

02-276-CD  
WASHINGTON MUTUAL BANK, F.A. -vs- BENJAMIN J. LOOMIS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

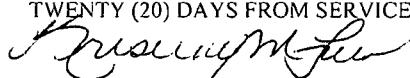
vs.

BENJAMIN J. LOOMIS

Defendant.

TO DEFENDANT

You are hereby notified to plead  
to the ENCLOSED COMPLAINT WITHIN  
TWENTY (20) DAYS FROM SERVICE HEREON



ATTORNEY FOR PLAINTIFF

I HEREBY CERTIFY THAT THE ADDRESS  
OF THE PLAINTIFF IS:  
75 Fairway Drive  
Vernon Hills, IL 60061

AND THE DEFENDANT IS:  
Rr 2 Box 67  
DuBois, PA 15801

  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF LOCATION  
I HEREBY CERTIFY THAT THE LOCATION OF  
THE REAL ESTATE AFFECTED BY THIS LIEN IS  
R.d. #2, Box 67

Township of Dandy  
(CITY, BORO, TOWNSHIP) (WARD)

  
ATTORNEY FOR PLAINTIFF

NO.: 02-276-CO

TYPE OF PLEADING

CIVIL ACTION-COMPLAINT  
IN MORTGAGE FORECLOSURE

FILED ON BEHALF OF PLAINTIFF:

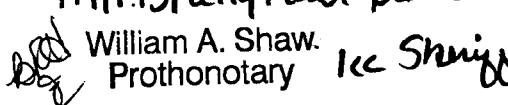
Washington Mutual Bank, F.A.

COUNSEL OF RECORD FOR THIS  
PARTY:

Kristine M. Faust, Esquire  
Pa. I.D. #77991

GRENNEN & BIRSCIC, P.C.  
One Gateway Center  
9 West  
Pittsburgh, PA 15222  
(412) 281-7650

**FILED**

FEB 27 2002  
m11:15 AM Faust pd \$80.00  
  
William A. Shaw  
Prothonotary 

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.:

vs.

BENJAMIN J. LOOMIS

Defendant.

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claim 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 SHOULD NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830  
(814) 765-2641 x5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.:

vs.

BENJAMIN J. LOOMIS

Defendant.

CIVIL ACTION - COMPLAINT IN MORTGAGE FORECLOSURE

Washington Mutual Bank, F.A., by its attorneys, Grenen & Birsic, P.C., files this Complaint in Mortgage Foreclosure as follows:

1. The Plaintiff is Washington Mutual Bank, F.A., which has its principal place of business at 75 Fairway Drive, Vernon Hills, IL 60061 and is authorized to do business in the Commonwealth of Pennsylvania.
2. The Defendant, Benjamin J. Loomis, is an individual residing within the Commonwealth of Pennsylvania, whose last known address is Rr 2 Box 67, DuBois, PA 15801.
3. On or about November 12, 1999, Defendant executed a Note in favor of Towne & Country Mortgage Corp. in the original principal amount of \$47,430.00.
4. On or about November 12, 1999, as security for payment of the aforesaid Note, Defendant made, executed and delivered to Towne & Country Mortgage Corp. a Mortgage in the original principal amount of \$47,430.00 on the premises hereinafter described, said

Mortgage being recorded in the Office of the Recorder of Deeds of Clearfield County on November 17, 1999 at Instrument Number 199919007. A true and correct copy of a description of the premises subject to said Mortgage is marked Exhibit "A", attached hereto and made a part hereof.

5. Towne & Country Mortgage Corp. assigned the aforesaid Mortgage and Note to Plaintiff pursuant to the terms of a certain Assignment of Mortgage.

6. Defendant is the record and real owner of the aforesaid mortgaged premises.

7. Defendant is in default under the terms of the aforesaid Mortgage and Note for, inter alia, failure to pay the monthly installments of principal and interest when due. Defendant is due for the August 1, 2001 payment.

8. On or about January 24, 2002, Defendant was mailed a combined Act 91 and Act 6 Notice, in compliance with the Homeowner's Emergency Mortgage Assistance Act, Act 91 of 1983 and Act 6 of 1974, 41 P.S. §101, et seq.

9. The amount due and owing Plaintiff by Defendant is as follows:

Principal	\$46,843.59
Interest through 2/1/02	\$ 2,322.67
Late Charges through 2/1/02	\$ 0.00
Escrow Deficiency through 2/1/02	\$ 298.65
Attorney's fees	\$ 850.00
Title Search, Foreclosure and Execution Costs	<u>\$ 1,500.00</u>
<b>TOTAL</b>	<b>\$51,814.91</b>

WHEREFORE, Plaintiff demands judgment in mortgage foreclosure for the amount due of \$51,814.91 with interest thereon at the rate of \$11.06 per diem from February 1, 2002, and additional late charges, additional reasonable and actually incurred attorney's fees, plus costs

(including increases in escrow deficiency) and for foreclosure and sale of the mortgaged premises.

GRENNEN & BIRSIG, P.C.

BY:

Kristine M. Faust

Kristine M. Faust, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION  
OBTAINED WILL BE USED FOR THAT PURPOSE.**

## **EXHIBIT A**

ALL

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F. M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 15° 03' East 97.00 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

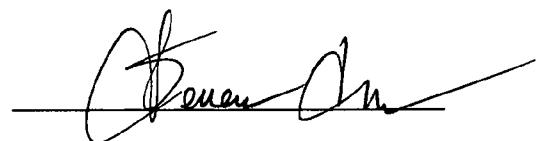
EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are set forth in prior deeds or instruments of record.

BEING the same property which DAVID A. KNESS and LINDA E. KNESS, husband and wife, by their deed dated August 19, 1982 and recorded August 20, 1982 in the Recorder's Office of Clearfield County, Pennsylvania in Deed Book Volume 940, page 544, granted and conveyed to LINDA E. KNESS, the Grantor herein.

VERIFICATION

The undersigned, and duly authorized representative of Plaintiff, deposes and says subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities that the facts set forth in the foregoing Complaint are true and correct to his information and belief.

A handwritten signature in black ink, appearing to read "Dennis J. H.", is written over a single horizontal line.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.

CIVIL DIVISION

Plaintiff,

Vs.

NO.:02-276-CD

BENJAMIN J. LOOMIS

ANSWER TO COMPLAINT

Defendant.

CIVIL ACTION – COMPLAINT IN MORTGAGE FORECLOSURE

Benjamin J. Loomis files this response to complaint, filed by Washington Mutual Bank, F.A., in Mortgage Foreclosure as follows:

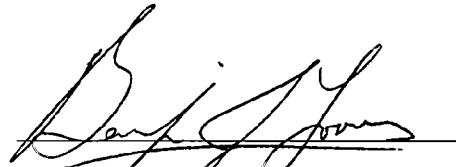
1. The Plaintiff is Washington Mutual Bank, F.A., which has its principal place of business at 75 Fairway Drive, Vernon Hills, IL 60061 and is authorized to do business in the Commonwealth of Pennsylvania.
2. The Defendant, Benjamin J. Loomis, is an individual residing within the Commonwealth of Pennsylvania, whose last known address is Rr 2 Box 67, DuBois, PA 15801.

**FILED**

APR 10 2002

William A. Shaw  
Prothonotary

3. On or about November 12, 1999, Defendant executed a Note in favor of Towne & Country Mortgage Corp. in the original principal amount of \$47,430.00.
4. On or about November 12, 1999, as security for payment of the aforesaid Note, Defendant made, executed and delivered to Towne & Country Mortgage Corp. a Mortgage in the original principal amount of \$47,430.00 on the premises hereinafter described, said Mortgage being recorded in the Office of the Recorder of Deeds of Clearfield County on November 17, 1999 at Instrument Number 199919007.
5. Towne & Country Mortgage Corp. assigned the aforesaid Mortgage and Note to Plaintiff pursuant to the terms of a certain Assignment of Mortgage.
6. Defendant is the record and real owner of the aforesaid mortgaged premises.
7. Defendant denies being in default under the terms of the aforesaid Mortgage and Note for, inter alia, failure to pay the monthly installments of principal and interest when due. Defendant wants strict proof of being due for payment from August 1, 2001.
8. On or about January 30, 2002, Defendant did receive a combined Act 91 and Act 6 Notice, in compliance with the Homeowner's Emergency Mortgage Assistance Act, Act 91 of 1983 and Act 6 of 1974, 41 P.S. §101,et seq.
9. Defendant denies owing Plaintiff a Total of \$51,814.91.



Benjamin J. Loomis

**FILED**

APR 10 2002

012:58 P.M.

William A. Shaw

Prothonotary

cc to Defendant

*SSB*

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 12174

WASHINGTON MUTUAL BANK

02-276-CD

VS.

LOOMIS, BENJAMIN J.

**COMPLAINT IN MORTGAGE FORECLOSURE**

**SHERIFF RETURNS**

**NOW MARCH 11, 2002 AT 2:26 PM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON BENJAMIN J. LOOMIS, DEFENDANT AT RESIDENCE, RR#2 BOX 67, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO BENJAMIN J. LOOMIS A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.**

**SERVED BY: COUDRIET**

---

**Return Costs**

Cost	Description
31.03	SHFF. HAWKINS PAID BY: ATTY
10.00	SURCHARGE PAID BY: ATTY.

**FILED**

*MAY 02 2002  
014.00  
William A. Shaw  
Prothonotary*

**Sworn to Before Me This**

*2nd Day Of May 2002  
Will A. Shaw*

**WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA**

**So Answers,**

*Chester A. Hawkins  
by Marilyn Harris*

**Chester A. Hawkins  
Sheriff**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

**COUNSEL OF RECORD FOR DEFENDANT:**

Benjamin J. Loomis, Pro Se  
RR2 Box 67  
DuBois, PA 15801

FILED

MAY 31 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff, NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

**PRAECIPE FOR ARGUMENT**

TO: PROTHONOTARY

SIR:

Kindly schedule the Motion for Summary Judgment filed by Plaintiff in the above-captioned matter for argument.

Respectfully submitted,

GRENEN & BIRSIC, P.C.

BY:



Mary D. Grenen, Esquire  
Pa. I.D. #52698  
Attorneys for Plaintiff  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Praeclipe for Argument was served via United States First Class Mail, postage prepaid, this 21<sup>st</sup> day of May, 2002, upon the following:

Benjamin J. Loomis, *Pro Se*  
RR2 Box 67  
DuBois, PA 15801

GRENEN & BIRSCIC, P.C.

By:

Mary D. Grenen  
Mary D. Grenen, Esquire  
Pa. I.D. #52698  
Attorneys for Plaintiff  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

FILED

11:47 AM  
MAY 3 2002  
cc  
WAS

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., ) CIVIL DIVISION  
Plaintiff, )  
vs. ) NO.:02-276-CD  
BENJAMIN J. LOOMIS )  
Defendant. ) **TYPE OF PLEADING**  
 ) **MOTION FOR SUMMARY JUDGMENT**  
 ) (Mortgage Foreclosure)  
 )  
 ) FILED ON BEHALF OF PLAINTIFF:  
 )  
 ) Washington Mutual Bank, F.A.  
 )  
 ) COUNSEL OF RECORD FOR THIS  
 ) PARTY:  
 )  
 ) Mary D. Grenen, Esquire  
 ) Pa. I.D. #52698  
 )  
 ) GRENNEN & BIRSCIC, P.C.  
 ) One Gateway Center  
 ) Nine West  
 ) Pittsburgh, PA 15222  
 ) (412) 281-7650

COUNSEL FOR DEFENDANT:

Benjamin J. Loomis, *Pro Se*  
RR2 Box 67  
DuBois, PA 15801

**FILED**

MAY 31 2002  
01232170CC  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,  
NO.:02-276-CD

vs.

BENJAMIN J. LOOMIS

Defendant.

**MOTION FOR SUMMARY JUDGMENT**

AND NOW, comes WASHINGTON MUTUAL BANK, F.A. (hereinafter "Plaintiff"), by its attorneys, Grenen & Birsic, P.C., and files the following Motion for Summary Judgment:

1. Plaintiff commenced the above-captioned action by filing a Complaint in Mortgage Foreclosure on February 27, 2002.
2. In its Complaint, Plaintiff alleges that Defendant, BENJAMIN J. LOOMIS (hereinafter "Defendant"), is in default under the terms of a Promissory Note dated November 12, 1999 in favor of Plaintiff's assignee in the original principal amount of \$47,430.00 (hereinafter "Note") and a Mortgage securing said Note on real property and improvements thereon commonly known as R.D. #2, Box 67, DuBois, Pennsylvania, 15801 (hereinafter "Premises").
3. On or about April 12, 2002, Defendant filed an Answer to Plaintiff's Complaint in Mortgage Foreclosure (hereinafter "Answer").
4. In his Answer the Defendant admits the following relevant material facts :

- a) Defendant executed the Note;
- b) Defendant executed the Mortgage which was recorded in the Office of the Recorder of Deeds of Clearfield County;
- c) Defendant is the record and real owner of the Premises;
- d) Plaintiff has made demand for payment upon Defendant;
- e) Plaintiff mailed to Defendant a combined Notice of Intention to Foreclose Mortgage in compliance with Act 6 of 1974 and Notice of Homeowners' Emergency Mortgage Assistance Act of 1983, in compliance with the Homeowners' Emergency Mortgage Assistance Act, Act 91 of 1983.

