

04-176-CD
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. vs. KEVIN J.
MORTARTY

Netbank vs. Kevin Moriarity
2004-176-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20101
NO: 04-176-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: KEVIN J. MORIARITY

Execution REAL ESTATE

FILED

01/11/2005
DEC 01 2005

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

DATE RECEIVED WRIT: 02/04/2005

LEVY TAKEN 04/22/2005 @ 8:50 AM

POSTED 04/22/2005 @ 8:50 AM

SALE HELD 10/07/2005

SOLD TO WASHINGTON MUTUAL BANK

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 12/01/2005

DATE DEED FILED 12/01/2005

PROPERTY ADDRESS 119 STONE STREET OSCEOLA MILLS , PA 16666

SERVICES

07/13/2005 @ SERVED KEVIN J. MORIARITY

SERVED KEVIN J. MORIARITY, DEFENDANT, BY CERTIFIED AND REGULAR MAIL PER COURT ORDER, AT 515 PRUNER STREET, APT #10, OSCEOLA MILLS, PA 16666 CERT #70033110000193800794 SIGNED FOR BY KEVIN J. MORIARITY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

@ SERVED

NOW, JUNE 2, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR JUNE 3, 2005 TO AUGUST 5, 2005.

@ SERVED

NOW, AUGUST 2, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR AUGUST 5, 2005 TO SEPTEMBER 2, 2005.

@ SERVED

AUGUST 30, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 2, 2005 TO OCTOBER 7, 2005.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20101
NO: 04-176-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

DEFENDANT: KEVIN J. MORIARTY

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$315.24

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

____ Day of _____ 2005

So Answers,

Chester Hawkins
By *Antonia Butcher-Augendreif*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 2004-176-CD

KEVIN J. MORIARITY

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

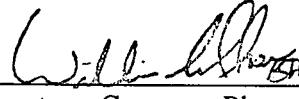
To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property (specifically described property below):

Premises: **119 STONE STREET, OSCEOLA MILLS, PA 16666**

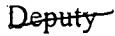
(See legal description attached.)

Amount Due	<u>\$48,642.86</u>
Interest from 6/4/04 to Date of Sale (\$8.00 per diem)	<u>\$_____</u>
Total	<u>\$_____</u> Plus costs as endorsed. <u>192.50</u> Prothonotary costs

Dated 2/4/05
(SEAL)

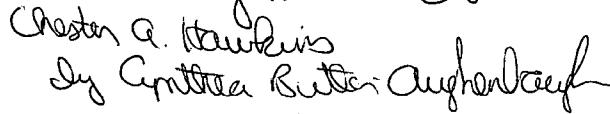

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:


Deputy

PMB

Received February 4, 2005 @ 3:30 P.M.



No. 2004-176-CD

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

KEVIN J. MORIARTY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$48,642.86

Int. from 6/4/04
to Date of Sale (\$8.00 per diem) _____

Costs _____

Prothy. Pd. 192.50

Sheriff _____

Daniel G. Schmieg
Attorney for Plaintiff

Address: 119 STONE STREET, OSCEOLE MILLS, PA 16666
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the Westerly side of Edward Alley; thence thereby sixty two (62) feet to a post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (620 feet to the Southeast corner of Stone Street and Second Avenue and place of beginning.

Tax Parcel #16-013-377-43

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Kevin J. Moriarity by Deed from Winfield H. Bambarger, by his Power of Attorney Ellen S. Bambarger and Ellen S. Bambarger, husband and wife dated 10/19/1999 and recorded 11/3/1999 in Instrument #199918229.

PROPERTY BEING: 119 STONE STREET

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME KEVIN J. MORIARITY NO. 04-176-CD

NOW, December 01, 2005, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on October 07, 2005, I exposed the within described real estate of Kevin J. Moriarity to public venue or outcry at which time and place I sold the same to WASHINGTON MUTUAL BANK he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR	15.00	DEBT-AMOUNT DUE	48,642.86
SERVICE	15.00	INTEREST @ 8.0000 %	3,920.00
MILEAGE	16.20	FROM 06/04/2004 TO 10/07/2005	
LEVY	15.00		
MILEAGE	16.20	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	4.44	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED	30.00	PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE	32.40	MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT	1.00	TOTAL DEBT AND INTEREST	\$52,582.86
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	562.52
BILLING/PHONE/FAX	10.00	TAXES - COLLECTOR	
CONTINUED SALES	60.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$315.24	LIEN SEARCH	100.00
DEED COSTS:		ACKNOWLEDGEMENT	5.00
ACKNOWLEDGEMENT	5.00	DEED COSTS	28.50
REGISTER & RECORDER	28.50	SHERIFF COSTS	315.24
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	324.00
TOTAL DEED COSTS	\$28.50	PROTHONOTARY	192.50
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		TOTAL COSTS	\$1,567.76

