02-379-CD
CENDANT MORTGAGE CORPORATION -vs- ROBIN L. KIEHLMEIER etal

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12476

CENDANT MORTGAGE CORP 02-379-CD

VS.

KIEHLMEIER, ROBIN L.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

A SALE DATE OF JULY 12, 2002 WAS SET.

NOW, MAY 15, 2002 @ 10:20 A.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS ALSO POSTED THIS DATE.

NOW, MAY 16, 2002 @ 11:55 A.M. O'CLOCK SERVED THE DEFENDANT AT HER PLACE OF RESIDENCE 411 KNARR STREET A/K/A RD #2, BOX 125A, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA 15801 BY HANDING TO DANNY W. KIEHLMEIER DEFENDANTS HUSBAND A TRUE AND ATTESTED ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, MAY 16, 2002 @ 11:55 A.M. O'CLOCK SERVED THE DEFENDANT AT HIS RESIDENCE 411 KNARR STREET A/K/A RD #2, BOX 125A, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA 15801 BY HANDING TO DANNY W. KIEHLMEIER, DEFENDANT A TRUE AND ATTESTED ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF LEVY AND MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, FRIDAY, JULY 12, 2003 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANTS. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR $1.00 + COSTS.

NOW, DECEMBER 2, 2002 RECEIVED LETTER FROM PLAINTIFF ATTORNEY WITH A COURT ORDER SETTING ASIDE THE JULY 12, 2002 SALE. THE PROPERTY REVERTED BACK TO DEFENDANTS ROBIN L. KIEHLMEIER AND DANNY W. KIEHLMEIER.

REVISED BILLING WAS SENT TO THE PLAINTIFF ATTORNEY.

NOW, DECEMBER 16, 2002 RECEIVED CHECK FROM ATTORNEY TO PAY COSTS.

FILED

JAN 21 2003

0/12:00/cm

William A. Shaw

Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12476

CENDANT MORTGAGE CORP 02-379-CD

VS.

KIEHLMEIER, ROBIN L.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, JANUARY 21, 2003 PAID COSTS FROM ADVANCE AND ATTORNEY CHECK.

NOW, JANUARY 21, 2003 RETURN WRIT AS SALE WAS HELD ON JULY 12, 2002, BUT SET ASIDE BY COURT ORDER ON AUGUST 22, 2002 AND REVERTED BACK TO THE DEFENDANTS.

SHERIFF HAWKINS $878.21
SURCHARGE $40.00
PAID BY ATTORNEY

Sworn to Before Me This

21st Day Of Jan. 2003

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

So Answers,

Chester A. Hawkins
By Cynthia Butler Aughenbaugh
Chester A. Hawkins
Sheriff

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

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION 6000 ATRIUM WAY MT LAUREL, NJ 08054 Plaintiff	: CLEARFIELD COUNTY : : COURT OF COMMON : PLEAS : : CIVIL DIVISION
vs.	: NO. 02-379-CD
ROBIN L. KIEHLMEIER DANNY W. KIEHLMEIER 411 KNARR STREET, A/K/A RD 2 BOX 125A DUBOIS, PA 15801 **Defendant(s)**	

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Premises411 KNARR STREET, A/K/A RD 2 BOX 125A, DUBOIS, PA 15801
(see attached legal description)

Amount Due	$ 32,086.05
Interest from 4/26/02 (sale date) (per diem - $5.27)	$_____
Prothonotary Costs:	120.00
Total	$_____ Plus Costs as endorsed.

RECEIVED APR 30 2002
@ 1:31 PM
Chester A. Hawkins
by Margaret H. Putt

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

Dated: 4/30/02
(Seal) No. 02-379-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION

vs.

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Attorney for Plaintiff

Address: 411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

Where papers may be served.

ALL THOSE CERTAIN pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of Dubois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF:
BEGINNING at a Post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys 150 feet, more or less, to a post at an alley; thence South 30° 45' West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys 150 feet, more or less, to said Knarr Street; thence North 30° 45' East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF:
BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by deed dated November 3, 1970 and recorded in Clearfield County in Deed Book 569, page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, page 60 (said land now being owned by Elizabeth S. Nelson); thence North 30° 48' East by line of Knarr Street a distance of 31 feet to a point; thence in a Southeasterly direction by a line parallel with the property line between the parties hereto; a distance of 43 feet to a point; thence South 30° 45' West a distance of 31 feet to a point on the property line between the parties hereto; thence in a Northwesterly direction along the property line between the parties hereto a distance of 43 feet to Knarr Street and the place of beginning.