5. Defendant denies however that he is in default and the amount set forth as due and owing.

6. However, Plaintiff has filed a sworn Affidavit which is attached hereto as Exhibit "A". In the Affidavit, an authorized representative of Plaintiff certifies that the Defendant is in default under the terms of the Note and Mortgage. The testimony is based on the Loan History Report which is a business record of Plaintiff maintained in the regular course of business.

7. According to the Loan History Report, the amount due and owing by Defendant to Plaintiff is as follows:

Principal	\$	46,843.59
Interest through 02/01/02	\$	2,322.67
Late Charges through 02/01/02	\$	0.00
Escrow Deficiency through 02/01/02	\$	298.65
Attorneys' Fees	\$	1,650.00
Title Search, Foreclosure and Execution Costs	\$	<u>1,500.00</u>
 <b>TOTAL</b>	\$	 <b>52,614.91</b>

for a total of **\$52,614.91** with interest thereon at the rate of **\$11.06** per diem from February 1, 2002 plus additional late charges, attorneys' fees and costs.

8. Defendant has failed to make payments when due under the terms of the Note and Mortgage, failed to cure the default after being placed on notice and lacks any evidence to support his contentions.

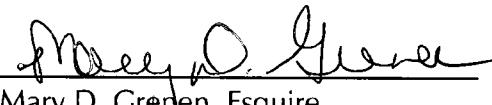
9. Defendant has failed to raise a genuine issue of material fact in his Answer and has failed to offer any evidence to support his alleged defenses which are insufficient as a matter of law to defeat summary judgment.

WHEREFORE, Plaintiff respectfully requests this Honorable Court grant its Motion for Summary Judgment and enter judgment in its favor and against Defendant, BENJAMIN J. LOOMIS, in the amount of \$52,614.91 with interest thereon at the rate of \$11.06 per diem from February 1, 2002, plus additional late charges, attorneys' fees and costs and for foreclosure and sale of the Mortgaged Premises.

Respectfully submitted,

GRENEN & BIRSIC, P.C.

By:

  
Mary D. Grenen, Esquire  
Pa. I.D. #52698  
Attorneys for Plaintiff  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,	) CIVIL DIVISION
	)
Plaintiff,	)
	) NO.:02-276-CD
vs.	)
	)
BENJAMIN J. LOOMIS	) <b>TYPE OF PLEADING</b>
	)
Defendant.	) <b>AFFIDAVIT IN SUPPORT OF MOTION</b>
	) <b>FOR SUMMARY JUDGMENT</b>
	) (Mortgage Foreclosure)
	)
	)
	) FILED ON BEHALF OF PLAINTIFF:
	)
	) Washington Mutual Bank, F.A.
	)
	)
	) COUNSEL OF RECORD FOR THIS
	) PARTY:
	)
	) Mary D. Grenen, Esquire
	) Pa. I.D. #52698
	)
	) GRENNEN & BIRSIĆ, P.C.
	) One Gateway Center
	) Nine West
	) Pittsburgh, PA 15222
	(412) 281-7650

**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.:02-276-CD

vs.

BENJAMIN J. LOOMIS

Defendant.

**AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

The undersigned, a duly authorized representative of Plaintiff, being first duly sworn, states of my own personal knowledge that:

1. I am a duly authorized representative of Plaintiff in the above-captioned matter.
2. This action was brought to foreclose on a Mortgage which secures a Promissory Note.

3. Defendant is in default under the terms of the Note and Mortgage for, among other reasons, failure to pay the monthly installments of principal and interest when due.

4. The Loan History Report with respect to the loan upon which Plaintiff requests judgment in mortgage foreclosure against the Defendant is a business record of Plaintiff, maintained in the regular course of business. The Loan History Report reflects all of the payments made on the account, along with the corresponding balances, and accurately reflects the amounts due and owing by Defendant. Attached hereto as Exhibit "1" is a true and correct copy of the Loan History Report.

5. After allowing Defendant all proper deductions, credits and set-offs, the following is an itemization of the amount due and owing by Defendant to Plaintiff.

Principal	\$	46,843.59
Interest through 02/01/02	\$	2,322.67
Late Charges through 02/01/02	\$	0.00
Escrow Deficiency through 02/01/02	\$	298.65
Attorneys' Fees	\$	1,650.00
Title Search, Foreclosure and Execution Costs	\$	<u>1,500.00</u>
<b>TOTAL</b>	<b>\$</b>	<b>52,614.91</b>

for a total of \$52,614.91 with interest thereon at the rate of \$11.06 per diem from February 1, 2002 plus additional late charges, attorneys' fees and costs.

By:

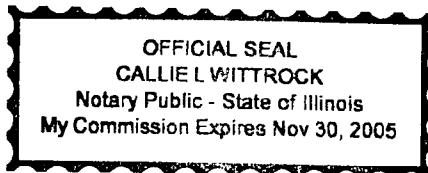
  
Name: Wendy Winiarski  
Title: Foreclosure Specialist

SWORN TO AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

  
\_\_\_\_\_  
Notary Public (SEAL)

My Commission Expires:



## **EXHIBIT "1"**

WASHINGTON MUTUAL  
 CUSTOMER SERVICE DEPARTMENT  
 P. O. BOX 1093  
 NORTHRIDGE, CA 91328-1093

REQ BY WWW CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02  
 PAGE 1

BENJAMIN J LOOMIS  
 RR 2 BOX 67  
 DU BOIS PA 15801

LOAN NUMBER: 5744069252

\*\*\*\*\* CURRENT ACCOUNT INFORMATION \*\*\*\*\*

DATE PAYMENT DUE	TOTAL PAYMENT AMOUNT	PRINCIPAL & INTEREST PAYMENT	LOAN INTEREST RATE	CURRENT PRINCIPAL BALANCE	ESCROW BALANCE
08-01-01	472.54	364.70	8.50000	46,843.59	518.83-

\*\*\*\*\*

ACTIVITY FOR PERIOD 01/02/70 - 05/22/02

PROCESS DATE	DUE DATE	TRANSACTION CODE	TRANSACTION DESCRIPTION	EFFECTIVE DATE OF TRANSACTION
		PRIN. PAID/ AMOUNT	ESCROW PAID/ INTEREST	OTHER AMOUNT CODE/DESCRIPTION
05-20-02	00-00	632 STATUTORY EXPENSES 80.00	0.00 0.00	0.00
05-20-02	00-00	632 STATUTORY EXPENSES 85.00	0.00 0.00	0.00
05-20-02	00-00	632 STATUTORY EXPENSES 125.00	0.00 0.00	0.00
05-20-02	00-00	630 ATTORNEY ADVANCES 850.00	0.00 0.00	0.00
05-16-02	08-01	152 LATE CHARGE ASSESSMENT 0.00	0.00 0.00	19.23-1 LATE CHARGE
04-16-02	08-01	152 LATE CHARGE ASSESSMENT 0.00	0.00 0.00	19.23-1 LATE CHARGE
04-15-02	04-02	313 TAX DISBURSEMENT 235.68-	0.00 0.00	235.68- 518.83- NEW PRINCIPAL/ESCROW BALANCES
04-15-02	08-01	161 ESCROW ADVANCE 235.68	0.00 0.00	235.68
03-18-02	08-01	152 LATE CHARGE ASSESSMENT 0.00	0.00 0.00	19.23-1 LATE CHARGE
02-19-02	00-00	633 MISC. F/C AND B/R EXPENSES 125.00	0.00 0.00	0.00
02-18-02	08-01	152 LATE CHARGE ASSESSMENT 0.00	0.00 0.00	19.23-1 LATE CHARGE

WASHINGTON MUTUAL  
CUSTOMER SERVICE DEPARTMENT  
P. O. BOX 1093  
NORTHRIDGE, CA 91328-1093

REQ BY WWW

CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02

PAGE 2

BENJAMIN J LOOMIS  
LOAN NUMBER: 5744069252

PROCESS DATE	DUE DATE	ACTIVITY FOR PERIOD 01/02/70 - 05/22/02				EFFECTIVE DATE OF TRANSACTION
		TRANSACTION CODE	TRANSACTION DESCRIPTION	ESCROW PAID/	OTHER	
TRANSACTION AMOUNT	PRIN. PAID/ BALANCE	INTEREST	BALANCE	AMOUNT	CODE/DESCRIPTION	
01-23-02 08-01	173 PAYMENT					
	0.00	0.00	0.00	62.00	Z APS FEE	
				62.00-	SUSPENSE	
01-23-02 08-01	173 PAYMENT					
	0.00	0.00	0.00	15.70	5 BPO FEES	
				15.70-	SUSPENSE	
01-23-02 08-01	168 REPAY OF ESCROW ADVANCE					
	0.00	0.00	0.00	97.08-	97.08	ADVANCE REFUND
01-23-02 08-01	173 PAYMENT					
	0.00	0.00	0.00	75.93	1 LATE CHARGE	
				173.01-	SUSPENSE	
				283.15-	NEW PRINCIPAL/ESCROW BALANCES	
01-16-02 08-01	152 LATE CHARGE ASSESSMENT					
	0.00	0.00	0.00	0.00	19.23-1	LATE CHARGE
12-17-01 08-01	152 LATE CHARGE ASSESSMENT					
	0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE
11-30-01 08-01	161 ESCROW ADVANCE					
	356.00	0.00	0.00	356.00		
11-29-01 12-01	351 HAZARD INSURANCE DISBURSEMENT					
	356.00-	0.00	0.00	356.00-		
				380.23-	NEW PRINCIPAL/ESCROW BALANCES	
11-16-01 08-01	152 LATE CHARGE ASSESSMENT					
	0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE
10-16-01 08-01	152 LATE CHARGE ASSESSMENT					
	0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE
09-24-01 08-01	173 PAYMENT					
	0.00	0.00	0.00	0.00	18.90	1 LATE CHARGE
				18.90-	SUSPENSE	
09-14-01 08-01	161 ESCROW ADVANCE					
	24.23	0.00	0.00	24.23		
09-13-01 09-01	314 LIEN DISBURSEMENT					
	760.48-	0.00	0.00	760.48-		
				24.23-	NEW PRINCIPAL/ESCROW BALANCES	
08-28-01 08-01	173 PAYMENT					
	0.00	0.00	0.00	0.00	7.85	8 PROPERTY INSPECTION
				7.85-	SUSPENSE	

WASHINGTON MUTUAL  
 CUSTOMER SERVICE DEPARTMENT  
 P. O. BOX 1093  
 NORTHRIDGE, CA 91328-1093

REQ BY WWW

CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02  
 PAGE 3

BENJAMIN J LOOMIS  
 LOAN NUMBER: 5744069252

PROCESS DATE	DUE DATE	ACTIVITY FOR PERIOD 01/02/70 - 05/22/02				EFFECTIVE DATE OF TRANSACTION
		TRANSACTION CODE	TRANSACTION DESCRIPTION	ESCROW PAID/	OTHER	
TRANSACTION AMOUNT	PRIN. PAID/ BALANCE	INTEREST	BALANCE	AMOUNT	CODE/DESCRIPTION	
08-27-01 07-01	173 PAYMENT					
750.00	32.66	332.04	107.84	277.46	SUSPENSE	
	46,843.59		736.25		NEW PRINCIPAL/ESCROW BALANCES	
07-16-01 07-01	152 LATE CHARGE ASSESSMENT					
0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE	
06-18-01 07-01	173 PAYMENT					
10.00	0.00	0.00	0.00	10.00	E ASSUMPTION PKG FEE	
06-18-01 06-01	172 PAYMENT					
472.54	32.43	332.27	107.84			
	46,876.25		628.41		NEW PRINCIPAL/ESCROW BALANCES	
05-31-01 05-01	173 PAYMENT					
0.00	32.20	332.50	107.84	472.54-	SUSPENSE	
	46,908.68		520.57		NEW PRINCIPAL/ESCROW BALANCES	
05-30-01 05-01	173 PAYMENT					
14.00	0.00	0.00	0.00	14.00	E ASSUMPTION PKG FEE	
05-30-01 05-01	172 PAYMENT					
97.80	0.00	0.00	0.00	97.80	SUSPENSE	
05-30-01 04-01	172 PAYMENT					
472.54	31.98	332.72	107.84			
	46,940.88		412.73		NEW PRINCIPAL/ESCROW BALANCES	
05-22-01 04-01	173 PAYMENT					
0.00	0.00	0.00	0.00	18.90 1	LATE CHARGE	
				18.90-	SUSPENSE	
05-16-01 04-01	152 LATE CHARGE ASSESSMENT					
0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE	
04-19-01 04-01	173 PAYMENT					
0.00	0.00	0.00	0.00	18.90 1	LATE CHARGE	
				18.90-	SUSPENSE	
04-16-01 04-01	152 LATE CHARGE ASSESSMENT					
0.00	0.00	0.00	0.00	18.90-1	LATE CHARGE	
04-02-01 04-01	313 TAX DISBURSEMENT					
226.79-	0.00	0.00	226.79-			
			304.89		NEW PRINCIPAL/ESCROW BALANCES	
04-02-01 04-01	172 PAYMENT					
412.54	0.00	0.00	0.00	412.54	SUSPENSE	

