

02-1072-CD  
WASHINGTON MUTUAL BANK, F.A. et al -vs- DAVID J. SHORT, JR.

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA  
9451 CORBIN AVENUE  
MAILSTOP N010204  
NORTHRIDGE, CA 91324

TERM

Plaintiff

v.

NO. 02-1072-00

CLEARFIELD COUNTY

**FILED**

DAVID J. SHORT, JR.  
RD 3 BOX 298  
DU BOIS, PA 15801

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

JUL 11 2002

m/11:43latty federman

William A. Shaw  
Prothonotary

80.00

1cc Guy

**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

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

WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP.OF AMERICA  
9451 CORBIN AVENUE  
MAILSTOP N010204  
NORTHRIDGE, CA 91324

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

DAVID J. SHORT, JR.  
RD 3 BOX 298  
DU BOIS, PA 15801

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

3. On 7/15/99 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE AND COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 199911988. By Assignment of Mortgage recorded 7/21/99 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Instrument No. 199911987.
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 1/1/02 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$34,856.94
Interest	1,178.00
12/1/01 through 5/1/02 (Per Diem \$7.75)	
Attorney's Fees	1,250.00
Cumulative Late Charges 7/15/99 to 5/1/02	105.52
Cost of Suit and Title Search	550.00
Subtotal	\$37,940.46
Escrow	
Credit	0.00
Deficit	774.51
Subtotal	\$ 774.51
<b>TOTAL</b>	<b>\$38,714.97</b>

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose has been sent to Defendant(s) by Certified Mail, as required by Act 6 of 1974 of the Commonwealth of Pennsylvania.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$38,714.97, together with interest from 5/1/02 at the rate of \$7.75 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.



/s/ Frank Federman

FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

ALL those certain pieces, parcels or lots of land situate, lying and being in Sandy Township, \* Pennsylvania, bounded and described as follows, to wit:

\* Clearfield County,

**THE FIRST THEREOF:** Being Lot No. 23 in Section "N" of the recorded plot of the DuBois Land Company which lot was assessed and sold in the name of August Selta by the County Commissioners of Clearfield County to former grantors by Commissioners deed, dated December 30th, 1936; and later sold in the name of A.H. Reitz to former grantors by the County Commissioners of Clearfield County, by their deed dated August 23rd, 1943.

BEING SUBJECT to the reservations contained in the original deed of the DuBois Land Company.

UNDER AND SUBJECT to any exceptions and reservations which may appear in the recorded chain of title.

**THE SECOND THEREOF:** Being Lot No. 24 in Section "N" of the plot of the DuBois Land Company, recorded in the Office of the Register and Recorder of Clearfield County at Clearfield and same having been sold to former grantors by the County Commissioners of Clearfield County by their deed dated August 23rd, 1943, and being a part of a larger tract assessed and sold in the name of the DuBois Land Company to former grantors which deed is recorded in Clearfield in Deed Book No.

BEING SUBJECT to the reservations contained in the original deed of the DuBois Land Company.

UNDER AND SUBJECT to any exceptions and reservations which may appear in the recorded chain of title.

**THE THIRD THEREOF:** Being known as Lot No. 22, Section "N" of the DuBois Land Company's Addition to DuBois, improved with a dwelling house. BEGINNING at a post on Spackman Avenue at corner of Lot No. 23; thence by Spackman Avenue, North  $51^{\circ} 58'$  West, 50 feet to a post at Lot No. 21; thence by Lot No. 21, North  $38^{\circ} 2'$  East, 150 feet to an alley; thence by said alley, South  $51^{\circ} 58'$  East 50 feet to a post at Lot No. 23; thence by Lot No. 23, South  $38^{\circ} 2'$  West 150 feet to Spackman Avenue, and place of beginning.

BEING KNOWN AS RD #35 BOX 298, DUBOIS, PA 15801

VERIFICATION

KAREN BATT hereby states that he is VICE PRESIDENT of WASHINGTON MUTUAL BANK, F.A.. 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 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.

Karen Batt

DATE: 7/8/02

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

Sheriff Docket # 12783

WASHINGTON MUTUAL BANK

02-1072-CD

VS.

SHORT, DAVID J. JR.