Tax Parcel #11-000-03089

TITLE TO SAID PREMISES IS VESTED IN Danny W. Kiehlmeier and Robin L. Kiehlmeier, his wife by Deed from Bruce Hotchkiss and Hope Hotchkiss, his wife dated 6/14/1984, recorded 7/3/1984, in Deed Book Volume 956, page 242.

REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION

NAME KIEHLMEIER NO. 02-379-CD

NOW, 12-Jul-02 , 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 12TH day of JULY 2002, I exposed the within described real estate of ROBIN L. KIEHLMEIER AND DANNY W. KIEHLMEIER to public venue or outcry at which time and place I sold the same to CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION he/she being the highest bidder, for the sum of $1.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	12.35
LEVY	15.00
MIELAGE	12.35
POSTING	15.00
CSDS	10.00
COMMISSION 2%	641.72
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	15.00
ADD'L MILEAGE	12.35
ADD'L LEVY	15.00
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	10.00
BILLING/PHONE/FAX	
TOTAL SHERIFF COSTS	**878.21**

DEED COSTS:

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

DEBIT & INTEREST:

DEBT-AMOUNT DUE	32,086.05
INTEREST FROM 4/26/02 PER DIEM @ $5.27 TO BE ADDED	
TOTAL DEBT & INTEREST	**32,086.05**
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	795.24
LATE CHARGES & FEES	
TAXES - collector	NONE
TAXES - tax claim	NONE
DUE	
COST OF SUIT -TO BE ADDED	
LIST OF LIENS & MORTGAGE SEARCH	140.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	
DEED COSTS	
ATTORNEY COMMISSION	
SHERIFF COSTS	878.21
LEGAL JOURNAL AD	90.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
TOTAL COSTS	**2,023.45**

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

FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 J.F.K. Boulevard, Suite 1400
Philadelphia, PA 19103-1814
P: (215) 563-7000
F: (215) 563-4491
Email: *andrea.linder@fedphe.com*

Andrea L. Linder
Litigation Department, Extension 1315

Representing Lenders in
Pennsylvania & New Jersey*

December 2, 2002

VIA FEDERAL EXPRESS
Recorder of Deeds – Clearfield County
230 E. Market Street
Clearfield, PA 16830

RE: Cendant Mortgage Corporation, f/k/a PHH Mortgage Corporation v. Kiehlmeier, et al.
CCP, Clearfield County, No. 02-379-CD

Dear Sir or Madam:

Enclosed is an original certified copy of the Court's Order dated August 22, 2002, setting aside the July 12, 2001 Sheriff's Sale. The property is located at 411 Knarr Street, a/k/a RD 2 Box 125A, Dubois, PA 15801. Also enclosed is a check in the amount of $18.50 for the recordation fee. Please record the certified Order and return the original to my attention in the enclosed, self-addressed envelope.

If you have any questions or if you need anything further, please feel free to call me.

Very truly yours,

Andrea L. Linder
Paralegal
encl.
cc: Robin and Danny Kiehlmeier (via regular mail, w/ encl.)
Sheriff of Clearfield County (via regular mail, w/ encl.)

---

* This firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have received a discharge in bankruptcy, this is not and should not be construed as an attempt to collect a debt. We are only proceeding against the real estate secured by the Mortgage.

Received
12-4-02

NNE K. DA
ification No. 87077
e Penn Center at Suburban Station
ite 1400
1617 J.F.K. Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation f/k/a PHH US Mortgage Corporation 6000 Atrium Way Mt. Laurel, NJ 08054	:	Court of Common Pleas
	:	Civil Division
	:	Clearfield County
vs.	:	No. 02-379-CD
Robin L. Kiehlmeier and Danny W. Kiehlmeier 411 Knarr Street, a/k/a RD 2 Box 125A Dubois, PA 15801	:	

ORDER

AND NOW, this 22nd day of August, 2002, upon consideration of Plaintiff's Motion to Set Aside the Sheriff's Sale and Defendants' Response thereto, if any, it is hereby

ORDERED and **DECREED** that Plaintiff's Motion is granted; and

ORDERED and **DECREED** that the Sheriff's Sale of July 12, 2002 is hereby set aside and the property will revert back to Defendants, Robin L. Kiehlmeier and Danny W. Kiehlmeier.

BY THE COURT:

/s/JOHN K. REILLY, JR.