WASHINGTON MUTUAL  
 CUSTOMER SERVICE DEPARTMENT  
 P. O. BOX 1093  
 NORTHRIDGE, CA 91328-1093

REQ BY WWW

CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02  
 PAGE 4

BENJAMIN J LOOMIS  
 LOAN NUMBER: 5744069252

PROCESS DATE	DUE DATE	ACTIVITY FOR PERIOD 01/02/70 - 05/22/02				EFFECTIVE DATE OF TRANSACTION
		TRANSACTION CODE	TRANSACTION DESCRIPTION	ESCROW PAID/	OTHER	
TRANSACTION	PRIN. PAID/ AMOUNT	BALANCE	INTEREST	BALANCE	AMOUNT CODE/DESCRIPTION	
03-02-01 04-01 175	PRINCIPAL PAYMENT					
2.84	2.84	0.00	0.00	0.00		
	46,972.86					NEW PRINCIPAL/ESCROW BALANCES
03-02-01 03-01 172	PAYMENT					
466.14	31.73	332.97	101.44			
	46,975.70		531.68			NEW PRINCIPAL/ESCROW BALANCES
02-13-01 03-01 173	PAYMENT					
0.00	0.00	0.00	0.00	0.00	2.84 5 BPO FEES	
					2.84- SUSPENSE	
02-12-01 03-01 173	PAYMENT					
10.00	0.00	0.00	0.00	0.00	10.00 E ASSUMPTION PKG FEE	
02-12-01 03-01 172	PAYMENT					
5.01	0.00	0.00	0.00	0.00	5.01 5 BPO FEES	
02-12-01 02-01 172	PAYMENT					
466.14	31.51	333.19	101.44			
	47,007.43		430.24			NEW PRINCIPAL/ESCROW BALANCES
02-06-01 01-01 173	PAYMENT					
0.00	31.29	333.41	101.44		466.14- SUSPENSE	
	47,038.94		328.80			NEW PRINCIPAL/ESCROW BALANCES
02-06-01 01-01 173	PAYMENT					
0.00	0.00	0.00	0.00	0.00	151.06 1 LATE CHARGE	
					151.06- SUSPENSE	
02-06-01 01-01 173	PAYMENT					
0.00	0.00	0.00	0.00	0.00	31.40 5 BPO FEES	
					31.40- SUSPENSE	
02-05-01 01-01 173	PAYMENT					
14.00	0.00	0.00	0.00	0.00	14.00 E ASSUMPTION PKG FEE	
02-05-01 01-01 172	PAYMENT					
417.72	0.00	0.00	0.00	0.00	417.72 SUSPENSE	
02-05-01 12-00 172	PAYMENT					
0.00	31.07	333.63	101.44			
	47,070.23		227.36			NEW PRINCIPAL/ESCROW BALANCES
02-05-01 11-00 172	PAYMENT					
932.28	30.85	333.85	101.44			
	47,101.30		125.92			NEW PRINCIPAL/ESCROW BALANCES

WASHINGTON MUTUAL  
 CUSTOMER SERVICE DEPARTMENT  
 P. O. BOX 1093  
 NORTHRIDGE, CA 91328-1093

REQ BY WWW

CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02  
 PAGE 5

BENJAMIN J LOOMIS  
 LOAN NUMBER: 5744069252

PROCESS DATE	DUE DATE	ACTIVITY FOR PERIOD 01/02/70 - 05/22/02			EFFECTIVE DATE OF TRANSACTION
		TRANSACTION CODE	TRANSACTION DESCRIPTION	OTHER	
TRANSACTION AMOUNT	PRIN. PAID/ BALANCE	ESCROW PAID/ INTEREST	BALANCE	AMOUNT CODE/DESCRIPTION	
01-16-01 11-00	152 LATE CHARGE ASSESSMENT	0.00	0.00	0.00 18.65-1 LATE CHARGE	
12-22-00 12-00	351 HAZARD INSURANCE DISBURSEMENT	348.86-	0.00	0.00 348.86- 24.48 NEW PRINCIPAL/ESCROW BALANCES	
12-19-00 10-00	173 PAYMENT	0.00	30.63	334.07 101.44	
			47,132.15	373.34 NEW PRINCIPAL/ESCROW BALANCES	
12-19-00 09-00	173 PAYMENT	0.00	30.41	334.29 101.44 932.28- SUSPENSE	
			47,162.78	271.90 NEW PRINCIPAL/ESCROW BALANCES	
12-18-00 09-00	152 LATE CHARGE ASSESSMENT	0.00	0.00	0.00 18.65-1 LATE CHARGE	
12-15-00 09-00	173 PAYMENT	14.00	0.00	0.00 14.00 E ASSUMPTION PKG FEE	
12-15-00 09-00	172 PAYMENT	1,166.00	0.00	0.00 1,166.00 SUSPENSE	
11-16-00 09-00	152 LATE CHARGE ASSESSMENT	0.00	0.00	0.00 18.65-1 LATE CHARGE	
11-15-00 09-00	173 PAYMENT	0.00	0.00	0.00 1.58 1 LATE CHARGE	
				1.58- SUSPENSE	
11-13-00 08-00	173 PAYMENT	0.00	30.20	334.50 101.44	
			47,193.19	170.46 NEW PRINCIPAL/ESCROW BALANCES	
11-13-00 07-00	168 REPAY OF ESCROW ADVANCE	0.00	0.00	0.00 32.42 ADVANCE REFUND	
11-13-00 07-00	173 PAYMENT	700.00	29.99	334.71 101.44 232.28- SUSPENSE	
			47,223.39	69.02 NEW PRINCIPAL/ESCROW BALANCES	
11-07-00 07-00	186	2,005.05	0.00	2,005.05 0.00 6	
11-07-00 07-00	186	47,253.38	47,253.38	0.00 0.00 6	
			47,253.38	NEW PRINCIPAL/ESCROW BALANCES	

WASHINGTON MUTUAL  
 CUSTOMER SERVICE DEPARTMENT  
 P. O. BOX 1093  
 NORTHRIDGE, CA 91328-1093

REQ BY WWW

CUSTOMER ACCOUNT ACTIVITY STATEMENT

DATE 05/23/02  
 PAGE 6

BENJAMIN J LOOMIS  
 LOAN NUMBER: 5744069252

PROCESS DATE	DUE DATE	ACTIVITY FOR PERIOD 01/02/70 - 05/22/02				EFFECTIVE DATE OF TRANSACTION
		TRANSACTION CODE	TRANSACTION DESCRIPTION	ESCROW PAID/	OTHER	
TRANSACTION AMOUNT	PRIN. PAID/ BALANCE	INTEREST	BALANCE	AMOUNT	CODE/DESCRIPTION	
10-16-00	07-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	
09-29-00	06-00	168 REPAY OF ESCROW ADVANCE				
		0.00 0.00 0.00 101.44-	101.44		ADVANCE REFUND	
09-29-00	06-00	173 PAYMENT				
		700.00 29.78 334.92 101.44		233.86	SUSPENSE	
		47,253.38 32.42-			NEW PRINCIPAL/ESCROW BALANCES	
09-18-00	06-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	
09-13-00	06-00	161 ESCROW ADVANCE				
		133.86 0.00 0.00 133.86				
09-12-00	09-00	315 LIEN DISBURSEMENT				
		718.42- 0.00 0.00 718.42-		133.86-	NEW PRINCIPAL/ESCROW BALANCES	
08-16-00	06-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	
07-17-00	06-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	
06-16-00	06-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	
06-05-00	06-00	173 PAYMENT				
		0.00 0.00 0.00 0.00		33.86 1	LATE CHARGE	
				33.86-	SUSPENSE	
06-02-00	06-00	173 PAYMENT				
		33.86 0.00 0.00 0.00		33.86	SUSPENSE	
06-02-00	05-00	173 PAYMENT				
		466.14 29.57 335.13 101.44				
		47,283.16 584.56			NEW PRINCIPAL/ESCROW BALANCES	
05-16-00	05-00	152 LATE CHARGE ASSESSMENT				
		0.00 0.00 0.00 0.00		18.65-1	LATE CHARGE	

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.:02-276-CD

vs.

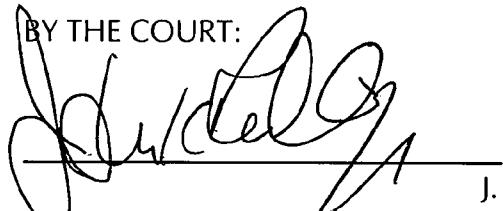
BENJAMIN J. LOOMIS

Defendant.

ORDER OF COURT

AND NOW, this 8 day of Aug, 2002, upon consideration of the Motion for Summary Judgment filed on behalf of Plaintiff, WASHINGTON MUTUAL BANK F.A., it is hereby ORDERED, ADJUDGED and DECREED that the Motion is granted and judgment in Mortgage Foreclosure is entered in favor of Plaintiff, WASHINGTON MUTUAL BANK F.A., and against Defendant, BENJAMIN J. LOOMIS, in the amount of \$52,614.91 with interest thereon at the rate of \$11.06 per diem from February 1, 2002, plus additional late charges, attorneys' fees and costs and for foreclosure and sale of the Mortgaged Premises commonly known as R.D. #2, Box 67, DuBois, Pennsylvania, 15801.

BY THE COURT:



**FILED**

AUG 09 2002

2

William A. Shaw  
Prothonotary

2 cent to ATTY Grawe

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Summary Judgment was served via First Class, U.S. Mail, postage pre-paid, this 29<sup>th</sup> day of May, 2002, upon the following:

Benjamin J. Loomis, Pro Se  
RR 2, Box 67  
DuBois PA 15801

GRENEN & BIRSCIC, P.C.

By:

Mary D. Grenen  
Mary D. Grenen, Esquire  
Pa. I.D. #52698  
Attorneys for Plaintiff  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

ISSUE NO.:

Defendant.

TYPE OF PLEADING  
Praecipe of Writ of Execution  
(Mortgage Foreclosure)

FILED ON BEHALF OF PLAINTIFF:

Washington Mutual Bank, F.A.

COUNSEL OF RECORD FOR THIS  
PARTY:

Kristine M. Anthou, Esquire  
Pa. I.D. #77991

GRENEN & BIRSIĆ, P.C.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

**FILED**

OCT 29 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,  
vs.  
NO.: 02-276-CD

BENJAMIN J. LOOMIS,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

TO: Prothonotary

SIR/MADAM:

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendant, Benjamin J. Loomis, as follows:

Principal	\$ 46,843.59
Interest	\$ 7,189.07
Late Charges	\$ 708.75
Escrow Deficiency	\$ 298.65
Attorneys' fees	\$ 1,650.00
Title Search, Foreclosure and Execution Costs	<u>\$ 1,500.00</u>
<b>TOTAL</b>	<b>\$ 58,190.06</b>

*Prothonotary costs 100.00*  
GRENEN & BIRSCIC, P.C.

By: President Anton  
Attorneys for Plaintiff

FILED

Att'y pd. 20.00

Oct 29 2002

6 Writs & 1 cc to Staff.

William A. Shaw  
Prothonotary

WES

WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW

Washington Mutual Bank, F.A.,

**COPY**

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$46,843.59

INTEREST: \$7,189.07

PROTH. COSTS: \$

ATTY'S FEES: \$1,650.00

ESCROW DEFICIENCY: \$298.65

DATE: 10/29/2002

PAID: \$100.00

SHERIFF: \$

OTHER COSTS: \$

LATE CHARGES: \$708.75

TITLE SEARCH, FORECLOSURE

AND EXECUTION COSTS: \$1,500.00

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Sheriff

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,  
NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence 8° North 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

BEING the same property which Linda E. Kness, unmarried, by deed dated November 12, 1999 and recorded on November 17, 1999 in the Recorder's Office of Clearfield County at Instrument Number 199919006, granted and conveyed to Benjamin J. Loomis, unmarried.

GRENEN & BIRSIĆ, P.C.

By: Kristine M. Anthou

Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

Parcel No. 128-E4-3

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

ISSUE NO.:

Defendant.

TYPE OF PLEADING  
Praecipe of Writ of Execution  
(Mortgage Foreclosure)

FILED ON BEHALF OF PLAINTIFF:

Washington Mutual Bank, F.A.