**COMPLAINT IN MORTGAGE FORECLOSURE**

**SHERIFF RETURNS**

NOW JULY 17, 2002 AT 11:00 AM DST SERVED THE WITHIN COMPLAINT IN  
MORTGAGE FORECLOSURE ON DAVID J. SHORT, JR., DEFENDANT AT  
RESIDENCE, 115 WEST WEBER AVE., DUBOIS, CLEARFIELD COUNTY,  
PENNSYLVANIA BY HANDING TO JESSICA KIMBERLING, SISTER A TRUE AND  
ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE  
AND MADE KNOWN TO HER THE CONTENTS THEREOF.  
SERVED BY: COUDRIET/RYEN

NOW JULY 29, 2002 AT 9:50 AM DST SERVED THE WITHIN COMPLAINT IN  
MORTGAGE FORECLOSURE ON DAVID J. SHORT, JR., DEFENDANT AT  
RESIDENCE, RD#3 BOX 298, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA  
BY HANDING TO KRISTIN SHORT, WIFE A TRUE AND ATTESTED COPY OF THE  
ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER  
THE CONTENTS THEREOF.  
SERVED BY: COUDRIET/RYEN

**Return Costs**

Cost	Description
48.70	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY; ATTY.

**FILED**

AUG 26 2002

William A. Shaw  
Prothonotary

Sworn to Before Me This

26 Day Of August 2002

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

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff



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

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL HOME  
LOANS, INC. F/K/A PNC MORTGAGE CORP.  
OF AMERICA  
9451 CORBIN AVENUE, MAILSTOP NO10204  
NORTHRIDGE, CA 91324

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

vs.

: CIVIL DIVISION

DAVID J. SHORT, JR.  
RD 3 BOX 298  
DUBOIS, PA 15801

: NO. 02-1072-CD

**PRAECIPE FOR JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against DAVID J. SHORT, JR., 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	\$38,714.97
Interest - 5/1/02-12/9/02	<u>\$ 1,728.25</u>
TOTAL	\$40,443.22

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: December 10, 2002

  
PRO PROTHY

FILED

DEC 10 2002

William A. Shaw  
Prothonotary

FEDERMAN AND FILLER

BY: FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

Identification No. 12248

1617 John F. Kennedy Boulevard Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC., F/K/A PNC  
MORTGAGE CORP. OF AMERICA

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

Plaintiff

vs.

: NO. 021072-CD

DAVID J. SHORT, JR.

Defendant(s)

TO: DAVID J. SHORT, JR.  
RD 3 BOX 298  
DUBOIS, PA 15801

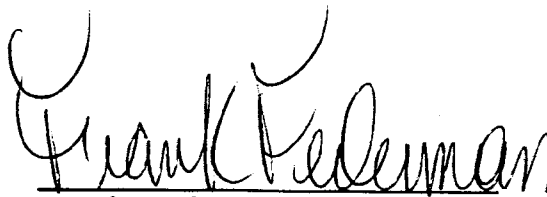
DATE OF NOTICE: AUGUST 21, 2002

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  
Identification No. 12248  
One Penn Center at Suburban  
Station, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Attorney for Plaintiff

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL HOME  
LOANS, INC. F/K/A PNC MORTGAGE CORP.  
OF AMERICA

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION

vs.

: NO. 02-1072-CD

DAVID J. SHORT, JR.

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 DAVID J. SHORT, JR. is over 18 years of age and resides at RD 3 BOX 298, 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

FILED

Atty Rederman

7/8:21 ~~84~~ pd. 20.00

DEC 10 2002

Notice to def

William A. Shaw  
Proprietary

Statement to Atty



COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL HOME  
LOANS, INC. F/K/A PNC MORTGAGE CORP.  
OF AMERICA

Plaintiff

)  
) NO. 02-1072-CD

vs.

DAVID J. SHORT, JR.

Defendants

)  
)

Notice is given that a Judgment in the above-captioned  
matter has been entered against you on December 10, 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,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

Washington Mutual Bank, F.A.  
Washington Mutual Home Loans, Inc.  
Plaintiff(s)

No.: 2002-01072-CD

Real Debt: \$40,443.22

Atty's Comm:

Vs.