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

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:

KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

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

X *Kevin J. Moriarity* Agent
 Addressee

B. Received by (Printed Name) **C. Date of Delivery**

Kevin J. Moriarity **7-13-05**

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

515 PRAYER ST. Apt #10
Osceola Mills, Pa. 16666

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes**2. Article Number**
(Transfer from service label)

7003 3110 0001 9380 0794

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

7003
0869
1000
0771
0772
0773
0774

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



Sent To	KEVIN J. MORIARITY
Street, Apt. No.; or PO Box No.	119 STONE STREET
City, State, ZIP+4	OSCEOLA MILLS, PA 16666

PS Form 3800, June 2002

See Reverse for Instructions

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Sandra.Cooper@fedphe.com

Sandra Cooper
Lenders in
Judgment Department, Ext. 1258
New Jersey

Representing
Pennsylvania and

June 2, 2005

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

ATTENTION: CINDY (814) 765-5915

Re: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.
KEVIN J. MORIARITY
No. 2004-176-CD
119 STONE STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for June 3, 2005.

The property is to be relisted for the August 5, 2005 Sheriff's Sale.

Very truly yours,
SMC
Sandra Cooper

VIA TELECOPY (814) 765-5915

CC:

KEVIN J. MORIARITY 119 STONE STREET OSCEOLE MILLS, PA 16666

Federman and Phelan is now

Law Offices

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Sandra.Cooper@fedphe.com

Sandra Cooper
Judgment Department, Ext 1258

Representing Lenders in
Pennsylvania and New Jersey

August 2, 2005

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

ATTENTION: CINDY (814) 765-5915

Re: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.**
KEVIN J. MORIARITY
No. 2004-176-CD
119 STONE STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for 08/05/05.

The property is to be relisted for the 9/2/05 Sheriff's Sale.

Very truly yours,
SMC
Sandra Cooper

VIA TELECOPY (814) 765-5915

CC: KEVIN J. MORIARITY

Federman and Phelan is now
Law Offices

PHELAN HALLINAN & SCHMIEG, LLP

One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Sandra.Cooper@fedphe.com

Sandra Cooper
Judgment Department, Ext 1258

Representing Lenders in
Pennsylvania and New Jersey

August 30, 2005

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

ATTENTION: CINDY (814) 765-5915

Re: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.**
KEVIN J. MORIARITY
No. 2004-176-CD
119 STONE STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which
is scheduled for 9/2/05.

The property is to be relisted for the 10/07/05 Sheriff's Sale.

Very truly yours,

SMC

Sandra Cooper

VIA TELECOPY (814) 765-5915

CC: KEVIN J. MORIARITY

FILED

DEC 01 2005

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
By: DANIEL SCHMIEG, 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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176-CD

vs.

KEVIN J. MORIARITY

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 **KEVIN J. MORIARITY** on **7/22/05** at **119 STONE STREET, OSCEOLA MILLS, PA 16666**, in accordance with the Order of Court dated **7/6/05**.

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.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

Date: September 12, 2005

FILED *No. 111-2031*
SEP 26 2005
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Mortgage Electronic Registration Systems, Inc. :
v. Plaintiff : CIVIL DIVISION
Kevin J. Moriarity : NO. 2004-176-CD
Defendant :
:

ORDER

AND NOW, this 6 day of July, 2005, upon consideration of Plaintiff's Motion for Service of Notice of Sale Pursuant to Special Order of Court 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, **Kevin J. Moriarity**, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to 119 Stone Street, Osceola Mills, PA 16666, .

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:

FILED 2005-07-07 AM 10:44 AM
JUL 07 2005 Schmieg
William A. Shaw
monotary/Clerk of Courts 1 CC Shaff
OK

**PHELAN HALLINAN & SCHMIEG, LLP
BY: DANIEL G. SCHMIEG, ESQUIRE
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000**

Attorney for Plaintiff

Mortgage Electronic Registration Systems, Inc. :
Plaintiff : CLEARFIELD COUNTY
v. : COURT OF COMMON PLEAS
Kevin J. Moriarity : CIVIL DIVISION
Defendant : NO. 2004-176-CD

FIL
M/1
JUL 0
William
Prothonotary

FILED ^{cc}
m/11/15 ¹⁵²¹ Atty
JUL 05 2005 Schmieg
G.W. ^(GW)
William A. Shaw
Prothonotary/Clerk of Courts

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

Plaintiff, by its counsel, Phelan Hallinan & Schmieg, LLP, petitions this Honorable Court for an Order directing service of the Notice of Sale upon the above-captioned Defendant, **Kevin J. Moriarity**, by certified mail and regular mail to 119 Stone Street, Osceola Mills, PA 16666, and in support thereof avers the following:

1. A Sheriff's Sale of the mortgaged property involved herein has been scheduled for **June 3, 2005.**
2. Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 3129.2 requires that the Defendant be served with a notification of Sheriff's Sale at least thirty (30) days prior to the scheduled sale date.
3. Attempts to serve Defendant with the Notice of Sale have been unsuccessful, as

indicated by the Return of Service attached hereto as Exhibit "A".

4. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefrom is attached hereto as Exhibit "B".

WHEREFORE, Plaintiff respectfully requests that the allowance of service of the Notice of Sale in accordance with Pa.R.C.P., Rule 430 by certified and regular mail to 119 Stone Street, Osceola Mills, PA 16666 .

PHELAN HALLINAN & SCHMIEG, LLP

By:



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

REAL ESTATE**REAL ESTATE****EXECUTION SERVICE SHEET**DKT: EX PAGE: 20101

DEPUTY RECEIVED: April 12, 2005

DEFENDANT(S): KEVIN J. MORIARTY**ADDRESS: 119 STONE STREET
OSCEOLA MILLS, PA 16666**

LEVY & POST AT: SAME AS ABOVE

SERVE AND LEAVE WITH: DEFENDANT POST GARNISHEE**WRIT OF EXECUTION NOTICE OF SALE TO POST / SERVE WRIT LEVY****INTERROGATORIES TO GARNISHEE WRIT OF POSSESSION****MUST BE SERVED, POSTED OR LEVIED BY: April 29, 2005**

DATE SERVED, POSTED OR LEVIED: _____ TIME: _____

NAME OF PERSON SERVED: _____

TITLE: _____

WHERE SERVED / POSTED (ADDRESS): _____

DEFENDANT(S): RESIDENCE EMPLOYMENT

SIGNATURE OF PERSON SERVED: _____

DATE: _____

ATTEMPTS: 4/23/05 - No answer at door4/25/05 - No answer door4/27/05 - N/A**SPECIAL DIRECTIONS:**NO 04-76-CD
KEVIN J. MORIARTY

SERVED, POSTED OR LEVIED ON BY: _____

NOTES: _____

SKN Data Research Inc.
AFFIDAVIT OF GOOD FAITH INVESTIGATION

File Number: **4-10458PA**

Attorney Firm: **Federman & Phelan**
Subject: **Kevin J. Moriarty**

Current Address: **119 Stone St. Osceola Mills, PA 16666**

Property Address: **119 Stone St. Osceola Mills, PA 16666**

Mailing Address: **119 Stone St. Osceola Mills, PA 16666**

I Scott Nulty, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:

I. CREDIT INFORMATION

A. SOCIAL SECURITY NUMBER

Our search verified the following information to be true and correct
Kevin J. Moriarty - 160-48-3035

B. EMPLOYMENT SEARCH

Kevin J. Moriarty - A review of the credit reporting agencies provided no employment information.

C. INQUIRY OF CREDITORS

On 1-23-04 our inquiry of creditors indicated that Kevin J. Moriarty reside(s) at: 119 Stone St. Osceola Mills, PA 16666

II. INQUIRY OF TELEPHONE COMPANY

A. DIRECTORY ASSISTANCE SEARCH

On 1-23-04 our office contacted directory assistance which indicated that Kevin J. Moriarty reside(s) at: 119 Stone St. Osceola Mills, PA 16666. Our office made a telephone call to the mortgagors phone number and received the following information: 814-342-4242 spoke to Kevin who confirmed address.

III. INQUIRY OF NEIGHBORS

N/A

IV. INQUIRY OF POST OFFICE

A. NATIONAL ADDRESS UPDATE

On 1-23-04 we reviewed the National Address database and found the following information, Kevin J. Moriarty - 119 Stone St. Osceola Mills, PA 16666

B. ADDITIONAL ACTIVE MAILING ADDRESSES

Per our inquiry with creditors, the following is a possible mailing address: no addresses on file

V. DRIVERS LICENSE INFORMATION

A. MOTOR VEHICLE & DMV OFFICE

Per the PA Department of Motor Vehicles, we were unable to obtain address information on Kevin J. Moriarty.

VI. OTHER INQUIRIES

A. DEATH RECORDS

As of 1-23-04 Vital Records and all public internet databases have no death record on file for Kevin J. Moriarty.

B. COUNTY VOTER REGISTRATION

The Clearfield County Voter registration has a registration for Kevin J. Moriarty residing at: last registered address.

