and the Affidavit of Reasonable Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Complaint on the above captioned Defendant(s), **ROBERT D. WHELPLEY, A/K/A ROBERT W. WHELPLEY**, by mailing a true and correct copy of the Complaint by certified mail and regular mail to the Defendant's last known address, and to the mortgaged premises located at **312 SOUTH HIGHLAND STREET, DUBOIS, PA 15801**.

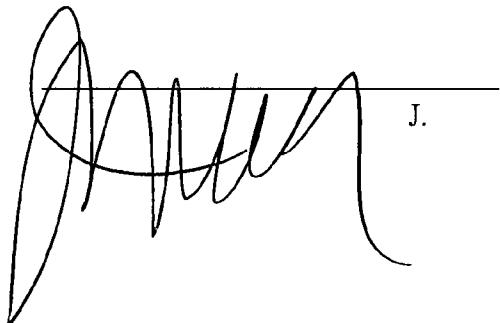
Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit as to the mailing.

BY THE COURT:

FILED

JUN 14 2000

William A. Shaw
Prothonotary



J.

FILED

JUN 14 2000
115612 cc Atty Blankenburg
William A. Shaw
Prothonotary
SAC

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

PNC MORTGAGE COPR. OF AMERICA : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
vs.
ROBERT D. WHELPLEY : Clearfield County
Defendants : No. 00-439-CD

PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure
with reference to the above captioned matter.

Frank Fede
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Date: June 23, 2000

FILED

JUL 06 2000

William A. Shaw
Prothonotary

FILED

Mar 15 2000
JULY 10 2000
Att'y D. 7.00

William A. Shaw Complaint Reinstated
Prothonotary

to Att'y
Goss

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000
PNC MORTGAGE CORP. OF AMERICA

Attorney for Plaintiff
: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

ROBERT D. WHELPLEY

: CLEARFIELD COUNTY

Defendant(s)

: NO. 00-439-CD

**AFFIDAVIT OF SERVICE OF COMPLAINT
BY MAIL PURSUANT TO COURT ORDER**

I hereby certify that a true and correct copy of the Civil Action Complaint in Mortgage
Foreclosure in the above captioned matter was sent by regular and certified mail, return receipt
requested, to the following persons, **to ROBERT D. WHELPLEY at 312 SOUTH HIGHLAND
STREET, DUBOIS, PA 15801 on July 11, 2000**, in accordance with the Order of Court dated .
The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S.
§4904 relating to unsworn falsification to authorities.

Date: July 11, 2000



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FILED

JUL 14 2000

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Two Penn Center Plaza - Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

**PNC MORTGAGE CORP. OF
AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202**

Plaintiff

VS₁

81} ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

Defendant(s)

FILED

AUG 18 2000

11:10 | was
William A. Shaw
Prothonotary

I CANT TO BY
ATTY ATTY
NOTICE TO DEF. 8

PRAEICE FOR JUDGMENT FOR FAILURE TO ANSWER AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **ROBERT D WHELPLEY** **A/K/A ROBERT W. WHELPLEY**, 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	\$46,697.59
Interest 4/1/00 TO 8/14/00	<u>\$1,228.08</u>
TOTAL	\$47,925.67

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

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: August 10, 2000

Colby

PRO-PROTHY

****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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.****

.FEDERMAN AND PHELAN
Frank Federman, Esquire
Identification No. 12248
Two Penn Center Plaza
Suite 900
Philadelphia, PA 19102-1799
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORP. OF AMERICA : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
vs. : CLEARFIELD COUNTY
ROBERT D. WHELPLEY : NO. 00-439-CD
Defendant(s)

TO: ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

DATE OF NOTICE: AUGUST 1, 2000

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

IMPORTANT NOTICE

You are in default because you have failed 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:

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Two Penn Center Plaza - Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

**PNC MORTGAGE CORP.
OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202**

Plaintiff

vs.

: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 00-439-CD

**ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801**

Defendant(s)

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is 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:

(X) 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. Section 4904 relating to unsworn falsification to authorities.

Frank Federman

FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FEDERMAN and PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

**PNC MORTGAGE CORP. OF
AMERICA**

Plaintiff

vs.

**ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY**

Defendant(s)

: **CLEARFIELD COUNTY**
:
: **Court of Common Pleas**
:
: **CIVIL DIVISION**
:
: **NO. 00-439-CD**
:
:
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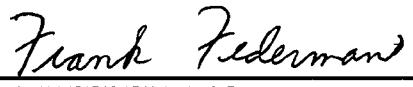
VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, 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 **ROBERT D WHELPLEY A/K/A ROBERT W. WHELPLEY** is over 18 years of age and his **PRESENT WHEREABOUTS ARE UNKNOWN**.