Costs: \$

Int. From:

David J. Short Jr.  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: December 10, 2002

Expires: December 10, 2007

Certified from the record this 10th day of December, 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

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)

P.R.C.P. 3180-3183

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A  
PNC MORTGAGE CORP. OF AMERICA  
9451 CORBIN AVENUE, MAILSTOP  
NO10204  
NORTHRIDGE, CA 91324

: CLEARFIELD COUNTY  
:  
: COURT OF COMMON  
: PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 02-1072-CD

Plaintiff

vs.

DAVID J. SHORT, JR.  
RD 3 BOX 298  
DUBOIS, PA 15801

Defendant(s)

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$ 40,443.22

Interest from \$ \_\_\_\_\_ and Costs  
12/10/02 - (sale date)  
(per diem - \$6.65)

*Prothonotary Costs 120.00*

*Frank Federman*

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

Note: Please attach description of property.

FILED

DEC 10 2002

William A. Shaw  
Prothonotary

No. 02-1072-CD Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP. OF  
AMERICA

vs.

DAVID J. SHORT, JR.

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

  
Attorney for Plaintiff

Address: RD 3 BOX 298  
DUBOIS, PA 15801

Where papers may be served.



ALL THOSE CERTAIN pieces, parcels of land situate lying and being in Sandy Township, Pennsylvania bounded and described as follows, to wit:

THE FIRST THEREOF: Being Lot No. 23 in Section "N" of the recorded plot of the DuBois Land Company which lot was assessed and sold in the name of August Selta by the County Commissioners of Clearfield County to former grantors by Commissioners deed, dated December 30<sup>th</sup>, 1936; and later sold in the name of A.H. Reitz to former grantors by the County Commissioners of Clearfield County, by their deed dated August 23<sup>rd</sup>, 1943.

THE SECOND THEREOF: Being Lot No. 24 in Section "N" of the plot of the DuBois Land Company recorded in the Office of the Register and Recorder of Clearfield County at Clearfield and same having been sold to former grantors by the County Commissioner of Clearfield County by their deed dated August 23<sup>rd</sup>, 1943 and being a part of a larger tract assessed and sold in the name of the DuBois Land Company to former grantors which deed is recorded in Clearfield in Deed Book No. 363, page 505.

THE THIRD THEREOF: Being known as Lot No. 22 Section "N" of the DuBois Land Company's Addition to DuBois improved with a dwelling house.

BEGINNING at a post on Spackman Avenue at corner of Lot No. 23; thence by Spackman Avenue North 51 degrees 58' West 50 feet to a post at Lot No. 21; thence by Lot No. 21 North 38 degrees 2' East 150 feet to an alley; thence by said alley, South 51 degrees 58' East 50 feet to a post at Lot No. 23; thence by Lot No. 23 South 38 degrees 2' West 150 feet to Spackman Avenue and place of beginning.

Tax Parcel #128.0-A-02-450-00010

TITLE TO SAID PREMISES IS VESTED IN David J. Short, Jr., unmarried by Deed from Eric J. Keihlmeier, single dated 7/12/99 and recorded 7/21/99 in Instrument ID #199911987.

FILED

Atty Federman

M/2:35 PM

RE. 20.00

DEC 10 2002

1 CC @ 6.00/15.00 prop descr.

William A. Shaw  
Prothonetary

WKS

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

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A  
PNC MORTGAGE CORP. OF AMERICA  
9451 CORBIN AVENUE, MAILSTOP  
NO10204  
NORTHRIDGE, CA 91324

Plaintiff

vs.

DAVID J. SHORT, JR.  
RD 3 BOX 298  
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):

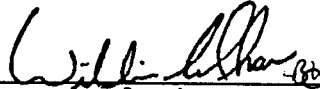
Premises RD3 BOX 298, DUBOIS, PA 15801  
(see attached legal description)

Amount Due \$ 40,443.22

Interest from \$ \_\_\_\_\_  
12/10/02 - (sale date)  
(per diem - \$6.65)

Total \$ \_\_\_\_\_ Plus Costs as endorsed.

Prothonotary Costs 120.00



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

Dated: December 10, 2002  
(Seal) No. 02-1072-CD Term

COPY

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP. OF  
AMERICA

vs.

DAVID J. SHORT, JR.

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

*Frank J. Juma*  
Attorney for Plaintiff

Address: RD 3 BOX 298  
DUBOIS, PA 15801

Where papers may be served.