C. PUBLIC LICENCES (PILOT, REAL ESTATE, ETC.)

Our office conducted a search for public licenses and found the following: no records on file

VII. ADDITIONAL INFORMATION OF SUBJECT

A. DATE OF BIRTH

Kevin J. Moriarty -YOB 1957

B. A.K.A.

***All accessible public databases have been checked and cross-referenced for the above named individual(s).**

***Please be advised all database information indicates the subject resides at the current address.**

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.

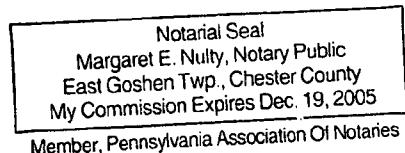
I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



AFFIANT Scott K. Nulty
SKN Data Research Inc. President

Sworn to and subscribed before me this 23rd day of January 2004

Margaret E. Nulty
NOTARY PUBLIC



The above information is obtained from available public records
and we are only liable for the cost of the affidavit

**PHELAN HALLINAN & SCHMIEG, LLP
BY: DANIEL G. SCHMIEG, ESQUIRE
Attorney I.D. No.: 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000**

Attorney for Plaintiff

Mortgage Electronic Registration Systems, Inc. :
Plaintiff : CLEARFIELD COUNTY
v. : COURT OF COMMON PLEAS
Kevin J. Moriarity : CIVIL DIVISION
Defendant : NO. 2004-176-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Service of Notice of Sale Pursuant to Special Order of Court, Proposed Order, Memorandum of Law, Certification of Service and Verification in the above captioned matter was sent by first class mail, postage prepaid to the following interested parties on the date indicated below.

**Kevin J. Moriarity
119 Stone Street
Osceola Mills, PA 16666**


Daniel G. Schmieg, Esquire
Attorney for Plaintiff

Date: May 27, 2005

VERIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in this action, that he is authorized to take the verification and that the statements made in the foregoing Motion for Service of Notice of Sale pursuant to Special Order of Court are true and correct to the best of his knowledge, information and belief.

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

Date: May 27, 2005



DANIEL G. SCHMIEG, ESQUIRE

FILED

JUL 05 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 16039
NO: 04-176-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: MORIARITY, KEVIN J.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 06/07/2004

LEVY TAKEN 08/02/2004 @ 10:00 AM

POSTED 08/02/2004 @ 10:00 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 04/04/2005

DATE DEED FILED NOT SOLD

ES
FILED
04/10/2005
APR 04 2005

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

10/21/2004 @ SERVED KEVIN J. MORIARITY

SERVED KEVIN J. MORIARITY, DEFENDANT, BY CERTIFIED AND REGULAR MAIL TO 104 N. FRONT STREET, PHILIPSBURG, PA 16866 CERT #70033110000193801319 WITH

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY.

@ SERVED

DEFENDANT WAS PERSONALLY SERVED BY THE ATTORNEY ON OCTOBER 4, 2004 @ 6:15 P. M. AT 119 STONE STREET, OSCEOLA MILLS, PA.

@ SERVED

NOW, JANUARY 6, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SALE AND RETURN THE EXECUTION TO THE PROTHONOTARY'S OFFICE.

@ SERVED

NOW, APRIL 4, 2005 RETURN THE WRIT AS NO SALE HELD ON THE PROPERTY OF THE DEFENDANT. THE PLAINTIFF'S ATTORNEY STAYED THE SALE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 16039
NO: 04-176-CD

PLAINTIFF: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
vs.
DEFENDANT: MORIARITY, KEVIN J.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$205.06

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

Chester A. Hawkins
By: *Amber Bitter-Allegendorf*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 2004-176

KEVIN J. MORIARITY

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

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: **119 STONE STREET, OSCEOLA MILLS, PA 16666**

(See legal description attached.)

Amount Due	<u>\$48,642.86</u>
Interest from 6/4/04 to Date of Sale (\$8.00 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed. <i>172.50 Prothonotary costs</i>

Dated 6/17/04
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

SZB

Received June 7, 2004 @ 2:10 PM
Chester A. Hawkins
by Cynthia Butler-Augherdey

No. 2004-176

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

KEVIN J. MORIARITY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Attorney for Plaintiff

Address: 104 N. FRONT STREET, PHILIPSBURGH, PA 16866
Where papers may be served.

Frank Federman, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the Westerly side of Edward Alley; thence thereby sixty two (62) feet to a post on portion of Lot No: 380 heretofore sold and conveyed to Harry K. Boone et. al; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (620 feet to the Southeast corner of Stone Street and Second Avenue and place of begining.