COUNSEL OF RECORD FOR THIS  
PARTY:

Kristine M. Anthou, Esquire  
Pa. I.D. #77991

GRENEN & BIRSIG, P.C.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

**FILED**

MAR 27 2003 *ewm*

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

TO: Prothonotary

SIR/MADAM:

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendant, Benjamin J. Loomis, as follows:

Principal	\$ 46,843.59
Interest	\$ 8,881.25
Late Charges	\$ 945.00
Escrow Deficiency	\$ 298.65
Attorneys' fees	\$ 1,650.00
Title Search, Foreclosure and Execution Costs	<u>\$ 1,500.00</u>
TOTAL	<u>\$ 60,118.49</u>

*Prothonotary costs 120.00*

GRENEN & BIRSIĆ, P.C.

By: Joseph W. Alles  
Attorneys for Plaintiff

**FILED**

Atty Pd.  
20.00

MB:3D/BSK

MAR 27 2003

100 Calle Wmts w/prop. descr. to Sheriff

William A. Shaw  
Prothonotary

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See attached description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$60,118.49  
INTEREST: \$8,881.25  
PROTH. COSTS: \$  
ATTY'S FEES: \$1,650.00  
TITLE SEARCH, FORECLOSURE, AND  
EXECUTION COSTS: \$1,500.00

PAID: \$120.00  
SHERIFF: \$  
OTHER COSTS: \$  
LATE CHARGES: \$945.00  
ESCROW DEFICIENCY: \$298.65  
DATE: 03/27/03

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

\_\_\_\_\_  
Sheriff

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence 8° North 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

BEING the same property which Linda E. Kness, unmarried, by deed dated November 12, 1999 and recorded on November 17, 1999 in the Recorder's Office of Clearfield County at Instrument Number 199919006, granted and conveyed to Benjamin J. Loomis, unmarried.

GRENEN & BIRSIĆ, P.C.

By: Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

Parcel No. 128-E4-3

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13304

WASHINGTON MUTUAL BANK, F.A.

02-276-CD

VS.

LOOMIS, BENJAMIN J.

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, NOVEMBER 20, 2002 @ 1:13 P.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.**

**A SALE DATE OF JANUARY 10, 2003 WAS SET.**

**MANY ATTEMPTS WERE MADE TO SERVE BENJAMIN J. LOOMIS THEY WERE ALL UNSUCCESSFUL. THIS INFORMATION WAS FAXED TO THE ATTORNEY.**

**NOW, DECEMBER 9, 2002 RECEIVED A FAX FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SALE TO MARCH 7, 2003.**

**NOW, FEBRUARY 21, 2003 RECEIVED A FAX FROM THE PLAINTIFF'S ATTORNEY TO STAY THE MARCH 7, 2003 SALE.**

**NOW, MARCH 27, 2003 RECEIVED NEW WRITS .**

**NOW, MARCH 27, 2003 CALLED ATTORNEY ABOUT THE NEW WRITS.**

**NOW, APRIL 22, 2003 CALLED ATTORNEY FOR LETTER TO RETURN THE FIRST WRIT**

**NOW, MAY 2, 2003 CALLED ATTORNEY WITH SECOND REQUEST.**

**NOW, JULY 10, 2003 RECEIVED LETTER FROM ATTORNEY TO RETURN FRIST WRIT ALSO TIME HAS EXPIRED ON FIRST WRIT.**

**NOW, JULY 10, 2003 PAID COSTS FROM ADVANCE AND MADE A REFUND OF UNUSED ADVANCE TO ATTORNEY.**

**NOW, JULY 10, 2003 RETURN WRIT AS TIME EXPIRED AND RECEIVED A LETTER FROM PLAINTIFF'S ATTORNEY TO RETURN FIRST WRIT.**

**FILED**  
01:55 AM  
JUL 10 2003  
SJS

William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13304

WASHINGTON MUTUAL BANK, F.A.

02-276-CD

VS.

LOOMIS, BENJAMIN J.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

---

SHERIFF HAWKINS \$194.14

SURCHARGE \$20.00

PAID BY ATTORNEY

---

Sworn to Before Me This

10<sup>th</sup> Day Of July 2003

William A. Shaw  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins  
By Anthony Butter Aughenbaugh  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW**

Washington Mutual Bank, F.A.,

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$46,843.59

INTEREST: \$7,189.07

PROTH. COSTS: \$

ATTY'S FEES: \$1,650.00

ESCROW DEFICIENCY: \$298.65

DATE: 10/29/2002

PAID: \$100.00

SHERIFF: \$

OTHER COSTS: \$

LATE CHARGES: \$708.75

TITLE SEARCH, FORECLOSURE

AND EXECUTION COSTS: \$1,500.00



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 29th day  
of October A.D. 2002  
At 2:30 A.M./P.M.

Chesler A. Hawkins  
Sheriff by Cynthia Butler-Augustbaugh

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence 8° North 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

BEING the same property which Linda E. Kness, unmarried, by deed dated November 12, 1999 and recorded on November 17, 1999 in the Recorder's Office of Clearfield County at Instrument Number 199919006, granted and conveyed to Benjamin J. Loomis, unmarried.

GRENEN & BIRSC, P.C.

By: Kristine M. Anthou

Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

Parcel No. 128-E4-3

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME LOOMIS NO. 02-276-CD

NOW, , 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 the day of 2002, I exposed the within described real estate of 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  
appropriations, viz:

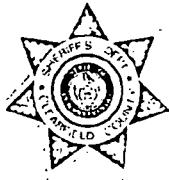
## SHERIFF COSTS:

## DEBIT & INTEREST:

RDR	15.00	DEBT-AMOUNT DUE	46,843.59
SERVICE	15.00	INTEREST FROM	7,189.07
MILEAGE	12.35	TO BE ADDED	TO SALE DATE
LEVY	15.00		
MILEAGE	12.35	<b>TOTAL DEBT &amp; INTEREST</b>	<b>54,032.66</b>
POSTING	15.00		
CSDS	10.00		
COMMISSION 2%		<b>COSTS:</b>	
POSTAGE	4.44	ATTORNEY FEES	
HANDBILLS	15.00	PROTH. SATISFACTION	
DISTRIBUTION	25.00	ADVERTISING	217.35
ADVERTISING	15.00	LATE CHARGES & FEES	
ADD'L SERVICE		TAXES - collector	
DEED		TAXES - tax claim	
ADD'L POSTING		DUE	
ADD'L MILEAGE		COST OF SUIT -TO BE ADDED	
ADD'L LEVY		LIEN SEARCH	
BID AMOUNT		FORCLOSURE FEES/ESCROW DEFICIT	
RETURNS/DEPUTIZE		ACKNOWLEDGEMENT	
COPIES/BILLING	15.00	DEED COSTS	
	5.00	ATTORNEY COMMISSION	
BILLING/PHONE/FAX	20.00	SHERIFF COSTS	194.14
<b>TOTAL SHERIFF</b>		LEGAL JOURNAL AD	121.50
<b>COSTS</b>	<b>194.14</b>	REFUND OF ADVANCE	
		REFUND OF SURCHARGE	
		PROTHONOTARY	
		MORTGAGE SEARCH	100.00
<b>DEED COSTS:</b>		<b>SATISFACTION FEE</b>	
ACKNOWLEDGEMENT		<b>ESCROW DEFICIENCY</b>	
REGISTER & RECORDER		<b>MUNICIPAL LIEN</b>	
TRANSFER TAX 2%			
<b>TOTAL DEED</b>		<b>TOTAL COSTS</b>	<b>632.99</b>
<b>COSTS</b>	<b>0.00</b>		

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

CHESTER A. HAWKINS, Sheriff



# Sheriff's Office Clearfield County

OFFICE (814) 765-2641  
AFTER 4:00 P.M. (814) 765-1533  
CLEARFIELD COUNTY FAX  
(814) 765-6089

CHESTER A. HAWKINS  
SHERIFF

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

DARLENE SHULTZ  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

MARGARET PUTT  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

December 9, 2002

Kristine M. Anthou, Esq.  
Grenen & Birsic, P. C.  
One Gateway Center, Nine West  
Pittsburgh, PA 15222

RE: Washington Mutual Bank, F.A. Vs  
Benjamin J. Loomis  
No. 02-276-CD

Dear Ms. Anthou,

Enclosed is the copy of service for Benjamin J. Loomis you requested per our phone converstion December 9, 2002.

Please fax me a letter continuing the sale to March 7, 2003.

Sincerely,

*Cynthia J. Butler-Aughenbaugh*

Cynthia J. Butler-Aughenbaugh  
Office Manager

Enclosure

**GRENEN & BIRSI, P.C.**

ATTORNEYS AT LAW  
One Gateway Center  
Nine West  
Pittsburgh, Pennsylvania 15222  
(412) 281-7650  
FAX (412) 281-7657

December 9, 2002

**VIA FACSIMILE 814-765-5915**

Attention: Real Estate Dept.  
Office of the Sheriff  
CLEARFIELD COUNTY

Dear Sir/Madam:

This letter shall serve as authorization for the Sheriff's Office of Clearfield County to continue the sheriff's sale scheduled for January 10, 2003 to March 7, 2003. Please make a public announcement of the continuance at the time of the regularly scheduled sheriff's sale.

**Washington Mutual Bank, F.A.,**  
v.  
**Benjamin J. Loomis**  
**No.: 02-276-CD**

If you have any questions or need any additional information, please do not hesitate to contact me at the numbers listed above.

Very truly yours,

  
Christine A. Galvin  
Paralegal

**GRENEN & BIRSC, P.C.**

ATTORNEYS AT LAW  
One Gateway Center  
Nine West  
Pittsburgh, Pennsylvania 15222  
(412) 281-7650  
FAX (412) 281-7657

February 21, 2003

**VIA FAX (814) 765-5915**

Attention: Real Estate Department  
Office of the Sheriff  
CLEARFIELD COUNTY

Dear Sir/Madam:

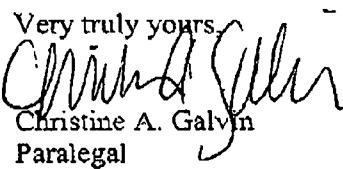
This letter shall serve as authorization for the Sheriff's Office of Clearfield County to STAY the sheriff's sale scheduled March 7, 2003. Please make a public announcement at the time of the regularly scheduled sheriff's sale.

**Washington Mutual Bank, F.A.**

v.

**Benjamin J. Loomis**  
No.: 02-276-CD

If you have any questions or need any additional information, please do not hesitate to contact me at the numbers listed above.

Very truly yours,  
  
Christine A. Galvin  
Paralegal

**Grenen & Birsic, P.C.**  
One Gateway Center, Nine West  
Pittsburgh, Pennsylvania 15222  
(412) 281-7650  
Fax (412) 281-7657

**FAX**

FAX NUMBER TRANSMITTED TO: (814) 765-5915

To: Cindy  
From: Gerry Potter, Legal Assistant  
Re: Loomis  
Docket Number: 02-276-CD  
Date: July 10, 2003  
Total Pages: 1

#####
Cindy: Please return the writ filed in October 2002 to the  
Prothonotary's Office and schedule a new sale with respect to the  
above referenced matter. Thank you.

*The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipient(s) identified above. This message may be an attorney-client communication and, as such, is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering this message to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us by U.S. mail.*

\* COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES,  
PLEASE TELEPHONE US IMMEDIATELY

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 14296

WASHINGTON MUTUAL BANK, F.A.

02-276-CD

VS.  
LOOMIS, BENJAMIN J.

**WRIT OF EXECUTION      REAL ESTATE**

**SHERIFF RETURNS**

---

**NOW, MARCH 27, 2003 RECEIVED 2ND WRIT ON 02-276-CD BEFORE FIRST HAD EXPIRED.**

**CALLED ATTORNEY SEVERAL TIMES TO SEND LETTER TO RETURN FIRST WRIT.**

**NOW, JULY 10, 2003 LETTER WAS SENT TO RETURN FIRST WRIT.**

**NOW, JULY 10, 2003 RETURNED FIRST WRIT. THE SECOND WRIT EXPIRED WHILE WAITING TO RETURN THE FIRST WRIT.**

**NOW, JULY 11, 2003 RETURN WRIT AS TIME EXPIRED. PAID COSTS FROM ADVANCE AND MADE A REFUND OF UNUSED ADVANCE TO THE ATTORNEY.**

**SHERIFF HAWKINS \$45.37  
SURCHARGE \$20.00  
PAID BY ATTORNEY**

---

**FILED** *W*  
*019-4681-0* **cc**  
**JUL 11 2003** *WES*

**William A. Shaw  
Prothonotary**

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**Sheriff Docket #** 14296

**WASHINGTON MUTUAL BANK, F.A.**

**02-276-CD**

**VS.**

**LOOMIS, BENJAMIN J.**

**WRIT OF EXECUTION      REAL ESTATE**

**SHERIFF RETURNS**

---

**Sworn to Before Me This**

11<sup>th</sup> Day Of July 2003  


WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

**So Answers,**

  
By Cynthia Bitter Aughenbaugh  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT**  
**COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD**  
**CIVIL ACTION – LAW**

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See attached description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE: \$60,118.49

INTEREST: \$8,881.25

PROTH. COSTS: \$

ATTY'S FEES: \$1,650.00

TITLE SEARCH, FORECLOSURE, AND

EXECUTION COSTS: \$1,500.00

PAID: \$120.00

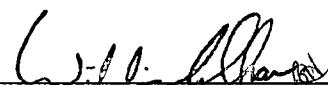
SHERIFF: \$

OTHER COSTS: \$

LATE CHARGES: \$945.00

ESCROW DEFICIENCY: \$298.65

DATE: 03/27/03

  
\_\_\_\_\_  
William A. Shaw

Prothonotary/Clerk Civil Division

Received this writ this 27<sup>th</sup> day  
of March A.D. 2003  
At 2:20 A.M./P.M.