ALL THOSE CERTAIN pieces, parcels of land situate lying and being in Sandy Township, Pennsylvania bounded and described as follows, to wit:

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Tax Parcel #128.0-A-02-450-00010

TITLE TO SAID PREMISES IS VESTED IN David J. Short, Jr., unmarried by Deed from Eric J. Keihlmeier, single dated 7/12/99 and recorded 7/21/99 in Instrument ID #199911987.

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

CLEARFIELD COUNTY

No.: 02-1072-CD

vs.

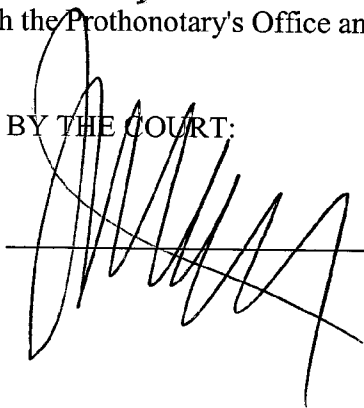
DAVID J. SHORT, JR.

**ORDER**

AND NOW, this 25<sup>th</sup> day of February, 2003, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), DAVID J. SHORT, JR., by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.

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

BY THE COURT:



J.

FILED

FEB 25 2003

William A. Shaw  
Prothonotary

FILED  
012:05861  
FEB 25 2003  
Att'y Federman  
William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN

By: FRANK FEDERMAN, ESQUIRE

IDENTIFICATION NO. 12248

ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

CLEARFIELD COUNTY

No.: 02-1072-CD

vs.

DAVID J. SHORT, JR.

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

Plaintiff, by its counsel, Frank Federman, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."

2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.

**FILED**

**FEB 20 2003**

**William A. Shaw**  
Prothonotary

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF



AFFIDAVIT OF SERVICE

**PLAINTIFF**

**WASHINGTON MUTUAL BANK, F.A.,**  
**SUCCESSOR TO WASHINGTON MUTUAL**  
**HOME LOANS, INC. F/K/A PNC MORTGAGE**  
**CORP. OF AMERICA**

**CLEARFIELD COUNTY**

**ACCT. #5242183704**

**DEFENDANT**

**DAVID J. SHORT, JR.**

**COURT NO.: 02-1072-CD**

**SERVE DAVID J. SHORT, JR. AT:**

**RD 3 BOX 298**  
**DUBOIS, PA 15801**

**TYPE OF ACTION**

**XX Notice of Sheriff's Sale**

**SALE DATE: MARCH 7, 2003**

**SERVED**

Served and made known to \_\_\_\_\_, Defendant on the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_, at \_\_\_\_\_, o'clock \_\_. M., at \_\_\_\_\_, Commonwealth of Pennsylvania, in the manner described below:

- ☐ Defendant personally served.
- ☐ Adult family member with whom Defendant(s) reside(s).  
Relationship is \_\_\_\_\_.
- ☐ Adult in charge of Defendant's residence who refused to give name or relationship.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
- ☐ Agent or person in charge of Defendant's office or usual place of business.
- ☐ \_\_\_\_\_ an officer of said Defendant's company.
- ☐ Other: \_\_\_\_\_.

**EXHIBIT "A"**

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_.

Notary:

By:

**NOT SERVED**

On the 22 day of January, 2003, at 4:30 o'clock P. M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☒ Vacant

Other: Confirmed by neighbor that occupants moved out. Neighbor said they stop by every few days to get mail out of curb side box. Unknown where they have moved too.

Sworn to and subscribed  
before me this 24th day  
of January, 2003.

By:

Notary:

*[Handwritten signature of Monica Crilly]*

Notarial Seal  
Monica Crilly, Notary Public  
City of Altoona, Blair County  
My Commission Expires Aug. 27, 2005

Member, Pennsylvania Association of Notaries

**ATTORNEY FOR PLAINTIFF**  
**FRANK FEDERMAN, ESQUIRE**  
**ED #12248**  
 One Penn Center at Suburban Station  
 1617 John F. Kennedy Blvd., Suite 1400  
 Philadelphia, PA 19103-1814  
 (215) 563-7000