President Judge

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

NOV 04 2002

Attest.

Prothonotary/
Clerk of Courts

FILED

JAN 21 2003

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN, LLP
BY: JENINE R. DAVEY, ESQUIRE
Identification No. 87077
One Penn Center at Suburban Station
Suite 1400
1617 J.F.K. Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation f/k/a PHH US Mortgage Corporation 6000 Atrium Way Mt. Laurel, NJ 08054	:	Court of Common Pleas
	:	Civil Division
	:	Clearfield County
vs.	:	No. 02-379-CD
Robin L. Kiehlmeier and Danny W. Kiehlmeier 411 Knarr Street, a/k/a RD 2 Box 125A Dubois, PA 15801	:	

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

MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION TO SET ASIDE SHERIFF'S SALE

An in rem Judgment was entered in favor of Plaintiff in the above-referenced mortgage foreclosure action on April 29, 2002.

Pursuant to a Writ of Execution issued on April 29, 2002 to enforce the judgment, the mortgaged premises, located at 411 Knarr Street, a/k/a RD 2 Box 125A, Dubois, PA 15801, was sold to Plaintiff at the Clearfield County Sheriff's Sale held on July 12, 2002.

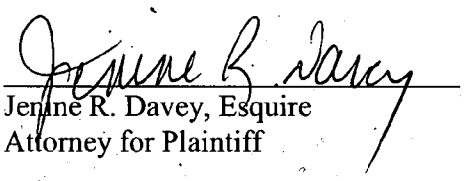
However, unbeknownst to the Sheriff's Office, Plaintiff received funds from the Defendants to satisfy the total amount of the loan on the same day as the Sheriff's Sale.

Defendants followed the proper procedures to prevent the sale of their property and should not be penalized because Plaintiff was required to substantiate that all the funds were received before nullifying the sale. Pa. R.C.P. 1066 (b)(3) gives the Court the authority to strike the sale.

As such, the Sheriff's Sale held on July 12, 2002 should be set aside, so as to return the premises to the Defendants.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order setting aside the July 12, 2002 Sheriff's Sale.

FEDERMAN & PHELAN, LLP



Jenine R. Davey, Esquire
Attorney for Plaintiff

VERIFICATION

Jenine R. Davey, Esquire, hereby states that she is the attorney for the Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Set Aside Sheriff's Sale are true and correct to the best of her knowledge, information and belief.

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

FEDERMAN & PHELAN, LLP

Jenine R. Davey, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN, LLP
BY: JENINE R. DAVEY, ESQUIRE
Identification No. 87077
One Penn Center at Suburban Station
Suite 1400
1617 J.F.K. Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation **f/k/a PHH US Mortgage Corporation** **6000 Atrium Way** **Mt. Laurel, NJ 08054**	:	**Court of Common Pleas**
	:	**Civil Division**
	:	**Clearfield County**
vs.		
	:	**No. 02-379-CD**
Robin L. Kiehlmeier and Danny W. Kiehlmeier **411 Knarr Street, a/k/a RD 2 Box 125A** **Dubois, PA 15801**	:	

ORDER

AND NOW, this 22nd day of August, 2002, upon consideration of Plaintiff's Motion to Set Aside the Sheriff's Sale and Defendants' Response thereto, if any, it is hereby

ORDERED and **DECREED** that Plaintiff's Motion is granted; and

ORDERED and **DECREED** that the Sheriff's Sale of July 12, 2002 is hereby set aside and the property will revert back to Defendants, Robin L. Kiehlmeier and Danny W. Kiehlmeier.

BY THE COURT:

J.

FILED
AUG 22 2002
0/10:47/2cc atty. Davey
William A. Shaw
Prothonotary

FEDERMAN AND PHELAN, LLP
BY: JENINE R. DAVEY, ESQUIRE
Identification No. 87077
One Penn Center at Suburban Station
Suite 1400
1617 J.F.K. Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation f/k/a PHH US Mortgage Corporation 6000 Atrium Way Mt. Laurel, NJ 08054	:	Court of Common Pleas
	:	Civil Division
	:	Clearfield County
vs.	:	No. 02-379-CD
Robin L. Kiehlmeier and Danny W. Kiehlmeier 411 Knarr Street, a/k/a RD 2 Box 125A Dubois, PA 15801	:	

FILED

AUG 16 2002
m/11:30/ nocc
William A. Shaw
Prothonotary

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

MOTION TO SET ASIDE SHERIFF'S SALE

Cendant Mortgage Corporation, f/k/a PHH US Mortgage Corporation, by its attorneys, Federman and Phelan, LLP, respectfully requests that this Honorable Court enter an Order Setting Aside the July 12, 2002 Sheriff's Sale of the property located at 411 Knarr Street, a/k/a RD 2 Box 125A, Dubois, PA 15801, and in support thereof avers as follows:

1. An in rem Judgment was entered in favor of Plaintiff in the above-referenced mortgage foreclosure action on April 29, 2002.