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


Frank Federman
FRANK FEDERMAN
Attorney for Plaintiff

(Rule of Civil Procedure No. 236 – Revised)

PNC MORTGAGE CORP. OF AMERICA	:	CLEARFIELD COUNTY
	:	
	:	Court of Common Pleas
Plaintiff	:	
	:	CIVIL DIVISION
vs.	:	
	:	NO. 00-439-CD
ROBERT D WHELPLEY A/K/A ROBERT W. WHELPLEY	:	
	:	
	:	
Defendant(s)	:	

Notice is given that a Judgment in the above captioned matter has been entered against you on
AUGUST August 18, 2000.

By _____ **DEPUTY**

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

FRANK FEDERMAN, ESQUIRE
Attorney for Filing Party
SUITE 900
TWO PENN CENTER PLAZA
PHILADELPHIA, PA 19102
(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 AND THIS DEBT WAS NOT REAFFIRMED, THIS IS NOT
AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY
ENFORCEMENT OF A LIEN AGAINST PROPERTY. ****

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

PNC MORTGAGE CORP. OF AMERICA	Docket: 281
Plaintiffs (s)	No.: 00-439-CD
	Real Debt: \$47,925.67
	Atty's Comm:
Vs.	Costs: \$
	Int. From:
ROBERT D. WHELPLEY A/K/A	Entry: \$20.00
ROBERT W. WHELPLEY	
Defendant (s)	Instrument: DEFAULT JUDGMENT
	Date of Entry: AUGUST 18, 2000
	Expires: AUGUST 18, 2005

Certified from the record this 18th day of August, 2000.

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

(Rule of Civil Procedure No. 236 – Revised)

PNC MORTGAGE CORP. OF
AMERICA

Plaintiff

vs.

ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY

Defendant(s)

: CLEARFIELD COUNTY

:

: Court of Common Pleas

:

: CIVIL DIVISION

:

: NO. 00-439-CD

:

:

:

Notice is given that a Judgment in the above captioned matter has been entered against you on
AUGUST 18, 2000.

By  DEPUTY
WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

FILED

*REC'D AUG 28 2000
11:12:37 pm
William A. Shaw
Prothonotary*

FRANK FEDERMAN, ESQUIRE
Attorney for Filing Party
SUITE 900
TWO PENN CENTER PLAZA
PHILADELPHIA, PA 19102
(215) 563-7000

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FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Two Penn Center Plaza - Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

PNC MORTGAGE CORP. OF
AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202

Plaintiff

VS.

**ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801**

Defendant(s)

: **CLEARFIELD COUNTY**
:
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 00-439-CD**
:
:
:
:
:
:
:

PRAEICE FOR JUDGMENT FOR FAILURE TO ANSWER AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **ROBERT D WHELPLEY** **A/K/A ROBERT W. WHELPLEY**, 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	\$46,697.59
Interest 4/1/00 TO 8/14/00	<u>\$1,228.08</u>
TOTAL	\$47,925.67

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Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: August 19, 2000

PRO-PROTHY
THEATRUM

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 AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

FEDERMAN AND PHELAN
Frank Federman, Esquire
Identification No. 12248
Two Penn Center Plaza
Suite 900
Philadelphia, PA 19102-1799
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORP. OF AMERICA : COURT OF COMMON PLEAS

Plaintiff : CIVIL DIVISION

vs.

: CLEARFIELD COUNTY

ROBERT D. WHELPLEY

: NO. 00-439-CD

Defendant(s)

TO: ROBERT D. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801

DATE OF NOTICE: AUGUST 1, 2000

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DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641

Frank Federman, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Two Penn Center Plaza - Suite 900
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

**PNC MORTGAGE CORP.
OF AMERICA
539 SOUTH FOURTH AVENUE
LOUISVILLE, KY 40202**

Plaintiff

vs.

**ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY
312 SOUTH HIGHLAND STREET
DUBOIS, PA 15801**

Defendant(s)

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is 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:

(X) 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. Section 4904 relating to unsworn falsification to authorities.

Frank Federman

FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FEDERMAN and PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102
(215) 563-7000

Attorney for Plaintiff

**PNC MORTGAGE CORP. OF
AMERICA**

Plaintiff

vs.