Charles A. Hawkins  
Sheriff by Cynthia Butler-Augustaugh

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center  
Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence 8° North 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

BEING the same property which Linda E. Kness, unmarried, by deed dated November 12, 1999 and recorded on November 17, 1999 in the Recorder's Office of Clearfield County at Instrument Number 199919006, granted and conveyed to Benjamin J. Loomis, unmarried.

GRENNEN & BIRSCIC, P.C.

By: Kristine M. Anthou

Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Nine West  
Pittsburgh, PA 15222  
(412) 281-7650

Parcel No. 128-E4-3

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME LOOMIS NO. 02-276-CD 2ND WRIT

NOW, , 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 the day of 2003, I exposed the within described real estate of 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 appropriations, viz: and made the following

## **SHERIFF COSTS:**

RDR	15.00
SERVICE	
MILEAGE	
LEVY	
MILEAGE	
POSTING	
CSDS	
COMMISSION 2%	
POSTAGE	0.37
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES/BILLING	
SURCHARGE CK	20.00
BILLING/PHONE/FAX	10.00

## **PLAINTIFF COSTS, DEBT & INTEREST:**

DEBT-AMOUNT DUE	
INTEREST	
TO BE ADDED	TO SALE DATE
ATTORNEY FEES	
PROTH. SATISFACTION	
LATE CHARGES & FEES	
COST OF SUIT -TO BE ADDED	
FORECLOSURE FEES/ESCROW DEFICIT	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	
 <b>TOTAL DEBT &amp; INTEREST</b>	<b>0.00</b>
 <b>COSTS:</b>	
ADVERTISING	
TAXES - collector	
TAXES - tax claim	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	45.37
LEGAL JOURNAL AD	

## **DEED COSTS:**

ACKNOWLEDGEMENT  
REGISTER & RECORDER  
TRANSFER TAX 2%  
**TOTAL DEED  
COSTS**

**TOTAL COSTS** **45.37**

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

IN THE COURT OF COMMON PLEAS OF CLEAFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

TYPE OF PLEADING  
Praecipe for  
Writ of Execution  
(Mortgage Foreclosure)

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:  
Kristine M. Anthou, Esquire  
Pa I.D. #77991

GRENNEN & BIRSIĆ, P.C.

One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222

(412) 281-7650

**FILED**

**MAR 15 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

TO: Prothonotary

SIR/MADAM:

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendant, Benjamin J. Loomis, as follows:

Amount Due	\$ 52,614.91
Interest	\$ 10,462.76
Late Charges	\$ 732.53
Escrow Deficiency	\$ 298.65
Attorneys' Fees	\$ 1,650.00
Title Search, Foreclosure and Execution Costs	\$ 1,500.00
<b>TOTAL</b>	<b>\$ 67,258.85</b>

*140.00 Prothonotary costs*

GRENNEN & BIRSIC, P.C.

By:

*Kristine M. Anthou*  
Kristine M. Anthou, Esquire  
Pa. I.D. #77991  
Attorneys for Plaintiff

**FILED**

Att'y pd. 2000

1:45 PM  
MAR 15 2004

ice shff and  
le writs w/prop. descr.  
William A. Shaw  
Prothonotary/Clerk of Courts

*E. Shaw*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
                                  ) SS:  
COUNTY OF ALLEGHENY        )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

**ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:**

**ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.**

1. The name and address of the owner or reputed owner:  
Benjamin J. Loomis RD 2, Box 67  
Dubois, PA 15801
2. The name and address of the defendant in the judgment:  
Benjamin J. Loomis RD 2, Box 67  
Dubois, PA 15801
3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:  
Washington Mutual [Plaintiff]  
Bank, F.A.
4. The name and address of the last record holder of every mortgage of record:  
Washington Mutual [Plaintiff]  
Bank, F.A.
5. The name and address of every other person who has any record lien on the property:

PA Department of Revenue	Bureau of Individual Taxes Inheritance Tax Division Department 280601 Harrisburg, PA 17128-0601
Domestic Relations Office	230 E. Market Street, Third Floor Clearfield, PA 16830
Tax Assessment Office	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
Commonwealth of PA	Department of Welfare P. O. Box 2675 Harrisburg, PA 17105
6. The name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

7. The 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:

Tenant(s) or  
Current Occupant(s)

RD 2, Box 67  
Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENEN & BIRSIC, P.C.

By:

*Kristine M. Anthou*  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 17th day of March, 2004.

Gerald L. Potter  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT OF COMPLIANCE WITH ACT 6 OF 1974, 41 P.S.101, ET. SEQ.  
AND ACT 91 OF 1983

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ALLEGHENY

Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Faust, attorney for the Plaintiff, who being duly sworn according to law deposes and says on or about January 24, 2002, Defendant was mailed a combined Act 91 and Act 6 Notice, in compliance with the Homeowner's Emergency Mortgage Assistance Act, Act 91 of 1983 and Act 6 of 1974, 41 P.S. §101, et seq.

  
Kristine M. Anthou, Esquire

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 14<sup>th</sup> DAY OF March, 2004.

  
\_\_\_\_\_  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO. : 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

**AFFIDAVIT OF LAST KNOWN ADDRESS**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF ALLEGHENY ) SS:

Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Anthou, attorney for the Plaintiff, who being duly sworn according to law deposes and says that the owner of the property located at RD 2, BOX 67, Dubois, PA 15801 is Defendant, Benjamin J. Loomis, whose last known address is RD 2, BOX 67, Dubois, PA 15801 to the best of her information, knowledge and belief.

Kristine M. Anthou, Esquire

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 17<sup>th</sup> DAY OF March , 2004.

Howard H. Doty  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007  
Member, Pennsylvania Association Of Notaries

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Descriptions
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:	\$67,258.85	PAID:	\$140.00
INTEREST:	\$10,462.76	SHERIFF:	\$
PROTH. COSTS:	\$	OTHER COSTS:	\$
ATTY'S FEES:	\$1,650.00	TITLE SEARCH, FORECLOSURE	
ESCROW DEFICIENCY:	\$298.65	and EXECUTION COSTS:	\$1,500.00
DATE: 03/15/2004		LATE CHARGES:	\$732.53

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, 9th Floor  
Pittsburgh, PA 15222  
(412) 281-7650

\_\_\_\_\_  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

By:

GRENNEN & BIRSMIC, P.C.

  
Kristine M. Anthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff

One Gateway Center, Ninth Floor

Pittsburgh, PA 15222

(412) 281-7650

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.

Execution No. 02-276-CD

**SHERIFF'S SALE DATE: JULY 02, 2004**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs

BENJAMIN J. LOOMIS,

TYPE OF PLEADING:

Defendant.

Pa. R.C.P. RULE 3129.2(c)(2)  
LIENHOLDER AFFIDAVIT OF  
SERVICE

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:

Kristine M. Anthou, Esquire  
Pa. I. D. #77991

GRENNEN & BIRSCIC, P.C.  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

**FILED**

**JUN 14 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

Pa. R.C.P. RULE 3129.2(c)(2)  
LIENHOLDER AFFIDAVIT OF SERVICE

I, Kristine M. Anthou, Attorney for Plaintiff, Washington Mutual Bank, F.A., being duly sworn according to law, deposes and makes the following Affidavit regarding service of the notice of the sale of real property on all persons named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 as follows:

1. By letters dated May 6, 2004, undersigned counsel served all persons (other than the Plaintiff) named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 with notices of the sale of real property by ordinary mail at the respective addresses set forth in the Affidavit Pursuant to Rule 3129.1. True and correct copies of said Affidavit Pursuant to Rule 3129.1, U.S. Service Postal Form 3877, and any letters, if returned, are marked Exhibit "A", attached hereto, and made a part hereof.

I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information and belief.

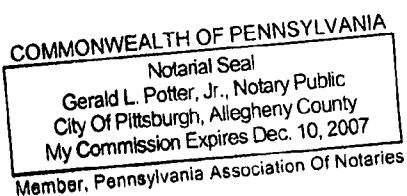
GRENEN & BIRSIC, P.C.

BY:

Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

Sworn to and subscribed before  
me this 09th day of June, 2004.

Gerald L. Potter, Jr.  
Notary Public



**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
   ) SS:  
COUNTY OF ALLEGHENY               )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praecept for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER 199919006. TAX PARCEL NUMBER 128-E4-3.

1. The name and address of the owner or reputed owner:

Benjamin J. Loomis RD 2, Box 67  
Dubois, PA 15801

2. The name and address of the defendant in the judgment:

Benjamin J. Loomis RD 2, Box 67  
Dubois, PA 15801

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Washington Mutual [Plaintiff]  
Bank, F.A.

4. The name and address of the last record holder of every mortgage of record:

Washington Mutual [Plaintiff]  
Bank, F.A.

5. The name and address of every other person who has any record lien on the property:

PA Department of Revenue Bureau of Individual Taxes  
Inheritance Tax Division  
Department 280601  
Harrisburg, PA 17128-0601

Domestic Relations Office 230 E. Market Street,  
Third Floor  
Clearfield, PA 16830

Tax Assessment Office Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Commonwealth of PA Department of Welfare  
P. O. Box 2675  
Harrisburg, PA 17105

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

None

7. The 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:

Tenant(s) or RD 2, Box 67  
Current Occupant(s) Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENNEN & BIRSIC, P.C.

By:

*Kristine M. Anthou*  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 8TH day of March, 2004.

*Gerald L. Potter*  
\_\_\_\_\_  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

*Gerry*

Name and Address of Mailing Office  
**ONE GATEWAY CENTER, NINE WEST  
PITTSBURGH, PA. 15222**

71-3577 LCO R-15

Article Number

Check type of mail or service:  
 Certified  
 COD  
 Delivery Confirmation  
 Express Mail  
 Insured

1.50

POSTAGE

Addressee (Name, Street, City, State, & ZIP Code)  
 Department of Welfare  
 P.O. Box 2675  
 Harrisburg, PA 17105

Postage

Fee

Handling Charge

Actual Value  
if Registered

Insured  
Value

Due  
Sender  
if COD

SC F SH  
Fee

IND  
Fee

POSTAGE

FILED  
JUN 14 2008  
cc  
William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S SALE DATE: JULY 02, 2004**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

ISSUE NUMBER:

BENJAMIN J. LOOMIS,

TYPE OF PLEADING:

Defendant.

Pa. R.C.P. RULE 3129.2(c)  
AFFIDAVIT OF SERVICE  
DEFENDANTS/OWNERS

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:

Kristine M. Anthou, Esquire  
Pa. I. D. #77991

GRENEN & BIRSIĆ, P.C.  
One Gateway Center  
Ninth Flor  
Pittsburgh, PA 15222

(412) 281-7650

**FILED**

**JUN 14 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

Pa. R.C.P. RULE 3129.2(c) AFFIDAVIT OF SERVICE  
DEFENDANTS/OWNERS

I, Kristine M. Anthou, Esquire, Attorney for Plaintiff, Washington Mutual Bank, F.A., being duly sworn according to law deposes and makes the following Affidavit regarding service of Plaintiff's notice of the sale of real property in this matter on Benjamin J. Loomis as follows:

1. Benjamin J. Loomis is the owner of the real property and has not entered an appearance of record.

2. The undersigned counsel served the Defendant, Benjamin J. Loomis, with a true and correct copy of Plaintiff's notice of the sale of real property by certified mail, return receipt requested, restricted delivery. A true and correct copy of said Notice is marked Exhibit "A", attached hereto and made a part hereof.

3. On or about May 18, 2004, the Defendant, Benjamin J. Loomis, received the notice of the sale of real property in this matter as evidenced by the signed U.S. Postal Service form 3811, certified mail return receipt requested, restricted delivery. A true and correct copy of the signed U.S. Postal Service form 3811, evidencing service by certified mail, return receipt requested, restricted delivery, on the identified Defendant, is marked Exhibit "B", attached hereto and made a part hereof.

I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information, and belief.

GRENEN & BIRSIC, P.C.

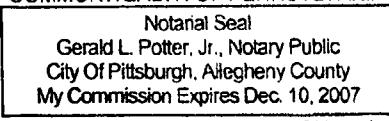
BY: Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 09th DAY OF June, 2004.