2. Pursuant to a Writ of Execution issued on April 29, 2002 to enforce the judgment, the mortgaged premises, located at 411 Knarr Street, a/k/a RD 2 Box 125A, Dubois, PA 15801, was sold to Plaintiff at the Clearfield County Sheriff's Sale held on July 12, 2002.

3. However, unbeknownst to the Sheriff's Office, Plaintiff received funds from the Defendants to satisfy the total amount of the loan on the same day as the Sheriff's Sale.

4. Defendants followed the proper procedures to prevent the sale of their property and should not be penalized because Plaintiff was required to substantiate that all the funds were received before nullifying the sale.

5. As such, the Sheriff's Sale held on July 12, 2002 should be set aside, so as to return the premises to the Defendants.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order setting aside the July 12, 2002 Sheriff's Sale.

FEDERMAN & PHELAN, LLP

Jenine R. Davey, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN, LLP
BY: JENINE R. DAVEY, ESQUIRE
Identification No. 87077
One Penn Center at Suburban Station
Suite 1400
1617 J.F.K. Blvd.
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

Cendant Mortgage Corporation **f/k/a PHH US Mortgage Corporation** **6000 Atrium Way** **Mt. Laurel, NJ 08054**	:	**Court of Common Pleas**
	:	**Civil Division**
	:	**Clearfield County**
vs.	:	**No. 02-379-CD**
Robin L. Kiehlmeier and Danny W. Kiehlmeier **411 Knarr Street, a/k/a RD 2 Box 125A** **Dubois, PA 15801**	:	

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

CERTIFICATION OF SERVICE

I hereby certify a true and correct copy of the Plaintiff's Motion to Set Aside Sheriff's Sale, Memorandum of Law in Support thereof, Verification and proposed Order were served by U.S. First Class Mail on all interested parties on the date listed below:

Robin and Danny Kiehlmeier
411 Knarr Street, a/k/a RD 2, Box 125A
Dubois, PA 15801

Sheriff of Clearfield County
1 North Second Street, Suite 116
Clearfield, PA 16830

8/15/02
Date

Jenine R. Davey, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION) CIVIL ACTION
)

vs.

ROBIN L. KIEHLMEIER) CIVIL DIVISION
DANNY W. KIEHLMEIER) NO. 02-379-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

I, FRANK FEDERMAN, ESQUIRE attorney for **CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION** hereby verify that on **5/30/02** true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto. Notice of Sale was sent to the Defendant(s) on **5/30/02** by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: June 21, 2002

Frank Federman
FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

FILED

JUN 27 2002
0 12:08 noc c
William A. Shaw
Prothonotary

oName and Address of Sender

FEDERMAN & PHELAN
ONE PENN CENTER, SUBURBAN STATION, SUITE 1400
PHILADELPHIA, PA 19102

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	GMW	TENANT/OCCUPANT 411 KNARR STREET, A/K/A RD 2 BOX 125A DUBOIS, PA 15801		
2		COMMONWEALTH OF PA DEPT OF WELFARE P.O. BOX 2675 HARRISBURG, PA 17105		
3		CLEARFIELDCOUNTY DOMESTIC RELATIONS DEPARTMENT CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
4		FARMERS HOME ADMINISTRATION FEDERAL BUILDING HARRISBURG, PA 17108		
5				
6				
7				
8.				
9.				
10.				
11.		KIEHLMEIER		

Total Number of Pieces Listed by Sender	TEAM 2	Postmaster, Per (Name of Receiving Employee)	

U.S. POSTAGE 1.00 PHILADELPHIA PA MAY 30 '02 PB METER 6727654

USPS #13 PHILA. PA MAY 30 2002 CENTER

7160 3901 9844 8034 0133

TO: ROBIN L. KIEHLMEIER
411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

SENDER: TEAM 2 NXW

REFERENCE: KIEHLMEIER

PS Form 3800, June 2000

RETURN RECEIPT SERVICE		
	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE
USPS CENTER #13 PHILA PA 19102 PENN
MAY 30 2002