**AFFIDAVIT OF SERVICE****PLAINTIFF****WASHINGTON MUTUAL BANK, F.A., SUCCESSOR  
TO WASHINGTON MUTUAL HOME LOANS, INC.  
F/K/A PNC MORTGAGE CORP. OF AMERICA****COUNTY CLEARFIELD****ACCT. #5242183704****DEFENDANT****DAVID J. SHORT, JR.****COURT NO.: 02-1072-CD****SERVE DAVID J. SHORT, JR. AT:****115 W. WEBER AVENUE  
DUBOIS, PA 15801****TYPE OF ACTION****XX Notice of Sheriff's Sale****SALE DATE: 3/7/03****EXHIBIT "A"****SERVED**Served and made known to \_\_\_\_\_, Defendant, on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_\_, o'clock \_\_ M.,  
at \_\_\_\_\_, Commonwealth of Pennsylvania, in the manner described below:☐ Defendant personally served.☐ Adult family member with whom Defendant(s) reside(s).

Relationship is \_\_\_\_\_.

☐ Adult in charge of Defendant's residence who refused to give name or relationship.☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).☐ Agent or person in charge of Defendant's office or usual place of business.☐ \_\_\_\_\_ an officer of said Defendant's company.☐ Other: \_\_\_\_\_.

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Notary: \_\_\_\_\_

By: \_\_\_\_\_

**NOT SERVED**On the 02 day of February, 2003, at 7:11 o'clock P. M., Defendant NOT FOUND because:☐ Moved ☐ Unknown ☐ No Answer ☐ VacantOther: This is Mr. Short's Father & Stepmother's house. He does not live here.  
They told me he lives in Reynoldsville, but would not give me an address.Sworn to and subscribed before me  
this 3rd day of FEBRUARY, 2003.

Notary: \_\_\_\_\_

By: \_\_\_\_\_

Thomas P. Chatham

**ATTORNEY FOR PLAINTIFF****FRANK FEDERMAN, ESQUIRE****I.D.#12248****One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814****(215) 563-7000**

Notarial Seal  
Monica Crilly, Notary Public  
City of Altoona, Blair County  
My Commission Expires Aug. 27, 2005  
Member, Pennsylvania Association of Notaries

**EKL DATA, INC**  
**AFFIDAVIT OF GOOD FAITH INVESTIGATION**

Loan Number:

File Number:

Attorney Firm: **Federman & Phelan**

Subject: **David J. Short**

Property Address **Rd 3 Box 298  
Dubois, PA 15801**

Last Known Address: **Rd 3 Box 298  
Dubois, PA 15801**

Current Address: **115 W. Weber Avenue  
As of May 28, 2002 Dubois, PA 15801**

Last Known Number: **814 371-5890**

**EXHIBIT "B"**

George H. Lewis, III, being duly sworn according to law, deposes and says:

1. I am employed in the capacity of researcher for EKL DATA, INC.
2. On May 28, 2002, I conducted an investigation into the whereabouts of the above named defendant(s). The results of my investigation are as follows:

**I. Credit Information**

**A. Social Security Number**

1. **David J. Short: 207-66-4370**

**B. Employment Search:**

**Could not locate any employment information for the above named subject at this time.**

**C. Inquiry of Creditors:**

**The creditors indicated that David J. Short resides at 115 W. Weber Avenue, Dubois, PA 15801.**

**II. Inquiry of Telephone Company**

**A. Directory Assistance Search:**

**The Telephone Company has David J. Short listed with an address of 115 W. Weber Avenue, Dubois, PA 15801. The phone number is 814 371-5890.**

**III. Inquiry of Neighbors**

**Contacted Mrs. Connelly of 114 W. Weber Avenue, Dubois, PA 15801 and verified that David J. Short does indeed reside at 115 W. Weber Avenue.**

**IV. Inquiry of Post Office**

**A. National Address Update:**

**As of May 28, 2002 the National Change of Address has no forwarding record for David J. Short listed at 115 W. Weber Avenue, Dubois, PA 15801.**

**V. Inquiry of DMV**

**The Pennsylvania Department of Motor Vehicles has David J. Short listed at 115 W. Weber Avenue, Dubois, PA 15801.**

**EKL DATA, INC**  
**AFFIDAVIT OF GOOD FAITH INVESTIGATION**

VI. Other Inquiries

A. Death Records:

As of May 28, 2002 the Social Security Death Index has no death record on file for David J. Short under his social security number.