Tax Parcel #16-013-377-43

TITLE TO SAID PREMISES IS VE\$TED IN Kevin J. Moriarity by Deed from Winfield H. Bambarger, by his Power of Attorney Ellen S. Bambarger and Ellen S. Bambarger, husband and wife dated 10/19/1999 and recorded 11/3/1999 in Instrument #199918229.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME KEVIN J. MORIARTY NO. 04-176-CD

NOW, April 02, 2005, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Moriarity, Kevin J. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR	15.00	DEBT-AMOUNT DUE	48,642.86
SERVICE	15.00	INTEREST @ 8.0000	(5,853,888.0
MILEAGE		FROM 06/04/2004 TO	
LEVY	15.00		
MILEAGE	15.00	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	10.06	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE		MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT		TOTAL DEBT AND INTEREST	(\$5,805,225.14)
RETURNS/DEPUTIZE			
COPIES	15.00	COSTS:	
	5.00	ADVERTISING	286.44
BILLING/PHONE/FAX	15.00	TAXES - COLLECTOR	
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	\$205.06	LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	
		DEED COSTS	0.00
		SHERIFF COSTS	205.06
		LEGAL JOURNAL COSTS	144.00
		PROTHONOTARY	172.50
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
DEED COSTS:			
ACKNOWLEDGEMENT		TOTAL COSTS	\$948.00
REGISTER & RECORDER			
TRANSFER TAX 2%	0.00		
TOTAL DEED COSTS	\$0.00		

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

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

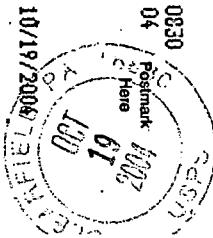
OFFICIAL USE

PHM

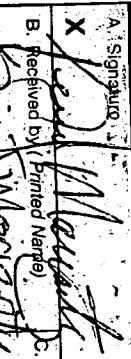
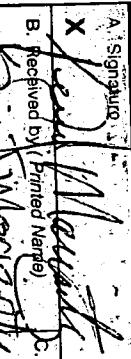
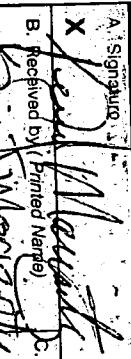
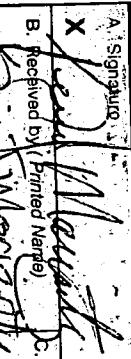
16866

7003 3110 0001 9380 1319

Postage	\$ 40.60
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.65



10/19/2004

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>A. Signature:  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by:  Printed Name:  Date of Delivery:  10/21/04</p>		<p>C. Postmark: </p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Kevin J. Moriarity 104 N. Front Street Phillipsburg, PA 16866</p>		<p>2. Article Number</p> <p>7003 3110 0001 9380 1319</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <input type="checkbox"/> Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		<p>4. Transfer from service label: </p>	
<p>PS Form 3800, June 2002</p>		<p>See Reverse for Instructions</p>	

1. Article Addressed to:	Kevin J. Moriarity 104 N. Front Street Phillipsburg, PA 16866
2. Article Number	7003 3110 0001 9380 1319
3. Service Type	<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <input type="checkbox"/> Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
4. Transfer from service label:	
PS Form 3811, August 2001	Domestic Return Receipt
102595-02-M-1540	

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

September 24, 2004

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

ATTENTION: CINDY (814) 765-5915

Re: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v. KEVIN J.
MORIARITY
No. 2004-176
119 STONE STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is
scheduled for OCTOBER 1, 2004.

The property is to be relisted for the JANUARY 7, 2005 Sheriff's Sale.

Very truly yours,

SAC

Sandra Cooper

VIA TELECOPY (814) 765-5915

CC:

KEVIN J. MORIARITY 104 N. FRONT STREET PHILIPSBURGH, PA 16866		
---	--	--

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

January 6, 2005

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

ATTENTION: CINDY (814) 765-5915

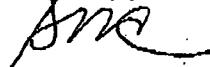
Re: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v. KEVIN J. MORIARITY**
No. 2004-176
119 STONE STREET, OSCEOLA MILLS, PA 16666

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for January 7, 2005, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

No funds were received in consideration for the stay.

Very truly yours,



Sandra Cooper

VIA TELECOPY (814) 765-5915

CC: **KEVIN J. MORIARITY**
104 N. FRONT STREET
PHILIPSBURGH, PA 16866

WASHINGTON MUTUAL HOME
LOANS
Attn:
Loan No: 18411896

FILED

APR 04 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

**MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.**

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

vs.