7160 3901 9844 8034 0157

TO: DANNY W. KIEHLMEIER
411 KNARR STREET
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

SENDER: TEAM 2 NXW

REFERENCE: KIEHLMEIER

PS Form 3800, June 2000

RETURN RECEIPT SERVICE		
	Postage	.34
	Certified Fee	2.10
	Return Receipt Fee	1.50
	Restricted Delivery	3.20
	Total Postage & Fees	7.14

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE
USPS CENTER #13 PHILA PA 19102 PENN
MAY 30 2002

FILED

JUN 27 2002

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
By: Frank Federman, Esquire, ID. No. 12248
Lawrence T. Phelan, Esquire, ID. No. 32227
Francis S. Hallinan, Esquire, ID. No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION,
F/K/A PHH US MORTGAGE CORPORATION

Plaintiff

vs.

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER

Defendant(s)

Court of Common Pleas
CLEARFIELD County
No. 02-379-CD

PRAECIPE TO SUBSTITUTE LEGAL DESCRIPTION

TO THE PROTHONOTARY:

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

6/5/02
Date

Francis S. Hallinan
Frank Federman, Esquire
Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Attorneys for Plaintiff

FILED
JUN 10 2002
m/1:18/nocc
William A. Shaw
Prothonotary

LEGAL DESCRIPTION

ALL those certain pieces, parcels or lots of land lying and being situate in the Fourth Ward of the CITY OF DUBOIS, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

THE FIRST THEREOF: BEGINNING at a post on the easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys 150 feet, more or less, to a post at an alley; thence South 30° 45' West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant southerly from said other lands formerly of the said Ida E. Buys 150 feet, more or less, to said Knarr Street; thence North 30° 45" East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by deed dated November 3, 1970 and recorded in Clearfield County in Deed Book 569, page 634, said beginning point also being the northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, page 50 (said land now being owned by Elizabeth S. Nelson); thence North 30° 45' East by line of Knarr Street a distance of 3-1/2 feet to a point; thence in a Southeasterly direction by a line parallel with the property line between the parties hereto, a distance of 43 feet to a point; thence South 30° 45' West a distance of 3-1/2 feet to a point on the property line between the parties hereto; thence in a Northwesterly direction along the property line between the parties hereto a distance of 43 feet to Knarr Street and the place of beginning.

BEING the same premises that was granted and conveyed to Danny W. Kiehlmeier and Robin L. Kiehlmeier, his wife, by deed of Bruce Hotchkiss and Hope Hotchkiss, his wife, dated June 14, 1984 and recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deed Book Volume 956, page 242.

Clearfield County Map No. 007-4-011-000-03089

BEING known as 411 Knarr Street

FEDERMAN AND PHELAN
By: Frank Federman, Esquire
Atty. I.D. No.: 12248
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION,
F/K/A PHH US MORTGAGE CORPORATION

Plaintiff

vs.

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER

Defendant(s)

Court of Common Pleas
CLEARFIELD County
No. 02-379-CD

PRAECIPE TO SUBSTITUTE LEGAL DESCRIPTION

TO THE PROTHONOTARY:

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

4/9/02
Date

Frank Federman
Attorney for Plaintiff

FILED
APR 18 2002
William A. Shaw
Prothonotary

Premises: 411 KNARR STREET, CITY OF DUBOIS
CLEARFIELD COUNTY
PA

DESCRIPTION

ALL THOSE CERTAIN pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of Dubois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF:
BEGINNING at a Post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys 150 feet, more or less, to a post at an alley; thence South 30° 45' West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys 150 feet, more or less, to said Knarr Street; thence North 30° 45' East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF:
BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by deed dated November 3, 1970 and recorded in Clearfield County in Deed Book 569, page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, page 60 (said land now being owned by Elizabeth S. Nelson); thence North 30° 48' East by line of Knarr Street a distance of 31 feet to a point; thence in a Southeasterly direction by a line parallel with the property line between the parties hereto; a distance of 43 feet to a point; thence South 30° 45' West a distance of 31 feet to a point on the property line between the parties hereto; thence in a Northwesterly direction along the property line between the parties hereto a distance of 43 feet to Knarr Street and the place of beginning.

Tax Parcel #11-000-03089

FILED NO CC

m/11:32 BH

APR 18 2002

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12244

CENDANT MORTGAGE CORPORATION f/k/a 02-379-CD

VS.