Gerald L. Potter, Jr.  
Notary Public

COMMONWEALTH OF PENNSYLVANIA



Member, Pennsylvania Association Of Notaries

**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO: BENJAMIN J. LOOMIS  
13 Valley Avenue  
Dubois, PA 15801

TAKE NOTICE that by virtue of the above Writ of Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania, and to the Sheriff of Clearfield County, directed, there will be exposed to Public Sale in the

SHERIFF'S OFFICE  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PENNSYLVANIA 16830

on Friday, July 02, 2004, at 10:00 A.M., the following described real estate, of which Benjamin J. Loomis, is the owner or reputed owner:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER 199919006. TAX PARCEL NUMBER 128-E4-3.

The said Writ of Execution has been issued on a judgment in the  
mortgage foreclosure action of

WASHINGTON MUTUAL  
BANK, F.A.,

Plaintiff,

vs.

BENJAMIN J. LOOMIS,

Defendant.

at Execution Number 02-276-CD in the amount of \$67,258.85.

Claims against the property must be filed with the Sheriff before  
the above sale date.

Claims to proceeds must be made with the Office of the Sheriff  
before distribution.

Schedule of Distribution will be filed with the Office of the  
Sheriff no later than thirty (30) days from sale date.

Exceptions to Distribution or a Petition to Set Aside the Sale must  
be filed with the Office of the Sheriff no later than ten (10) days from  
the date when Schedule of Distribution is filed in the Office of the  
Sheriff.

This paper is a notice of the date and time of the sale of your  
property. It has been issued because there is a judgment against you.  
It may cause your property to be held or taken to pay the judgment. You  
may have legal rights to prevent your property from being taken. A  
lawyer can advise you more specifically of these rights. If you wish to  
exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION 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  
ADVICE.

LAWYER REFERRAL SERVICES  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNT COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830  
(814) 765-2641

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary.

You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court any defense or objection, you might have within twenty (20) days after service of the Complaint for Mortgage Foreclosure and Notice to Defend, you may have the right to have the judgment opened if you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the plaintiff has a valid claim to foreclose the mortgage or judgment.

You may also have the right to have the judgment stricken if the Sheriff has not made a valid return of service of the Complaint and Notice to Defend or if the judgment was entered before twenty (20) days after service or in certain other events. To exercise this right you would have to file a petition to strike the judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution of service or demonstrate any other legal or equitable right.

YOU MAY ALSO HAVE THE RIGHT TO HAVE THE SHERIFF'S SALE SET ASIDE IF THE PROPERTY IS SOLD FOR A GROSSLY INADEQUATE PRICE OR, IF THERE ARE DEFECTS IN THE SHERIFF'S SALE. TO EXERCISE THIS RIGHT, YOU SHOULD FILE A PETITION WITH THE COURT AFTER THE SALE AND BEFORE THE SHERIFF HAS DELIVERED HIS DEED TO THE PROPERTY. THE SHERIFF WILL DELIVER THE DEED IF NO PETITION TO SET ASIDE THE SALE IS FILED WITHIN TEN (10) DAYS FROM THE DATE WHEN THE SCHEDULE OF DISTRIBUTION IS FILED IN THE OFFICE OF THE SHERIFF.

GRENEN & BIRSMIC, P.C.

By:

Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorney for Plaintiff

**EXHIBIT "B"**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Benjamin J Loomis  
13 Valley Avenue  
Dulross PA  
15801

**2. Article Number**

(Transfer from service is

7003 2260 0006 0422 1641

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

Agent  
 Addressee

**B. Received by (Printed Name)**

Benjamin Loomis

MAY 18 2004

Yes

If YES, enter delivery address below:

No

**3. Service Type**

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

**4. Restricted Delivery? (Extra Fee)**

Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

FILED NO  
JUN 14 2004

*WAS*

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEAFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

TYPE OF PLEADING  
Praecipe for  
Writ of Execution  
(Mortgage Foreclosure)

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:  
Kristine M. Anthou, Esquire  
Pa I.D. #77991

GRENEN & BIRSIĆ, P.C.

One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222

(412) 281-7650

EGM  
FILED *ccsle wntsw*  
m/2/2004 prop descr. to shff  
AUG 16 2004 *Attly pd. 20.00*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

TO: Prothonotary

SIR/MADAM:

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendant, Benjamin J. Loomis, as follows:

Amount Due	\$ 52,614.91
Interest	\$ 13,128.22
Late Charges	\$ 921.57
Escrow Deficiency	\$ 298.65
Attorneys' Fees	\$ 1,650.00
Title Search, Foreclosure and Execution Costs	<u>\$ 1,500.00</u>
<b>TOTAL</b>	<u>\$ 70,113.35</u>

*140.00 Prothonotary costs*

GRENEN & BIRSIC, P.C.

By: Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Pa. I.D. #77991  
Attorneys for Plaintiff

**FILED**

**AUG 16 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO. : 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF ALLEGHENY )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.

1. The name and address of the owner or reputed owner:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

2. The name and address of the defendant in the judgment:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Washington Mutual [Plaintiff]  
Bank, F.A.

4. The name and address of the last record holder of every mortgage of record:

Washington Mutual [Plaintiff]  
Bank, F.A.

5. The name and address of every other person who has any record lien on the property:

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

None

7. The 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:

Tenant(s) or  
Current Occupant(s)

RD 2, Box 67  
Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENEN & BIRSIC, P.C.

By:

*Kristine M. Anthou*  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 13th day of August, 2004.

*Herald L. Potter*  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT OF COMPLIANCE WITH ACT 6 OF 1974, 41 P.S.101, ET. SEQ.  
AND ACT 91 OF 1983

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ALLEGHENY

Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Faust, attorney for the Plaintiff, who being duly sworn according to law deposes and says on or about January 24, 2002, Defendant was mailed a combined Act 91 and Act 6 Notice, in compliance with the Homeowner's Emergency Mortgage Assistance Act, Act 91 of 1983 and Act 6 of 1974, 41 P.S. §101, et seq.



SWORN TO AND SUBSCRIBED BEFORE

ME THIS 12th DAY OF August, 2004.

  
\_\_\_\_\_  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT OF LAST KNOWN ADDRESS

COMMONWEALTH OF PENNSYLVANIA )  
 )  
COUNTY OF ALLEGHENY ) SS:  
 )

Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Anthou, attorney for the Plaintiff, who being duly sworn according to law deposes and says that the owner of the property located at RD 2, BOX 67, Dubois, PA 15801 is Defendant, Benjamin J. Loomis, whose last known address is 13 Valley Avenue, Dubois, PA 18501 to the best of her information, knowledge and belief.

Kristine M. Anthou

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 11th DAY OF August, 2004.

Gerald L. Potter, Jr.  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

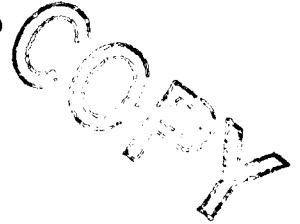
Member, Pennsylvania Association Of Notaries

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.

Execution No. 02-276-CD

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**



Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:

See Attached Description

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:	<b>\$70,113.35</b>	PAID:	<b>\$140.00</b>
INTEREST:	<b>\$13,128.22</b>	SHERIFF:	\$
PROTH. COSTS:	<b>\$</b>	OTHER COSTS:	\$
LATE CHARGES:	<b>\$921.57</b>	ESCROW DEFICIENCY:	<b>\$298.65</b>
ATTY'S FEES:	<b>\$1,650.00</b>	TITLE SEARCH, FORECLOSURE	
DATE:	08/16/2004	and EXECUTION COSTS:	<b>\$1,500.00</b>

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

\_\_\_\_\_  
Sheriff

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15219  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

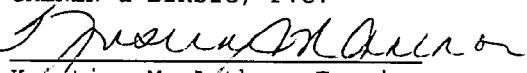
HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

GRENNEN & BIRSIC, P.C.

By:

  
Kristine M. Arthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

SHERIFF'S SALE DATE: JANUARY 07, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs

BENJAMIN J. LOOMIS,

TYPE OF PLEADING:

Defendant.

Pa. R.C.P. RULE 3129.2(c)(2)  
LIENHOLDER AFFIDAVIT OF  
SERVICE

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:

Kristine M. Anthou, Esquire  
Pa. I. D. #77991

GRENEN & BIRSIĆ, P.C.  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

**FILED**

DEC 20 2004

m/1:20/04  
William A. Shaw  
Prothonotary  
w/c/c

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

Pa. R.C.P. RULE 3129.2(c)(2)  
LIENHOLDER AFFIDAVIT OF SERVICE

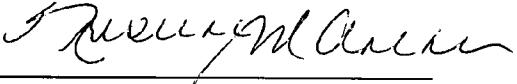
I, Kristine M. Anthou, Attorney for Plaintiff, Washington Mutual Bank, F.A., being duly sworn according to law, deposes and makes the following Affidavit regarding service of the notice of the sale of real property on all persons named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 as follows:

1. By letters dated October 28, 2004, undersigned counsel served all persons (other than the Plaintiff) named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 with notices of the sale of real property by ordinary mail at the respective addresses set forth in the Affidavit Pursuant to Rule 3129.1. True and correct copies of said Affidavit Pursuant to Rule 3129.1, U.S. Service Postal Form 3877, and any letters, if returned, are marked Exhibit "A", attached hereto, and made a part hereof.

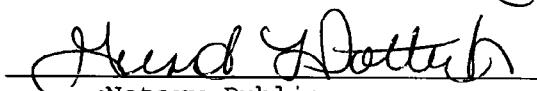
I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information and belief.

GRENEN & BIRSMIC, P.C.

BY:

  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

Sworn to and subscribed before  
me this 10th day of December, 2004.

  
\_\_\_\_\_  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Gerald L. Potter, Jr., Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

---

**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA      )  
    ) SS:  
COUNTY OF ALLEGHENY              )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER 199919006. TAX PARCEL NUMBER 128-E4-3.

1. The name and address of the owner or reputed owner:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

2. The name and address of the defendant in the judgment:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold.

Washington Mutual [Plaintiff]  
Bank, F.A.

4. The name and address of the last record holder of every mortgage of record:

Washington Mutual  
Bank, F.A. [Plaintiff]

5. The name and address of every other person who has any record lien on the property:

PA Department of Revenue

Bureau of Individual Taxes  
Inheritance Tax Division  
Department 280601  
Harrisburg, PA 17128-0601

## Domestic Relations Office

230 E. Market Street,  
Third Floor  
Clearfield, PA 16830

## Tax Assessment Office

Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Commonwealth of PA

Department of Welfare  
P. O. Box 2675  
Harrisburg, PA 17105

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

None

7. The 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:

Tenant(s) or  
Current Occupant(s)

RD 2, Box 67  
Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENEN & BIRSIC, P.C.

By:

*Kristine M. Anthou*  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 10th day of August, 2004.

*Gerald L. Potter, Jr.*  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

Geen hondenshampoo meer.

**GRENEN & BIRSKIC**  
**ONE GATEWAY CENTER, NINE WEST**  
**PITTSBURGH, PA. 15222**

If issued as a  
certificate of mailing,  
or for additional  
copies of this bill  
Postmark and  
Date of Receipt

<b>Check type of mail or service:</b>	<input type="checkbox"/> Recorded Delivery (Int'l)
	<input type="checkbox"/> Registered
	<input type="checkbox"/> Return Receipt for Mail
	<input type="checkbox"/> Signature Confirmation
 <b>Certified</b>	<input type="checkbox"/>
 <b>COD</b>	<input type="checkbox"/>
 <b>Delivery Confirmation</b>	<input type="checkbox"/>
 <b>Express Mail</b>	<input type="checkbox"/>

Annals Ent.

1. PA Department of Revenue Bureau of Individual Taxation	2. Commonwealth of Pennsylvania
--	---------------------------------

## 2. Commonwealth of PA

**4. Tax Assessment Office**

16

10

Total Number of Pieces	Postmaster, P.O. (Name of receiving employee)
Received at Post Office Indicated by Counter	Total Number of Pieces Received at Post Office

Incomplete by Typewriter, Ink, or Ball Point Pen

## See Privacy Act Statement on Reverse

PS Form 3877, February 2002 (Page 1 of 2)

卷之三

FILED

DEC 20 2004

ml 1:201u  
William A. Shaw  
Prothonotary  
no 4/c

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15535  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.  
vs.  
DEFENDANT: LOOMIS, BENJAMIN J.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 03/16/2004

LEVY TAKEN 05/13/2004 @ 2:15 PM

POSTED 05/13/2004 @ 2:15 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 02/14/2005

DATE DEED FILED NOT SOLD

*FILED  
JK 03-4934  
FEB 14 2005*

William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

06/15/2004 @ 11:32 AM SERVED BENJAMIN J. LOOMIS

SERVED BENJAMIN J. LOOMIS, DEFENDANT, AT HIS RESIDENCE 13 VALLEY AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY SERVING MERLIN LOOMIS, FATHER.

@ SERVED

NOW, JUNE 30, 2004 RECEIVED LETTER FROM PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JULY 2, 2004 TO AUGUST 6, 2004.

@ SERVED

NOW, AUGUST 5, 2004 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF'S SALE SCHEDULED FOR AUGUST 6, 2004.