**ROBERT D WHELPLEY A/K/A
ROBERT W. WHELPLEY**

Defendant(s)

: CLEARFIELD COUNTY

:

: Court of Common Pleas

:

: CIVIL DIVISION

:

: NO. 00-439-CD

:

:

:

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, 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:

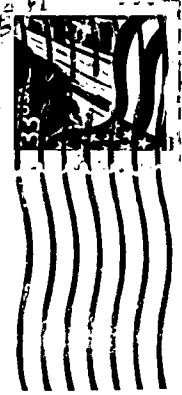
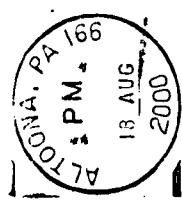
(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended

(b) that defendant **ROBERT D WHELPLEY A/K/A ROBERT W. WHELPLEY** is over 18 years of age and his **PRESENT WHEREABOUTS ARE UNKNOWN**.

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

Frank Federman
FRANK FEDERMAN
Attorney for Plaintiff

Office of the Prothonotary
Clearfield County Courthouse
One North 2nd Street
Clearfield, PA 16830



**NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD**



ROBERT D WHELPLEY

A/K/A ROBERT D WHELPLEY
312 SOUTH [REDACTED] 1580120061 IN 07 08/23/00
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



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

PNC MORTGAGE CORPORATION OF : CLEARFIELD
AMERICA :
Plaintiff : COURT OF COMMON
vs. : PLEAS
: CIVIL DIVISION
: NO. 00-439-CD

ROBERT D. WHELPLEY
312 S. HIGHLAND STREET
DUBOIS, PA 15801

Defendant(s) :

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	\$ 47,925.67
Interest from to (sale date) (per diem - \$7.88)	\$ _____ and Costs

Frank Federman
FRANK FEDERMAN, ESQUIRE
TWO PENN CENTER PLAZA
SUITE 900
PHILADELPHIA, PA 19102
Attorney for Plaintiff

Note: Please attach description of property.

FILED

SEP 15 2000

William A. Shaw
Prothonotary

No. 00-439-CD Term
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PNC MORTGAGE CORPORATION OF AMERICA

vs.

ROBERT D. WHEIPLEY

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Frank Feder

Attorney for Plaintiff

Address: 312 S. HIGHLAND STREET, DUBOIS, PA 15801
Where papers may be served.

ALL THAT CERTAIN piece or parcel of real estate located in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at a corner formed by the intersection of the Northerly line of Shaffer Avenue with the Easterly line of a 16 foot alley: THENCE North $45^{\circ} 36'$ East 122.6 feet to a point at an alley; THENCE South $41^{\circ} 23'$ East 58.7 feet to a point at South Highland Street; THENCE South $12^{\circ} 12'$ East along South Highland Street to the land now or formerly of Edward Compney, et ux; THENCE South $45^{\circ} 36'$ West 105.6 feet to an iron pin on the Northerly line of Shaffer Avenue; THENCE North $44^{\circ} 29'$ East along Shaffer Avenue 80 feet to the place of beginning. Being all of Lot No. 127 and part of Lot No. 126 on the plan of H.S. Knarr's Addition to the City of DuBois.

TITLE TO SAID PREMISES IS VESTED IN Robert W. Whelpley, unmarried, by Deed from W. Edward Decker, III dated 05/12/98, recorded 05/22/98 in Record Book 1934, page 426.

FILED

SEP 15 2000
O/L 0:26 6 Worts, Sherry
William A. Shaw
Prothonotary City, Tideman

PD \$20.00
Clerk

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

PNC MORTGAGE CORPORATION OF : CLEARFIELD
AMERICA :
Plaintiff : COURT OF COMMON
vs. : PLEAS
ROBERT D. WHELPLEY : CIVIL DIVISION
312 S. HIGHLAND STREET : NO. 00-439-CD
DUBOIS, PA 15801 :
Defendant(s) :
:
:
:
:

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF WYOMING:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises 312 S. HIGHLAND STREET, DUBOIS, PA 15801
(see attached legal description)

Amount Due	\$ 47,925.67
Interest from to (sale date) (per diem - \$7.88)	\$ _____
Total	\$ 183.52 Plus Costs as endorsed.

Clerk
Office of Prothonotary
Common Pleas Court of
CLEARFIELD County, PA

Dated: 9-15-00
(Seal)

No. 00-439-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PNC MORTGAGE CORPORATION OF AMERICA

vs.

ROBERT D. WHEELPLEY

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Frank Fedler
Attorney for Plaintiff

Address: 312 S. HIGHLAND STREET, DUBOIS, PA 15801
Where papers may be served.