KIEHLMEIER, ROBIN L. & DANNY W.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW MARCH 22, 2002 AT 11:54 AM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DANNY W. KIEHLMEIER, DEFENDANT AT RESIDENCE, RD#2 BOX 125A, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DANNY W. KIEHLMEIER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: SNYDER/GRASSO

NOW MARCH 22, 2002 AT 11:54 AM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ROBIN L. KIEHLMEIER, DEFENDANT AT RESIDENCE, RD#2 BOX 125, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DANNY L. KIEHLMEIER, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: SNYDER/GRASSO

Return Costs

Cost	Description
36.35	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED
0/4-00
MAY 02 2002
William A. Shaw
Prothonotary

Sworn to Before Me This

2nd Day Of May 2002

So Answers,

Chester A. Hawkins
by Marilyn Hamp
Chester A. Hawkins
Sheriff

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

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION 6000 ATRIUM WAY MT LAUREL, NJ 08054	: CLEARFIELD COUNTY : : COURT OF COMMON : PLEAS : : CIVIL DIVISION :
Plaintiff	: NO. 02-379-CD
vs.	
ROBIN L. KIEHLMEIER DANNY W. KIEHLMEIER 411 KNARR STREET, A/K/A RD 2 BOX 125A DUBOIS, PA 15801	
Defendant(s)	

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	$ 32,086.05	
Interest from 4/26/02 (sale date) (per diem - $5.27)	$ _____	and Costs

FRANK FEDERMAN, ESQUIRE
ONE PENN CENTER AT SUBURBAN STATION
SUITE 1400
PHILADELPHIA, PA 19103
Attorney for Plaintiff

Note: Please attach description of property.

FILED

APR 30 2002

William A. Shaw
Prothonotary

No. 02-379-CD Term
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION

vs.

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

Frank Fellen
Attorney for Plaintiff

Address:

411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

Where papers may be served.

ALL THOSE CERTAIN pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of Dubois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF:
BEGINNING at a Post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys 150 feet, more or less, to a post at an alley; thence South 30° 45' West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys 150 feet, more or less, to said Knarr Street; thence North 30° 45' East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

THE SECOND THEREOF:
BEGINNING at a post on the Easterly side of Knarr Street being the Southwest corner of land conveyed by Victor Buys and Anna B. Gent, Co-Executors of the Estate of Ida E. Buys, deceased, to B. B. Marshall and Donna C. Marshall, husband and wife, by deed dated November 3, 1970 and recorded in Clearfield County in Deed Book 569, page 634, said beginning point also being the Northwest corner of land conveyed by Ida E. Buys to Marian Elizabeth Buys and Stephen D. Buys, her husband, by deed dated March 25, 1946, and recorded March 29, 1946, in Clearfield County Deed Book 375, page 60 (said land now being owned by Elizabeth S. Nelson); thence North 30° 48' East by line of Knarr Street a distance of 31 feet to a point; thence in a Southeasterly direction by a line parallel with the property line between the parties hereto; a distance of 43 feet to a point; thence South 30° 45' West a distance of 31 feet to a point on the property line between the parties hereto; thence in a Northwesterly direction along the property line between the parties hereto a distance of 43 feet to Knarr Street and the place of beginning.

Tax Parcel #11-000-03089

TITLE TO SAID PREMISES IS VESTED IN Danny W. Kiehlmeier and Robin L. Kiehlmeier, his wife by Deed from Bruce Hotchkiss and Hope Hotchkiss, his wife dated 6/14/1984, recorded 7/3/1984, in Deed Book Volume 956, page 242.

FILED

APR 30 2002

William A. Shaw
Prothonotary

Federman
pd $20.00
Sheriff

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

COPY

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION 6000 ATRIUM WAY MT LAUREL, NJ 08054 Plaintiff	: CLEARFIELD COUNTY : : COURT OF COMMON : PLEAS : : CIVIL DIVISION
vs.	: NO. 02-379-CD
ROBIN L. KIEHLMEIER DANNY W. KIEHLMEIER 411 KNARR STREET, A/K/A RD 2 BOX 125A DUBOIS, PA 15801 **Defendant(s)**	

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

Premises411 KNARR STREET, A/K/A RD 2 BOX 125A, DUBOIS, PA 15801
(see attached legal description)

Amount Due	$ 32,086.05
Interest from 4/26/02 (sale date) (per diem - $5.27)	$_____
Prothonotary Costs:	120.00
Total	$_____ Plus Costs as endorsed.