@ SERVED

NOW, FEBRUARY 14, 2005 RETURN THE WRIT AS NO SALE HELD ON THE PROPERTY OF THE DEFENDANT. THE PLAINTIFF'S ATTORNEY STAYED THE SALE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15535  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: LOOMIS, BENJAMIN J.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$212.56

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins*  
By *Cynthia Butler-Coughlin*  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Descriptions
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:	\$67,258.85	PAID:	\$140.00
INTEREST:	\$10,462.76	SHERIFF: \$	
PROTH. COSTS: \$		OTHER COSTS: \$	
ATTY'S FEES:	\$1,650.00	TITLE SEARCH, FORECLOSURE	
ESCROW DEFICIENCY:	\$298.65	and EXECUTION COSTS:	\$1,500.00
DATE: 03/15/2004		LATE CHARGES:	\$732.53



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 16 <sup>th</sup> day  
of March A.D. 2004  
At 9:00 A.M./P.M.

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, 9th Floor  
Pittsburgh, PA 15222  
(412) 281-7650

Chesler A. Hawkins  
Sheriff by Cynthia Button-Aughenbaugh

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

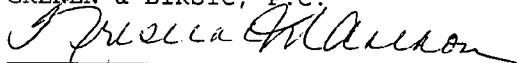
HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

By:

GRENEN & BIRSIC, P.C.

  
Kristine M. Anthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff

One Gateway Center, Ninth Floor

Pittsburgh, PA 15222

(412) 281-7650

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.

Execution No. 02-276-CD

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME BENJAMIN J. LOOMIS NO. 02-276-CD

NOW, February 12, 2005, 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 , I exposed the within described real estate of Loomis, Benjamin J. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

## **SHERIFF COSTS:**

## **PLAINTIFF COSTS, DEBT AND INTEREST:**

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

## GRENEN &amp; BIRSI, P.C.

ATTORNEYS AT LAW  
ONE GATEWAY CENTER  
NINTH FLOOR  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 281-7650  
FAX (412) 281-7657

June 30, 2004

VIA FAX TO (814) 765-5915 AND  
FIRST CLASS MAIL

Clearfield County  
Sheriff's Department  
230 East Market Street  
Clearfield, PA 16830

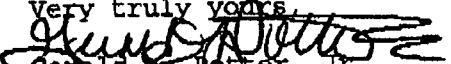
## ATTENTION: REAL ESTATE DIVISION

Re: Washington Mutual Bank, F.A. vs. Loomis  
Docket Number: 02-276 CD  
Sheriff's Sale Date: July 02, 2004

Dear Peggy:

Please be advised that this firm represents the Plaintiff with regard to the above-referenced matter. This letter shall serve as authorization for the Sheriff of Clearfield County to continue the Sheriff's Sale scheduled for July 02, 2004 to August 06, 2004. No monies were realized under the writ. Please make an appropriate announcement at the time of the sale.

If you have any questions, please feel free to contact me.

Very truly yours,  
  
Gerald M. Rotter, Jr.  
Legal Assistant

GRENEN & BIRSIC, P.C.  
ATTORNEYS AT LAW  
ONE GATEWAY CENTER  
NINTH FLOOR  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 281-7650  
FAX (412) 281-7657

August 05, 2004

VIA FAX TO (814) 765-5915 AND  
FIRST CLASS MAIL

Clearfield County  
Sheriff's Department  
230 East Market Street  
Clearfield, PA 16830

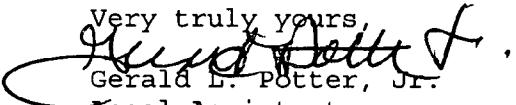
ATTENTION: REAL ESTATE DIVISION

Re: Washington Mutual Bank, F.A. vs. Loomis  
Docket Number: 02-276 CD  
Sheriff's Sale Date: August 06, 2004  
(Continued from July 02, 2004)

Dear Sir/Madam:

Please be advised that this firm represents the Plaintiff with regard to the above-referenced matter. This letter shall serve as authorization for the Sheriff of Clearfield County to stay the Sheriff's Sale scheduled for August 06, 2004. No monies were realized under the writ. Please make an appropriate announcement at the time of the sale.

If you have any questions, please feel free to contact me.

Very truly yours,  
  
Gerald L. Potter, Jr.  
Legal Assistant

IN THE COURT OF COMMON PLEAS OF CLEAFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

TYPE OF PLEADING  
Praecipe for  
Writ of Execution  
(Mortgage Foreclosure)

FILED ON BEHALF  
OF PLAINTIFF: Washington  
Mutual Bank, F.A.

COUNSEL OF RECORD  
FOR THIS PARTY:  
Kristine M. Anthou, Esquire  
Pa I.D. #77991

GRENNEN & BIRSMIC, P.C.

One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222

(412) 281-7650

⑥  
FILED 1CC & Lewonts  
M/24/05 w/ prop deser.  
APR 18 2005 to Shif  
William A. Shaw Atty pd 20.00  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

TO: Prothonotary

SIR/MADAM:

Please issue a Writ of Execution, directed to the Sheriff of Clearfield County, against the Defendant, Benjamin J. Loomis, as follows:

Amount Due	\$ 52,614.91
Interest	\$ 17,609.50
Late Charges	\$ 891.53
Escrow Deficiency	\$ 5,467.53
Attorneys' Fees	\$ 1,650.00
Title Search, Foreclosure and Execution Costs	<u>\$ 1,500.00</u>
<b>TOTAL</b>	<b>\$ 79,733.47</b>
	180.00

Prothonotary costs

GRENEN & BIRSIC, P.C.

By: Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Pa. I.D. #77991  
Attorneys for Plaintiff

Prothonotary copies

**FILED**

**APR 18 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA      )  
    )SS:  
COUNTY OF ALLEGHENY                )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

**ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:**

**ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF  
SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING  
KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER  
199919006. TAX PARCEL NUMBER 128-E4-3.**

1. The name and address of the owner or reputed owner:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

2. The name and address of the defendant in the judgment:

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Washington Mutual [Plaintiff]  
Bank, F.A.

4. The name and address of the last record holder of every mortgage of record:

Washington Mutual [Plaintiff]  
Bank, F.A.

5. The name and address of every other person who has any record lien on the property:

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

None

7. The 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:

Tenant(s) or  
Current Occupant(s)

RD 2, Box 67  
Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENNEN & BIRSIC, P.C.

By:

Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 15th day of April, 2005.

Hend D. Docth  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
WASHINGTON MUTUAL  
BANK, F.A.,

Plaintiff, NO.: 02-276-CD  
vs.  
BENJAMIN J. LOOMIS,  
Defendant.

AFFIDAVIT OF COMPLIANCE WITH ACT 6 OF 1974, 41 P.S.101, ET. SEQ.  
AND ACT 91 OF 1983

COMMONWEALTH OF PENNSYLVANIA

SS:

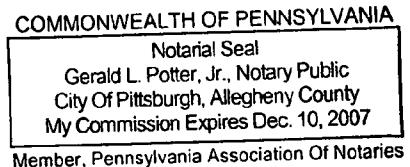
COUNTY OF ALLEGHENY

Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Faust, attorney for the Plaintiff, who being duly sworn according to law deposes and says on or about January 24, 2002, Defendant was mailed a combined Act 91 and Act 6 Notice, in compliance with the Homeowner's Emergency Mortgage Assistance Act, Act 91 of 1983 and Act 6 of 1974, 41 P.S. §101, et seq.

Kristine M. Faust

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 15th DAY OF April, 2005.  
Gerald L. Potter  
Notary Public



Member, Pennsylvania Association Of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
WASHINGTON MUTUAL  
BANK, F.A.,

Plaintiff, NO.: 02-276-CD  
vs.  
BENJAMIN J. LOOMIS,  
Defendant.

AFFIDAVIT OF LAST KNOWN ADDRESS

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF ALLEGHENY )

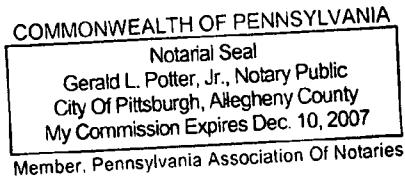
Before me, the undersigned authority, a Notary Public in and for the said County and Commonwealth, personally appeared Kristine M. Anthou, attorney for the Plaintiff, who being duly sworn according to law deposes and says that the owner of the property located at RD 2, BOX 67, Dubois, PA 15801 is Defendant, Benjamin J. Loomis, whose last known address is 13 Valley Avenue, Dubois, PA 18501 to the best of her information, knowledge and belief.

Kristine M. Anthou

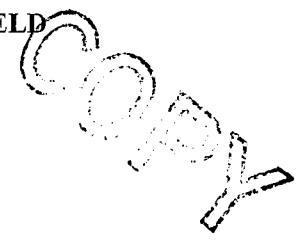
SWORN TO AND SUBSCRIBED BEFORE

ME THIS 15th DAY OF April, 2005.

Gerald L. Potter, Jr.  
Notary Public



**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**



Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:.....\$79,733.47  
INTEREST:.....\$17,609.50  
PROTH. COSTS: \$  
ATTY'S FEES:.....\$1,650.00  
TITLE, SEARCH, FORECLOSURE,  
and EXECUTION COSTS:.....\$1,500.00  
DATE: 04/18/2005

PAID:.....\$180.00  
SHERIFF: \$  
OTHER COSTS: \$  
LATE CHARGES:.....\$891.53  
ESCROW DEFICIENCY:....\$5,467.53

William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

\_\_\_\_\_  
Sheriff

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, 9th Floor  
Pittsburgh, PA 15222  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

GRENNEN & BIRSMIC, P.C.

By:

Kristine M. Anthou

Kristine M. Anthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff

One Gateway Center, Ninth Floor

Pittsburgh, PA 15222

(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 16496  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.  
vs.  
DEFENDANT: BENJAMIN L. LOOMIS

WRIT OF EXECUTION REA ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 08/16/2004

LEVY TAKEN 11/02/2004 @ 2:00 PM

POSTED 11/03/2004 @ 2:45 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 05/12/2005

DATE DEED FILED **NOT SOLD**

FILED  
03-54501  
MAY 12 2005

William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

11/03/2004 @ 2:45 PM SERVED BENJAMIN J. LOOMIS

SERVED BENJAMIN L. LOOMIS, DEFENDANT, AT HIS RESIDENCE 13 VALLEY DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MERLIN LOOMIS, FATHER OF THE DEFENDANT/AAR

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

@ SERVED

NOW, FEBRUARY 2, 2005 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF'S SALE SCHEDULED FOR FEBRUARY 4, 2005.

@ SERVED

NOW, MAY 12, 2005 RETURN WRIT AS NO SALE HELD THE PLAINTIFF'S ATTORNEY STAYED THE SALE. THE WRIT EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 16496  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: BENJAMIN L. LOOMIS

WRIT OF EXECUTION REA ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$214.05

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
By *Anthony Bittner-Auerhaf*  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:	<b>\$70,113.35</b>	PAID:	<b>\$140.00</b>
INTEREST:	<b>\$13,128.22</b>	SHERIFF:	\$
PROTH. COSTS:	<b>\$</b>	OTHER COSTS:	\$
LATE CHARGES:	<b>\$921.57</b>	ESCROW DEFICIENCY:	<b>\$298.65</b>
ATTY'S FEES:	<b>\$1,650.00</b>	TITLE SEARCH, FORECLOSURE	
DATE:	08/16/2004	and EXECUTION COSTS: <b>\$1,500.00</b>	



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 16<sup>th</sup> day  
of August A.D. 2004  
At 1:30 A.M.P.M.

Chesler A. Shaw  
Sheriff by Cynthia Butler Aughencayh

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15219  
(412) 281-7650

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

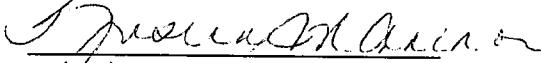
HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

GRENNEN & BIRSIC, P.C.

By:

  
Kristine M. Anthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

GREENEN & BIRSIĆ, P.C.  
ATTORNEYS AT LAW  
ONE GATEWAY CENTER  
NINTH FLOOR  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 281-7650  
FAX (412) 281-7657

January 07, 2005

VIA FAX TO (814) 765-5915 AND  
FIRST CLASS MAIL

Clearfield County  
Sheriff's Department  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: REAL ESTATE DIVISION

Re: Washington Mutual Bank, F.A. vs. Loomis  
Docket Number: 02-276 CD  
Sheriff's Sale Date: January 07, 2005

Dear Sir/Madam:

Please be advised that this firm represents the Plaintiff with regard to the above-referenced matter. This letter shall serve as authorization for the Sheriff of Clearfield County to continue the Sheriff's Sale scheduled for January 07, 2005 to February 04, 2005. No monies were realized under the writ. Please make an appropriate announcement at the time of the sale.

If you have any questions, please feel free to contact me.