B. Public Licenses

None Found

C. County Voter Registration:

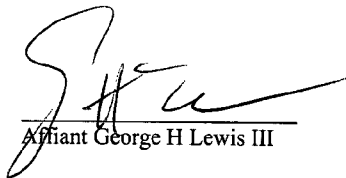
The county does have David J. Short listed as a registered voter with an address of 115 W. Weber Avenue, Dubois, PA 15801.

D. D.O.B.:

David J. Short: 08/22/1974

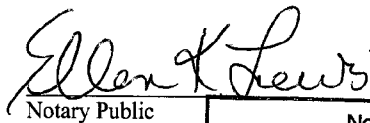
E. Miscellaneous Information

None

  
Affiant George H Lewis III

**EXHIBIT "B"**

Subscribed and sworn before me on May 28, 2002.

  
Notary Public

Notarial Seal  
Ellen K. Lewis, Notary Public  
Lower Merion Twp., Montgomery County  
My Commission Expires Feb. 24, 2003

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL No.: 02-1072-CD  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

vs.

DAVID J. SHORT, JR.

### **MEMORANDUM OF LAW**

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

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

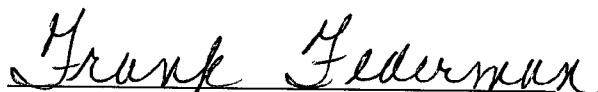
Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith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

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

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:

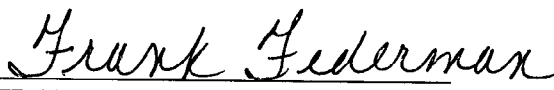


FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**VERIFICATION**

**FRANK FEDERMAN, ESQUIRE**, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

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

  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN

By: FRANK FEDERMAN, ESQUIRE

IDENTIFICATION NO. 12248

ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

CLEARFIELD COUNTY

No.: 02-1072-CD

vs.

DAVID J. SHORT, JR.

**CERTIFICATION OF SERVICE**

I, FRANK FEDERMAN, ESQUIRE, hereby certify that a copy of the Motion for Service

Pursuant to Special Order of Court has been sent to the individuals indicated below on

February 13, 2003.

DAVID J. SHORT, JR.  
RD 3 BOX 298  
DUBOIS, PA 15801



FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: February 13, 2003

1. 1.

1. 1.

1. 1.

1A

\_\_\_\_\_



FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

CLEARFIELD COUNTY

No.: 02-1072-CD

vs.

DAVID J. SHORT, JR.

AFFIDAVIT

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **DAVID J. SHORT, JR.** on 3/5/03 at **RD 3 BOX 298, DUBOIS, PA 15801**, in accordance with the Order of Court dated 2/25/03.

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

Frank Federman  
FRANK FEDERMAN, ESQUIRE

Date: March 7, 2003

FILED  
MAR 12 2003  
MAR 12 2003  
NO  
cc  
E  
K&B

William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

ALTEGRA CREDIT COMPANY

CLEARFIELD COUNTY

vs.

No.: 02-1246-CD

BRENDA R. OVERBECK A/K/A BRENDA  
R. GRIFFITH

AFFIDAVIT

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **BRENDA R. OVERBECK A/K/A BRENDA R. GRIFFITH** on 3/3/03 at **521 KNARR STREET, DU BOIS, PA 15801**, in accordance with the Order of Court dated 2/25/03.

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

Frank Federman  
FRANK FEDERMAN, ESQUIRE

Date: March 4, 2003

FILED <sup>no cc</sup>  
MAR 12 2003 <sup>m/11:25 AM</sup> <sub>kat</sub>

William A. Shaw  
Prothonotary

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

Sheriff Docket # 13494

WASHINGTON MUTUAL BANK, F.A. ET AL

02-1072-CD

VS.

SHORT, DAVID J. JR

WRIT OF EXECUTION REAL ESTATE

**FILED**

013:0581  
JUL 23 2003 *Red*

**SHERIFF RETURNS**

NOW, JANUARY 16, 2003 @ 1:40 P.M. A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

William A. Shaw  
Prothonotary

A SALE DATE OF MARCH 7, 2003 WAS SET.