No. 2004-176-CD

KEVIN J. MORIARITY

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due	<u>\$48,642.86</u>
Interest from 6/4/04 to	and Costs.
Date of Sale (\$8.00 per diem)	<u>192.50</u>

Prothonotary costs

Daniel G. Schmieg
Daniel G. Schmieg, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

PMB

FILED
m 11:49 AM
FEB 04 2005
william A. Shaw
Prothonotary/Clerk of Courts
cc: all warrants
to Staff
Atty pd. 20.00

No. 2004-176-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

Prothonotary/Clerk of Courts
William A. Shaw

EEB 042005

FILED

KEVIN J. MORIARTY

PRAECLipe FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Daniel J. Johnson

Attorney for Plaintiff(s)

Address: 119 STONE STREET, OSCEOLE MILLS, PA 16666
Where papers may be served.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176-CD

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREET, OSCEOLA MILLS, PA 16666:

1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
KEVIN J. MORIARITY	119 STONE STREET OSCEOLE MILLS, PA 16666

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

February 2, 2005

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176-CD

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREET, OSCEOLA MILLS, PA 16666:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

CITIFINANCIAL	94 ALLEGHENY RIVER BOULEVARD VERONA, PA 15147
---------------	--

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant	119 STONE STREET OSCEOLA MILLS, PA 16666
-----------------	---

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

February 2, 2005

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG, ESQUIRE
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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2004-176-CD

vs.

CLEARFIELD COUNTY

KEVIN J. MORIARTY

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

**MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.**

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 2004-176-CD

KEVIN J. MORIARITY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

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: **119 STONE STREET, OSCEOLA MILLS, PA 16666**

(See legal description attached.)

Amount Due	<u>\$48,642.86</u>
Interest from 6/4/04 to Date of Sale (\$8.00 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed. <i>192.50</i> Prothonotary costs

Dated 2/4/05
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

PMB

No. 2004-176-CD

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

vs.

KEVIN J. MORIARITY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Daniel G. Schmieg
Attorney for Plaintiff

శాస్త్ర విజ్ఞానాలు 3

Address: 119 STONE STREET, OSCEOLE MILLS, PA 16666
Where papers may be served.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

DESCRIPTION

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the Westerly side of Edward Alley; thence thereby sixty two (62) feet to a post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (620 feet to the Southeast corner of Stone Street and Second Avenue and place of beginning.

Tax Parcel #16-013-377-43

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Kevin J. Moriarity by Deed from Winfield H. Bambarger, by his Power of Attorney Ellen S. Bambarger and Ellen S. Bambarger, husband and wife dated 10/19/1999 and recorded 11/3/1999 in Instrument #199918229.

PROPERTY BEING: 119 STONE STREET

AFFIDAVIT OF SERVICE

PLAINTIFF

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

CLEARFIELD COUNTY

F&P. #86647

DEFENDANT

KEVIN J. MORIARITYCOURT NO.: 2004-176-C

FILED
OCT 18 2004
NO CC
M1119801

SERVE KEVIN J. MORIARITY AT:
119 STONE STREET
OSCEOLA MILLS, PA 16666

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: 10/1/04

Wanda A. Smith
Prothonotary Clerk of Courts

SERVED

Served and made known to KEVIN J. MORIARITY, Defendant on the 6th day of October, 200 4, at 6:15, o'clock P. M., at 119 STONE STREET, OSCEOLA MILLS PA, 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 45 Height 5'9 1/2" Weight 180 Race White Sex M Other _____

I, Marilyn A. Campbell, 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 7th day
of October 200 4

Notary:

Marilyn A. Campbell

By:

NOT SERVED

On the _____ day of _____, 200____, at _____ o'clock __. M., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this _____ day
of _____, 200____. By:

Notary:

COMMONWEALTH OF PENNSYLVANIA
 Notarial Seal
 Marilyn A. Campbell, Notary Public
 City of Altoona, Blair County
 My Commission Expires Oct. 28, 2007

Member, Pennsylvania Association of Notaries

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

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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176 -C

vs.

KEVIN J. MORIARTY

FILED ^{NO cc}
10/19/04
OCT 18 2004

AFFIDAVIT

William A. Shaw
Prothonotary/Clerk of Courts

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 **MICHAEL C. STYERS, on 8/16/04 at 119 STONE STREET, OSCEOLA MILLS, PA 16666**, in accordance with the Order of Court dated 1/30/03. I further certify that the mortgaged premises was posted by sheriff with the Notice of Sheriff's Sale on **10/7/04**, in accordance with the Court's Order.