FEDERMAN and PHELAN
By: FRANK FEDERMAN
Identification No. 12248
Suite 900
Two Penn Center Plaza
Philadelphia, PA 19102
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORPORATION OF AMERICA

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 00-439-CD

vs.

ROBERT D. WHELPLEY

CERTIFICATION

FRANK FEDERMAN, 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:

(X) 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. § 4904 relating to unsworn falsification to authorities.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN
IDENTIFICATION NO. 12248
SUITE 1400 - ONE PENN CENTER
PHILADELPHIA, PA 19103
215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC Mortgage Corp. of America
vs.

Robert D. Whelpley

Clearfield COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

NO. 00-439-CD

VERIFICATION

I hereby certify that a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to the following person(s) Robert D. Whelpley on October 16, 2000 at 312 South Highland, DuBois, Pa 15801 in accordance with the Order of Court dated, June 13, 2000.

The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. s4904 relating to unsworn falsification to authorities.



FRANK FEDERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF

DATE: January 3, 2001

FILED

JAN 04 2001

William A. Shaw
Prothonotary

P 969 055 155

TO:
ROBERT D. WHELPLEY
312 S. HIGHLAND STREET
DUBOIS, PA 15801

SENDER: EMM
REFERENCE: WHELPLEY, R.

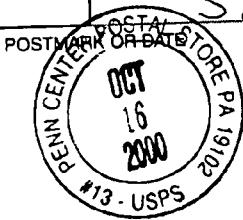
PS FORM 3800, SEPTEMBER 1995

RETURN RECEIPT SERVICE	Postage	2.65
	Certified Fee	0.00
	Return Receipt Fee	0.00
		2.75
	Restricted Delivery	
	Total Postage and Fees	5.25

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail



FEDERMAN AND PHELAN
BY: Lisa D. Blankenburg, Esq.
Atty. I.D. #78020
Two Penn Center Plaza, Suite 900
Philadelphia, PA 19102
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PNC MORTGAGE CORP. OF : Court of Common Pleas
AMERICA : Civil Division
vs. : CLEARFIELD County
ROBERT D. WHELPLEY, A/K/A : NO. 00-439-CD
ROBERT W. WHELPLEY

ORDER

AND NOW, this 13th day of June, 2000, upon consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court and the Affidavit of Reasonable Investigation attached thereto, it is hereby ORDERED that Plaintiff may obtain service of the Complaint on the above captioned Defendant(s), **ROBERT D. WHELPLEY, A/K/A ROBERT W. WHELPLEY**, by mailing a true and correct copy of the Complaint by certified mail and regular mail to the Defendant's last known address, and to the mortgaged premises located at **312 SOUTH HIGHLAND STREET, DUBOIS, PA 15801**.

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

BY THE COURT:

/s/ JOHN K. REILLY, JR.

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

JUN 14 2000

Attest.

William J. Shanahan
Prothonotary

JUN 19 2000

FILED

JAN 04 2001
(M/11/20) NOCC
William A. Shaw
Prothonotary
RE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: PNC MORTGAGE CORPORATION
OF AMERICA

) CIVIL ACTION
)

vs.

ROBERT D. WHELPLEY

) CIVIL DIVISION
) NO. 00-439-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD)

SS:

I, FRANK FEDERMAN, ESQUIRE attorney for PNC MORTGAGE
CORPORATION OF AMERICA hereby verify that on OCTOBER 16, 2000 true and
correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the
recorded lienholders, and any known interested party see Exhibit "A" attached hereto.
Notice of Sale was sent to the Defendant(s) on OCTOBER 16, 2000 by first class and
certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: January 4, 2001


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FILED

JAN 05 2001

William A. Shaw
Prothonotary

P 969 055 155

TO:

ROBERT D. WHELPLEY
312 S. HIGHLAND STREET
DUBOIS, PA 15801

SENDER: EMM

REFERENCE: WHELPLEY, R.

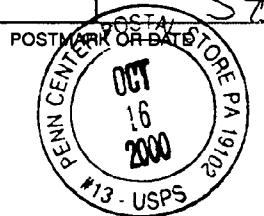
PS FORM 3800, SEPTEMBER 1995

RETURN RECEIPT SERVICE	Postage	2.65
	Certified Fee	0.00
	Return Receipt Fee	0.00
		2.75
	Restricted Delivery	
Total Postage and Fees		2.75

US Postal Service

**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail



In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10273

PNC MORTGAGE CORP OF AMERICA

00-439-CD

VS.