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

Dated: 4/30/02
(Seal) No. 02-379-CD Term

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION

vs.

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

Attorney for Plaintiff

Address: 411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

411 KNARR STREET,
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

Where papers may be served.

ALL THOSE CERTAIN pieces, parcels or lots of land lying and being situate in the Fourth Ward of the City of Dubois, Clearfield County, Pennsylvania, being bounded and described as follows, to-wit:

THE FIRST THEREOF:
BEGINNING at a Post on the Easterly side of Knarr Street and the Southwest corner of other lands formerly of Ida E. Buys; thence Easterly by line of said other lands formerly of Ida E. Buys 150 feet, more or less, to a post at an alley; thence South 30° 45' West by line of said alley 43 feet to a post; thence Westerly in a straight line parallel with and at all points 43 feet distant Southerly from said other lands formerly of the said Ida E. Buys 150 feet, more or less, to said Knarr Street; thence North 30° 45' East by line of said Knarr Street 43 feet to a post corner of said other lands formerly of the said Ida E. Buys, the place of beginning.

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Tax Parcel #11-000-03089

TITLE TO SAID PREMISES IS VESTED IN Danny W. Kiehlmeier and Robin L. Kiehlmeier, his wife by Deed from Bruce Hotchkiss and Hope Hotchkiss, his wife dated 6/14/1984, recorded 7/3/1984, in Deed Book Volume 956, page 242.

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION,		
F/K/A PHH US MORTGAGE CORPORATION	:	**CLEARFIELD COUNTY**
6000 ATRIUM WAY	:	**COURT OF COMMON PLEAS**
MT LAUREL, NJ 08054		
vs.	:	**CIVIL DIVISION**
ROBIN L. KIEHLMEIER	:	**NO. 02-379-CD**
DANNY W. KIEHLMEIER		
411 KNARR STREET,		
A/K/A RD 2 BOX 125A		
DUBOIS, PA 15801		

PRAECIPE FOR JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **ROBIN L. KIEHLMEIER and DANNY W. KIEHLMEIER**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	$31,703.57
Interest - **3/1/02 TO 4/25/02**	$ 382.48
TOTAL	$32,086.05

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

FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 4/30/02

PRO PROTHY

FILED

APR 30 2002

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION F/K/A PHH US MORTGAGE CORPORATION	: COURT OF COMMON PLEAS
	: CIVIL DIVISION
Plaintiff	: CLEARFIELD COUNTY
vs.	
	: NO. 02-379-CD
ROBIN L. KEIHLMEIER DANNY W. KIEHLMEIER	
Defendant(s)	

TO: ROBIN L. KEIHLMEIER
411 KNARR STREET A/K/A RD 2, BOX 125A
DUBOIS PA 15801

FILE COPY

DATE OF NOTICE: APRIL 12, 2002

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

IMPORTANT NOTICE

You are in default because you have failed enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a Judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

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

Frank Federman, Esquire
Attorney for Plaintiff

FEDERMAN AND PHELAN
BY: FRANK FEDERMAN, ESQUIRE
Identification No. 12248
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION F/K/A PHH US MORTGAGE CORPORATION	: COURT OF COMMON PLEAS
	: CIVIL DIVISION
Plaintiff	: CLEARFIELD COUNTY
vs.	
	: NO. 02-379-CD
ROBIN L. KEIHLMEIER DANNY W. KIEHLMEIER	
Defendant	

TO: DANNY W. KIEHLMEIER
411 KNARR STREET A/K/A RD 2, BOX 125A
DUBOIS PA 15801

FILE COPY

DATE OF NOTICE: APRIL 12, 2002

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

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

Frank Federman, Esquire
Attorney for Plaintiff

FILED

APR 30 2002

William A. Shaw
Prothonotary

M19150 / atty Federman

pd 20.00

Not. to Defs

Stat. to atty.

(Rule of Civil Procedure No. 236) - Revised

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CENDANT MORTGAGE CORPORATION,
F/K/A PHH US MORTGAGE CORPORATION)
) **NO. 02-379-CD**
Plaintiff

vs.

ROBIN L. KIEHLMEIER)
DANNY W. KIEHLMEIER)
Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on April 30, 2002.