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, ESQUIRE

Date: October 15, 2004

AFFIDAVIT OF SERVICE
CLEARFIELD COUNTY
ACCT. #5918307454

PLAINTIFF
WASHINGTON MUTUAL BANK, FA

DEFENDANT
MICHAEL C. STYERS

COURT NO.: 02-513-CD

SERVE MICHAEL C. STYERS AT:
1109 DAISY STREET
CLEARFIELD, PA 16830

TYPE OF ACTION
XX Notice of Sheriff's Sale
SALE DATE: October 1, 2004

PLEASE POST PROPERTY

Served and made known to MICHAEL STYERS, Defendant on the 7th day of OCTOBER, 200 4, at 7:10, o'clock A. M., at 1109 DAISY ST. CLEARFIELD PA, 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 35 Height 5'11 Weight 190 Race WF Sex M Other _____

I, Marilyn A. Campbell, 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 7th day
of OCTOBER, 200 4.

Notary:

By: J. May Dally

NOT SERVED

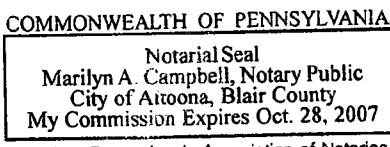
On the _____ day of _____, 200____, at _____ o'clock __. M., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

Other:

Sworn to and subscribed
before me this _____ day
of _____, 200____. By:

Notary:



Member, Pennsylvania Association of Notaries

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2004-176

vs.

KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

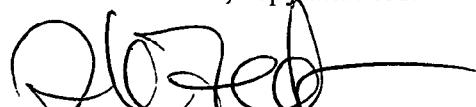
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against KEVIN J. MORIARITY , 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	\$47,396.02
Interest (2/4/04 to 6/4/04)	<u>1,246.84</u>
TOTAL	\$48,642.86

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: June 7, 2004

PRO PROTHY

SZB

FILED

JUN 07 2004

William A. Shaw
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP
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

MORTGAGE ELECTRONIC REGISTRATION : COURT OF COMMON PLEAS
SYSTEMS, INC.

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

KEVIN J. MORIARITY : NO. 2004-176-CD
Defendants

FILE COPY

TO: KEVIN J. MORIARITY
104 N. FRONT STREET
PHILIPSBURGH, PA 16866

DATE OF NOTICE: MARCH 17, 2004

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

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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



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

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARITY

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, KEVIN J. MORIARITY, is over 18 years of age, and resides at 104 N. FRONT STREET, PHILIPSBURGH, PA 16866 .

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

1100

Notice to
M. J. SOYAL
JUN 6 7 2004
Amy Federman
William A. Shaw
Statement to Amy
Prothonotary/Clerk of Courts

Affy pd. 20.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Plaintiff No.: 2004-176

VS.

KEVIN J. MORIARITY

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on June 7, 2004.

By: _____ DEPUTY

If you have any questions concerning this matter please contact:



FRANK FEDERMAN, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(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.

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

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2004-00176-CD

COPIED

Real Debt: \$48,642.86

Atty's Comm: \$

Vs.

Costs: \$

Kevin J. Moriarity
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: June 7, 2004

Expires: June 7, 2009

Certified from the record this 7th day of June, 2004.

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2004-176

vs.

KEVIN J. MORIARITY
104 N. FRONT STREET
PHILADELPHIA, PA 16866

PRAECIPE TO VACATE JUDGMENT

TO THE PROTHONOTARY:

Kindly mark the judgment that was entered in the above captioned matter on
4/1/04 vacated upon payment of your costs only.


Frank Federman, Esquire
Attorney for Plaintiff

April 19, 2004

FILED

APR 29 2004 *Ken*

by 1:00 pm
William A. Shaw
Prothonotary *pp 7.00*
no copies
on
prolens

Date: 04/29/2004
Time: 01:15 PM

Clearfield County Court of Common Pleas
Receipt

NO. 1878089
Page 1 of 1

Received of: Hallinan, Francis S. (attorney for Mortgage Electr) \$ 7.50

Seven and 50/100 Dollars

Case: 2004-00176-CD	Plaintiff: Mortgage Electronic Registration Systems, Inc.	Amount
Overage		.50
Overage		
Satisfaction/Release		7.00
Total:		7.50

Check: 000347341
Payment Method: Check
Amount Tendered: 7.50

William A. Shaw, Prothonotary/Clerk of Courts

By: _____
Deputy Clerk

Clerk: BILLSHAW

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

**MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.**

vs.