MANY ATTEMPTS TO SERVE THE DEFENDANT WERE UNSUCCESSFUL. ATTORNEY INFORMED 2/5/03 GIVEN NEW ADDRESS TO TRY.

NOW, MARCH 6, 2003 RECEIVED A FAX FROM PLAINTIFF ATTORNEY TO RESCHEDULE THE SALE FOR MAY 2, 2003.

NOW, MARCH 14, 2003 RECEIVED ORDER FROM PLAINTIFF ATTORNEY TO SERVE BY REGULAR AND CERTIFIED MAIL TO LAST KNOWN ADDRESS.

NOW, MARCH 14 MAILED NOTICE OF SALE, WRIT, AND COPY OF LEVY TO DEFENDANTS LAST KNOWN ADDRESS.

NOW, MARCH 21, 2003 RECEIVED CERTIFIED BACK AS BEING DELIVERED AND SIGNED FOR CERT. #7002 2030 0000 6873 0668

NOW, MAY 2, 2003 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS PRUCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, JULY 23, 2003 PAID COSTS FROM THE ADVANCE AND MADE A REFUND OF THE UNUSED ADVANCE TO THE ATTORNEY.

NOW, JULY 23, 2003 RETURN WRIT AS SALE BEING HELD ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, JULY 23, 2003 A DEED WAS FILED.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13494

WASHINGTON MUTUAL BANK, F.A. ET AL

02-1072-CD

VS.

SHORT, DAVID J. JR

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

SHERIFF HAWKINS \$437.07

SURCHARGE \$20.00

PAID BY ATTORNEY

Sworn to Before Me This

23<sup>rd</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*  
*Dy Cynthia Butler-Capenhorn*  
Chester A. Hawkins  
Sheriff

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

WASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A  
PNC MORTGAGE CORP. OF AMERICA  
9451 CORBIN AVENUE, MAILSTOP  
NO10204  
NORTHRIDGE, CA 91324

Plaintiff

vs.

DAVID J. SHORT, JR.  
RD 3 BOX 298  
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):

Premises RD3 BOX 298, DUBOIS, PA 15801  
(see attached legal description)

Amount Due \$ 40,443.22

Interest from \$ \_\_\_\_\_  
12/10/02 - (sale date)  
(per diem - \$6.65)

Total \$ \_\_\_\_\_ Plus Costs as endorsed.

Prothonotary Costs 120.00

  
Clerk

Office of Prothonotary  
Common Pleas Court of  
CLEARFIELD County, PA

Dated: December 10, 2002  
(Seal) No. 02-1072-CD Term

Received 12-10-02 @ 3:00 P.M.

Chester A. Hawkins

Sgt Cynthia Butler-Ayhanbough

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP. OF  
AMERICA

vs.

DAVID J. SHORT, JR.

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Costs

Office of the Prothonotary

Judg. Fee

Cr.

Sat.

*Frank J. J. J.*  
Attorney for Plaintiff

Address: RD 3 BOX 298  
DUBOIS, PA 15801

Where papers may be served.

ALL THOSE CERTAIN pieces, parcels of land situate lying and being in Sandy Township, Pennsylvania bounded and described as follows, to wit:

THE FIRST THEREOF: Being Lot No. 23 in Section "N" of the recorded plot of the DuBois Land Company which lot was assessed and sold in the name of August Selta by the County Commissioners of Clearfield County to former grantors by Commissioners deed, dated December 30<sup>th</sup>, 1936; and later sold in the name of A.H. Reitz to former grantors by the County Commissioners of Clearfield County, by their deed dated August 23<sup>rd</sup>, 1943.

THE SECOND THEREOF: Being Lot No. 24 in Section "N" of the plot of the DuBois Land Company recorded in the Office of the Register and Recorder of Clearfield County at Clearfield and same having been sold to former grantors by the County Commissioner of Clearfield County by their deed dated August 23<sup>rd</sup>, 1943 and being a part of a larger tract assessed and sold in the name of the DuBois Land Company to former grantors which deed is recorded in Clearfield in Deed Book No. 363, page 505.

THE THIRD THEREOF: Being known as Lot No. 22 Section "N" of the DuBois Land Company's Addition to DuBois improved with a dwelling house.