By: _____ DEPUTY

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

FRANK FEDERMAN, ESQUIRE

Attorney for Party Filing
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

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

(Rule of Civil Procedure No. 236) - Revised

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

CENDANT MORTGAGE CORPORATION,
F/K/A PHH US MORTGAGE CORPORATION)
) **NO. 02-379-CD**
Plaintiff

vs.

ROBIN L. KIEHLMEIER)
DANNY W. KIEHLMEIER)
Defendants

Notice is given that a Judgment in the above-captioned matter has been entered against you on April 30, 2002.

By: _____ DEPUTY

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

FRANK FEDERMAN, ESQUIRE

Attorney for Party Filing
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

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

COPY

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

Cendant Mortgage Corporation
Plaintiff(s)

No.: 2002-00379-CD

Real Debt: $32,086.05

Atty's Comm:

Vs.

Costs: $

Int. From:

Robin L. Kiehlmeier
Danny W. Kiehlmeier
Defendant(s)

Entry: $20.00

Instrument: Default Judgment

Date of Entry: April 30, 2002

Expires: April 30, 2007

Certified from the record this 30th of April, 2002

_____
William A. Shaw, Prothonotary

****

SIGN BELOW FOR SATISFACTION

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

_____
Plaintiff/Attorney

FEDERMAN AND PHELAN
By: FRANK FEDERMAN
Identification No. 12248
One Penn Center at Suburban
Station, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney for Plaintiff

CENDANT MORTGAGE CORPORATION, F/K/A PHH US MORTGAGE CORPORATION	:	**CLEARFIELD COUNTY**
	:	**COURT OF COMMON PLEAS**
	:	**CIVIL DIVISION**
vs.		
	:	**NO. 02-379-CD**
ROBIN L. KIEHLMEIER		
DANNY W. KIEHLMEIER	:	

VERIFICATION OF NON-MILITARY SERVICE

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

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

(b) that defendant **ROBIN L. KIEHLMEIER** is over 18 years of age and resides at **411 KNARR STREET, A/K/A RD 2 BOX 125A, DUBOIS, PA 15801.**

(c) that defendant **DANNY W. KIEHLMEIER** is over 18 years of age, and resides at **411 KNARR STREET, A/K/A RD 2 BOX 125A, DUBOIS, PA 15801.**

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

FRANK FEDERMAN, ESQUIRE

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

CENDANT MORTGAGE CORPORATION
F/K/A PHH US MORTGAGE CORPORATION
6000 ATRIUM WAY
MT LAUREL, NJ 08054

Plaintiff

v.

TERM

NO. 02-379-CD

CLEARFIELD COUNTY

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER
411 KNARR STREET
A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

FILED

MAR 14 2002

William A. Shaw
Prothonotary

Loan #: 0006093561

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

1. Plaintiff is

CENDANT MORTGAGE CORPORATION
F/K/A PHH US MORTGAGE CORPORATION
6000 ATRIUM WAY
MT LAUREL, NJ 08054

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

ROBIN L. KIEHLMEIER
DANNY W. KIEHLMEIER
411 KNARR STREET A/K/A RD 2 BOX 125A
DUBOIS, PA 15801

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

3. On 5/15/95 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1677, Page 75.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 11/1/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	$29,340.51
Interest	1,038.16
10/1/01 through 3/1/02	
(Per Diem $6.83)	
Attorney's Fees	1,000.00
Cumulative Late Charges	30.10
5/15/95 to 3/1/02	
Cost of Suit and Title Search	550.00
Subtotal	$31,958.77
Escrow	
Credit	255.20
Deficit	0.00
Subtotal	($ 255.20)
TOTAL	$31,703.57

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

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds $50,000.00.

9. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c.

10. The Temporary Stay as provided by the Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983, has terminated because either:
    (i.) Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants; or
    (ii.) Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of $31,703.57, together with interest from 3/1/02 at the rate of $6.83 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP

By: _____

FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain lot or piece of ground with the buildings and improvements thereon erected, being known as KNARR STREET and being further described on that certain Deed dated and recorded 6/14/84 in the Office of the Recorder of Deeds in Clearfield County in Deed Book No.956, Page 242

Parcel No. 7-4-001-3089

BEING known as 411 Knarr Street

VERIFICATION

MARC J. HINKLE hereby states that he is V.P. of CENDANT MORTGAGE SERVICES mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

Marc J Hinkle

DATE: 3/11/00

FILED

MAR 14 2002

William A. Shaw
Prothonotary

M/11:50/atty Eckerman
pd 80.00
2cc Sheriff