WHELPLEY, ROBERT D.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, OCTOBER 16, 2000, AT 11:00 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS POSTED THIS DATE.

NOW, OCTOBER 11, 2000, CALLED THE ATTORNEY'S OFFICE AND INFORMED HIM THAT DEFENDANT IS IN FEDERAL PRISON SOMEWHERE. ATTORNEY IS TO TRY AND LOCATE DEFENDANT AND CALL AS WHAT TO DO ABOUT SERVICE.

NOW, NOVEMBER 26, 2000, CALLED ATTORNEY AS WHAT TO DO ABOUT SERVICE, WILL CALL BACK.

NOW, JANUARY 4, 2001, CALLED ATTORNEY AS WHAT TO DO ABOUT SERVICE, WILL CALL BACK.

NOW, JANUARY 4, 2001, GREG WILKINS, FROM FEDERMAN AND PHELAN CALLED AND INFORMED THIS OFFICE THAT THEY HAD A COURT ORDER STATING THAT SERVICE COULD BE MADE BY REGULAR AND CERTIFIED MAIL, WHICH THEIR OFFICE HAS DONE, SALE IS TO GO AHEAD.

NOW, JANUARY 5, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR (\$1.00) PLUS COSTS.

NOW, JANUARY 19, 2001, RECEIVED ATTORNEY CHECK #116513 IN THE AMOUNT OF TEN DOLLARS AND SEVENTY-SEVEN CENTS (\$10.77) FOR COSTS THAT ARE DUE FOR SALE.

NOW, JANUARY 22, 2001, PAID COSTS FROM ADVANCE WITH ATTORNEY PAYING REMAINING COSTS. DEED WAS TYPED THIS DATE, CALLED ATTORNEY TO REMIND HIM OF A SMOKE TEST THAT NEED DONE ON THIS PROPERTY.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10273

PNC MORTGAGE CORP OF AMERICA

00-439-CD

VS.

WHELPLEY, ROBERT D.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, FEBRUARY 23, 2001, RETURN WRIT AS A SALE BEING HELD WITH THE PLAINTIFF PURCHASING THE PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS, DEED WAS FILED THIS DATE.

Sworn to Before Me This

23rd Day Of February 2001
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co. Clearfield, PA.

So Answers,

Chester Hawkins
by Maryann H. Pitt
Chester A. Hawkins
Sheriff

FILED

FEB 23 2001

071150

William A. Shaw
Prothonotary

REAL ESTATE SALE

REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, JANUARY 8, 2001 by virtue of the writ of execution hereunto attached, after having given due and legal notice of the time and place of sale, by publication in a newspaper published in this County, and by hand-bills posted on the premises, setting forth the time and place of sale, at the Court House, in Clearfield on the 5th day of JANUARY 2001, I ex-posed the within described real estate of ROBERT D. WHELPLEY

to public venue or outcry at which time and place I sold the same to PNC MORTGAGE CORP OF AMERICA he being the highest bidder, for the sum of \$ 1.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

	\$
RDR	15.00
SERVICE	15.00
MILEAGE	9.88
LEVY	15.00
MILEAGE	9.88
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	4.04 3.98
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE <u>B.D.</u>	1.00
ADD'L LEVY <u>short call</u>	10.00
RETURNS/DEPUTIZE	
COPIES	5.00
TOTAL SHERIFF COSTS	\$ 194.80

DEED COSTS:

REG & REC	15.50
ACKNOWLEDGEMENT	5.00
TRANSFER TAX 2%	

TOTAL DEED COSTS \$ 20.50

COPY

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE
UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN (10) TEN DAYS FROM THIS DATE.

CHESTER A. HAWKINS, SHERIFF

DEBT & INTEREST:

AMOUNT DUE	\$ 47,925.67
INT. FROM	
TO SALE DATE @ \$7.88 to be added	

TOTAL	\$ 47,925.67
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COSTS:

ATTORNEY FEES	—
PRO SATISFACTION	—
ADVERTISING	421.20
LATE CHARGE & FEES	—
TAXES-Collector	—
TAXES-Tax Claim	—
COSTS OF SUIT-TO BE ADDED	\$ —
LIST OF LIENS	100.00
MORTGAGE SEARCH	18.75
COST	\$ 183.52
ATTORNEY COMMISSION	—
SHERIFF COSTS	194.80
LEGAL JOURNAL	72.00
REFUND OF ADVANCE	—
REFUND OF SURCHARGE	—
Deed costs	20.50

TOTAL COSTS	\$ 1,010.77
-------------	-------------