BEGINNING at a post on Spackman Avenue at corner of Lot No. 23; thence by Spackman Avenue North 51 degrees 58' West 50 feet to a post at Lot No. 21; thence by Lot No. 21 North 38 degrees 2' East 150 feet to an alley; thence by said alley, South 51 degrees 58' East 50 feet to a post at Lot No. 23; thence by Lot No. 23 South 38 degrees 2' West 150 feet to Spackman Avenue and place of beginning.

Tax Parcel #128.0-A-02-450-00010

TITLE TO SAID PREMISES IS VESTED IN David J. Short, Jr., unmarried by Deed from Eric J. Keihlmeier, single dated 7/12/99 and recorded 7/21/99 in Instrument ID #199911987.

# REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

NAME SHORT NO. 02-1072-CD

NOW, May 2, 2003, 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 2ND day of MAY 2003, I exposed the within described real estate of DAVID J. SHORT, JR. to public venue or outcry at which time and place I sold the same to WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON MUTUAL HOME LOANS, INC. ET AL 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	13.68
LEVY	15.00
MILEAGE	13.68
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	9.83
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	218.88
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	5.00

**TOTAL SHERIFF COSTS** 437.07

## DEED COSTS:

ACKNOWLEDGEMENTS	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	

**TOTAL DEED COSTS** 29.00

## DEBIT & INTEREST:

DEBT-AMOUNT DUE	40,443.22
INTEREST FROM 12/10/02	
TO BE ADDED TO SALE DATE	

**TOTAL DEBT & INTEREST** 40,443.22

## COSTS:

ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	
LATE CHARGES & FEES	400.68
TAXES - collector	NONE
TAXES - tax claim	NONE
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
ATTORNEY COMMISSION	
SHERIFF COSTS	437.07
LEGAL JOURNAL AD	198.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	537.07

**TOTAL COSTS** 1,866.82

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

By: FRANK FEDERMAN, ESQUIRE

IDENTIFICATION NO. 12248

ONE PENN CENTER AT SUBURBAN STATION,  
SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISIONWASHINGTON MUTUAL BANK, F.A.,  
SUCCESSOR TO WASHINGTON MUTUAL  
HOME LOANS, INC. F/K/A PNC  
MORTGAGE CORP. OF AMERICA

CLEARFIELD COUNTY

No.: 02-1072-CD

vs.

DAVID J. SHORT, JR.

**ORDER**

AND NOW, this 25<sup>th</sup> day of February, 2003, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), DAVID J. SHORT, JR., by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and the mortgaged premises.

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

BY THE COURT:

/s/ JOHN K. FEILLY, JR.

J.

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

FEB 25 2003

Attest.

*[Signature]*  
Prothonotary/  
Clerk of Courts

Received  
3-14-03

Law Offices  
FEDERMAN AND PHELAN, I LP  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Daniel.Trautz@fedphe-pa.com

Dan G. Trautz  
Judgment Department, Ext. 1298

Representing Lenders in  
Pennsylvania and New Jersey

March 6, 2003

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

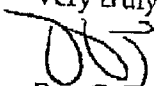
Re: WASHINGTON MUTUAL BANK, F.A., SUCCESSOR TO WASHINGTON  
MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP. OF  
AMERICA v. DAVID J. SHORT, JR.  
RD 3 BOX 298  
DU BOIS, PA 15801  
#02-1072-CD

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is  
scheduled for March 7, 2003.

The property is to be relisted for the May 2, 2003 Sheriff's Sale.

Very truly yours,

  
Dan G. Trautz

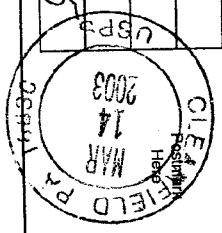
7002 2030 0000 6873 0668

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

**OFFICIAL USE**

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To: David J. Short, Jr.  
Street, Apt. No.: R. D. #3, Box 298  
or PO Box No.:  
City, State, ZIP+4: DuBois, PA 15801

PS Form 3800, June 2002 See Reverse for Instructions

**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:

David J. Short, Jr.  
R. D. #3, Box 298  
DuBois, PA 15801

Reverse 3-21-03

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature	<input type="checkbox"/> Agent
B. Received by (Printed Name)	<input type="checkbox"/> Addressee
C. Date of Delivery	
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

2. Article Number (Transfer from service label) 7002 2030 0000 6873 0668

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1035