Very truly yours,  
*Gerald L. Potter, Jr.*  
Gerald L. Potter, Jr.  
Legal Assistant

CC:

Peter Smith, Esquire

GRENEN & BIRSIĆ, P.C.  
ATTORNEYS AT LAW  
ONE GATEWAY CENTER  
NINTH FLOOR  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 281-7650  
FAX (412) 281-7657

February 02, 2005

VIA FAX TO (814) 765-5915 AND  
FIRST CLASS MAIL

Clearfield County  
Sheriff's Department  
230 East Market Street  
Clearfield, PA 16830

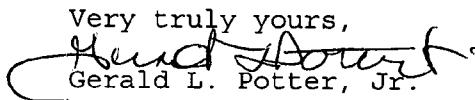
ATTENTION: REAL ESTATE DIVISION

Re: Washington Mutual Bank, F.A. vs. Loomis  
Docket Number: 02-276 CD  
Sheriff's Sale Date: February 04, 2005  
(Continued from January 07, 2005)

Dear Sir/Madam:

Please be advised that this firm represents the Plaintiff with regard to the above-referenced matter. This letter shall serve as authorization for the Sheriff of Clearfield County to stay the Sheriff's Sale scheduled for February 04, 2005. No monies were realized under the writ. Please make an appropriate announcement at the time of the sale.

If you have any questions, please feel free to contact me.

Very truly yours,  
  
Gerald L. Potter, Jr.  
Legal Assistant

CC:

Peter Smith, Esquire

Rec. 2-7-05

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME BENJAMIN J. LOOMIS NO. 02-276-CD

NOW, May 12, 2005, 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 February 04, 2005, I exposed the within described real estate of Benjamin L. Loomis 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	14.25
LEVY	15.00
MILEAGE	14.25
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.55
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	20.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$214.05</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	52,614.91
INTEREST @	0.00
FROM TO 02/04/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	921.57
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	298.65
PROPERTY INSPECTIONS	
INTEREST	13,128.22
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$68,633.35</b>

**COSTS:**

ADVERTISING	255.42
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	214.05
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	140.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$1,033.47</b>

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

CHESTER A. HAWKINS, Sheriff

**FILED**

**MAY 12 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

PRAECLPSE FOR REISSUE OF  
WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

TO THE PROTHONOTARY

Issue writ of execution on the above matter:

Amount Due	\$ 52,614.91
Interest from 07/01/01	\$ 27,118.56
(Costs to be added)	\$ _____
<b>Prothonotary costs</b>	<b>187.00</b>

*✓ Robert J. Allcorn*

Attorney for Plaintiff  
Grenen & Birsic, P.C.  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
Telephone: (412) 281-7650

NOTE: Attach two (two) copies of description of property.

6  
FILED 10/12/05 4:46 PM  
AUG 05 2005 100% to Sheriff  
Atty pd. 7.00  
William A. Shaw  
Prothonotary, Clerk of Courts

WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

 COPY

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description
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INTEREST:.....\$17,609.50  
PROTH. COSTS: \$  
ATTY'S FEES:.....\$1,650.00  
TITLE, SEARCH, FORECLOSURE,  
and EXECUTION COSTS:.....\$1,500.00  
DATE: 04/18/2005

PAID:.....\$180.00  
SHERIFF: \$  
OTHER COSTS: \$  
LATE CHARGES:.....\$891.53  
ESCROW DEFICIENCY:....\$5,467.53  
ADD'L PROTH. COSTS:.....\$7.00

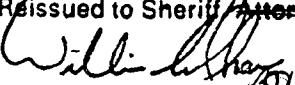


William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

\_\_\_\_\_  
Sheriff

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, 9th Floor  
Pittsburgh, PA 15222  
(412) 281-7650

8-5-05 Document  
Reinstated/Reissued to Sheriff Attorney  
for service. 

Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

ISSUE NUMBER:

vs.

BENJAMIN J. LOOMIS,

NO.: 02-276-CD

Defendant.

TYPE OF PLEADING:

Pa. R.C.P. RULE 3129.2(c)(2)  
PURSUANT TO RULE 3129.1  
LIENHOLDER AFFIDAVIT OF  
SERVICE

CODE -

FILED ON BEHALF OF PLAINTIFF:

Washington Mutual Bank, F.A.

COUNSEL OF RECORD FOR THIS  
PARTY:

Daniel J. Birsic, Esquire  
Pa. I.D. #48450

GRENEN & BIRSIK, P.C.  
One Gateway Center  
Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

SALE DATE: October 7, 2005

FILED NO CC  
M 118/81  
SEP 16 2005  
WAS

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

Pa. R.C.P. RULE 3129.2(c)(2)  
LIENHOLDER AFFIDAVIT OF SERVICE

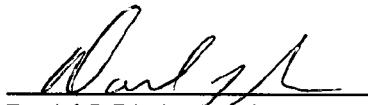
I, Daniel J. Birsic, Attorney for Plaintiff, Washington Mutual Bank, F.A., being duly sworn according to law, deposes and makes the following Affidavit regarding service of the notice of the sale of real property on all persons named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 as follows:

1. By letters dated June 16, 2005, undersigned counsel served all persons (other than the Plaintiff) named in Paragraphs 3 through 7 of Plaintiff's Affidavit Pursuant to Rule 3129.1 with a notice of the sale of real property by ordinary mail at the respective addresses set forth in the Affidavit Pursuant to Rule 3129.1. True and correct copies of said Affidavit Pursuant to Rule 3129.1 and Certificates of Mailing and any letters, if returned as of this date, are marked Exhibit "A", attached hereto, and made a part hereof.

I verify that the facts contained in this Affidavit are true and correct based upon my personal knowledge, information and belief.

GRENEN & BIRSCIC, P.C.

BY:

  
Daniel J. Birsic, Esquire  
Attorneys for Plaintiff  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

Sworn to and subscribed before

me this 14th day of September 2005.



Notary Public  
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Patricia A. Townsend, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires June 2, 2007

Member, Pennsylvania Association Of Notaries

**Exhibit "A"**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

AFFIDAVIT PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA )  
                                  ) SS:  
COUNTY OF ALLEGHENY        )

Washington Mutual Bank, F.A., Plaintiff in the above action, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information was of record concerning the real property of Benjamin J. Loomis, located at RD 2, Box 67, Dubois, PA 15801 and is more fully described as follows:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF BENJAMIN J. LOOMIS OF,  
IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF SANDY, CLEARFIELD COUNTY, PENNSYLVANIA. HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, BOX 67, DUBOIS, PENNSYLVANIA 15801. DOCUMENT ID NUMBER 199919006. TAX PARCEL NUMBER 128-E4-3.

1. The name and address of the owner or reputed owner:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

2. The name and address of the defendant in the judgment:

Benjamin J. Loomis 13 Valley Avenue  
Dubois, PA 15801

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

Washington Mutual [Plaintiff]  
Bank, F.A.

4. The name and address of the last record holder of every mortgage of record:

Washington Mutual [Plaintiff]  
Bank, F.A.

5. The name and address of every other person who has any record lien on the property:

PA Department of Revenue

Bureau of Individual Taxes  
Inheritance Tax Division  
Department 280601  
Harrisburg, PA 17128-0601

Domestic Relations Office

230 E. Market Street,  
Third Floor  
Clearfield, PA 16830

**Tax Assessment Office**

Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Commonwealth of PA

Department of Welfare  
P. O. Box 2675  
Harrisburg, PA 17105

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

None

7. The 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:

Tenant(s) or  
Current Occupant(s)

RD 2, Box 67  
Dubois, PA 15801

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and 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.

GRENEN & BIRSIĆ, P.C.

By:

Kristine M. Anthou  
Kristine M. Anthou, Esquire  
Attorneys for Plaintiff

SWORN to and subscribed before

me this 15th day of April, 2005.

Gerald L. Potter  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Gerald L. Potter, Jr., Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Dec. 10, 2007

Member, Pennsylvania Association Of Notaries



**FILED**

**SEP 16 2005**

William A. Stratton  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20145  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: BENJAMIN J. LOOMIS

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 04/19/2005

LEVY TAKEN 08/17/2005 @ 2:10 PM

POSTED 08/17/2005 @ 2:10 PM

SALE HELD 10/07/2005

SOLD TO THE SECRETARY OF VETERANS AFFAIRS

SOLD FOR AMOUNT \$5,000.00 PLUS COSTS

WRIT RETURNED 11/14/2005

DATE DEED FILED 11/14/2005

PROPERTY ADDRESS RD #2, BOX 67 A/K/A 445 KILMER ROAD DUBOIS , PA 15801

**SERVICES**

08/17/2005 @ 2:10 PM SERVED BENJAMIN J. LOOMIS

SERVED BENJAMIN L. LOOMIS, DEFENDANT, AT HIS RESIDENCE 13 VALLEY DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MERLIN LOOMIS, FATHER OF 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.

FILED  
02:25 PM  
NOV 14 2005  
LN

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 20145  
NO: 02-276-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: BENJAMIN J. LOOMIS

Execution REAL ESTATE

## SHERIFF RETURN

SHERIFF HAWKINS \$315.22

**SURCHARGE \$20.00 PAID BY ATTORNEY**

Sworn to Before Me This

### So Answers,

Day of 2005

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Washington Mutual Bank, F.A.

Vs.

NO.: 2002-00276-CD

Benjamin J. Loomis

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WASHINGTON MUTUAL BANK, F.A., Plaintiff(s) from BENJAMIN J. LOOMIS, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE:.....\$79,733.47  
INTEREST:.....\$17,609.50  
PROTH. COSTS: \$  
ATTY'S FEES:.....\$1,650.00  
TITLE, SEARCH, FORECLOSURE,  
and EXECUTION COSTS:.....\$1,500.00  
DATE: 04/18/2005

PAID:.....\$180.00  
SHERIFF: \$  
OTHER COSTS: \$  
LATE CHARGES:.....\$891.53  
ESCROW DEFICIENCY:....\$5,467.53  
ADD'L PROTH. COSTS:.....\$7.00



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 5<sup>th</sup> day  
of August A.D. 2005  
At 3:30 A.M./P.M.

Requesting Party: Kristine M. Anthou, Esq.  
One Gateway Center, 9th Floor  
Pittsburgh, PA 15222  
(412) 281-7650

Christen A. Brewkins  
Sheriff by Cynthia Butler-Aylenbaum

8-5-05 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL  
BANK, F.A.,

CIVIL DIVISION

Plaintiff,

NO.: 02-276-CD

vs.

BENJAMIN J. LOOMIS,

Defendant.

LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin in the center line of Hill Road where the Dixon Road intersects the same, said corner being the Southeast corner of 61.5 acre tract now or formerly of F.M. and Martha Shrauger; thence North 83° 20' West, 71.27 feet to an iron pin in the center line of the Dixon Road; thence North 8° 40' West 137.35 feet to an iron pin; thence North 45° 13' East 92.43 feet to an iron pin in the center line of the Hill Road; thence South 16° 03' East 96.38 feet to an iron pin in the center of the road; thence South 0° 14' West 117.48 feet to the place of beginning.

CONTAINING 13,948 square feet, including right of way.

EXCEPTING and RESERVING all coal, oil, gas and minerals, as excepted and reserved in prior instruments of record.

UNDER and SUBJECT to all restrictions, conditions, covenants, easements or rights of way which are not set forth in prior deeds or instruments of record.

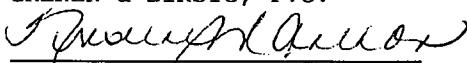
HAVING ERECTED A DWELLING BEING KNOWN AS RD 2, Box 67, Dubois, Pennsylvania 15801.

TAX PARCEL NUMBER 128-E4-3.

BEING the same property which Linda E. Kness, unmarried, granted and conveyed to Benjamin J. Loomis, unmarried, by Deed dated November 12, 1999 and recorded November 17, 1999, in the Recorder of Deeds Office, Clearfield County, Pennsylvania as Document ID Number 199919006.

GRENNEN & BIRSIC, P.C.

By:

  
Kristine M. Anthou, Esquire

Pa. I.D. #77991

Attorneys for Plaintiff  
One Gateway Center, Ninth Floor  
Pittsburgh, PA 15222  
(412) 281-7650

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME BENJAMIN J. LOOMIS NO. 02-276-CD

NOW, November 14, 2005, 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 October 07, 2005, I exposed the within described real estate of Benjamin J. Loomis to public venue or outcry at which time and place I sold the same to THE SECRETARY OF VETERANS AFFAIRS he/she being the highest bidder, for the sum of \$5,000.00 plus costs and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	15.39
LEVY	15.00
MILEAGE	15.39
POSTING	15.00
CSDS	10.00
COMMISSION	100.00
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	5,000.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$315.22</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$28.50</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	52,614.91
INTEREST @ %	0.00
FROM TO 10/07/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	891.53
COST OF SUIT-TO BE ADDED	1,500.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	1,650.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	5,467.53
PROPERTY INSPECTIONS	
INTEREST	17,609.50
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$79,753.47</b>
<b>COSTS:</b>	
ADVERTISING	213.52
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	315.22
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	180.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$1,026.24</b>

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

CHESTER A. HAWKINS, Sheriff