KEVIN J. MORIARITY

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

No. 2004-176

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due	
	<u>\$48,642.86</u>

Interest from 6/4/04 to	
Date of Sale (\$8.00 per diem)	

*72.50 and Costs
Prothonotary Costs*

Frank Federman, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

SZB

FILED

JUN 07 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 2004-176

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

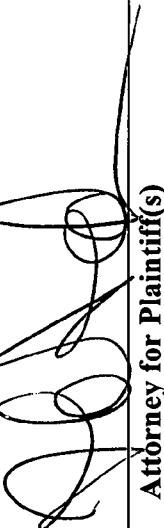
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

KEVIN J. MORIARITY

Prothonotary/Clerk of Courts Atty pd. 30-00
William A. Shaw Atty to file
JUN 07 2004
m/2004-24
rec'd in
FILED
1cc-e

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)



Attorney for Plaintiff(s)

Address: 104 N. FRONT STREET, PHILIPSBURGH, PA 16866
Where papers may be served.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREET, OSCEOLA MILLS, PA 16666:

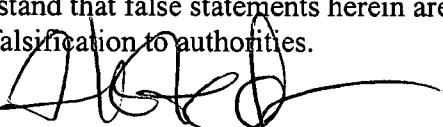
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
KEVIN J. MORIARITY	104 N. FRONT STREET PHILIPSBURGH, PA 16866

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

June 4, 2004

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREET, OSCEOLA MILLS, PA 16666:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

CITIFINANCIAL	94 ALLEGHENY RIVER BOULEVARD VERONA, PA 15147
---------------	--

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

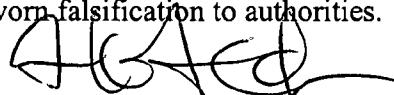
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant	119 STONE STREET OSCEOLA MILLS, PA 16666
-----------------	---

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



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

June 4, 2004

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2004-176

vs.

CLEARFIELD COUNTY

KEVIN J. MORIARTY

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 2004-176

KEVIN J. MORIARITY

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

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: 119 STONE STREET, OSCEOLA MILLS, PA 16666

(See legal description attached.)

Amount Due	<u>\$48,642.86</u>
Interest from 6/4/04 to Date of Sale (\$8.00 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed. 172.50 Prothonotary costs <i>Willie L. Blair</i>

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

Dated 6/7/04
(SEAL)

SZB

No. 2004-176

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

VS.

KEVIN J. MORIARITY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt	<u>\$48,642.86</u>
Int. from 6/4/04 to Date of Sale (\$8.00 per diem)	_____
Costs	_____
Prothy. Pd.	<u>172.50</u>
Sheriff	


John H. Hargrove
Attorney for Plaintiff

Address: 104 N. FRONT STREET, PHILIPSBURGH, PA 16866
Where papers may be served.

Frank Federman, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the Westerly side of Edward Alley; thence thereby sixty two (62) feet to a post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (620 feet to the Southeast corner of Stone Street and Second Avenue and place of beginning.

Tax Parcel #16-013-377-43

TITLE TO SAID PREMISES IS VESTED IN Kevin J. Moriarity by Deed from Winfield H. Bambarger, by his Power of Attorney Ellen S. Bambarger and Ellen S. Bambarger, husband and wife dated 10/19/1999 and recorded 11/3/1999 in Instrument #199918229.

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

**MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.**

vs.

KEVIN J. MORIARITY

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

No. 2004-176

**PRAECIPE FOR WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

To the Director of the Office of the Prothonotary:

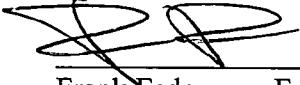
Issue writ of execution in the above matter:

Amount Due	
	\$47,988.78

Interest from 4/1/04 to
Date of Sale (\$7.89 per diem)

125.00 and Costs.

Prothonotary costs


Frank Federman, Esquire
Attorney for Plaintiff
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

DBG

FILED

APR 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 2004-176

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

vs.

KEVIN J. MORIARTY

Prothonotary/Clerk of Courts

William A. Shaw

Willow Creek

APR 06 2004 REC'D 16 COPIES
MORTGAGE FORECLOSURE
FILED April 06, 2004
Clerk

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Attorney for Plaintiff(s)

Address: 104 N. FRONT STREET, PHILADELPHIA, PA 16866
Where papers may be served.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREETOSCEOLA MILLS, PA 16666:

1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
KEVIN J. MORIARITY	104 N. FRONT STREET PHILADELPHIA, PA 16866

2. Name and address of Defendant(s) in the judgment:

SAME AS ABOVE

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



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

April 1, 2004

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARITY

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 119 STONE STREETOSCEOLA MILLS, PA 16666:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

CITIFINANCIAL	94 ALLEGHENY RIVER BOULEVARD VERONA , PA 15147
---------------	---

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant	119 STONE STREET OSCEOLA MILLS, PA 16666
-----------------	---

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

April 1, 2004

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

No.: 2004-176

vs.

CLEARFIELD COUNTY

KEVIN J. MORIARTY

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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



FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180 to 3183 and Rule 3257

**MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.**

vs.

KEVIN J. MORIARITY

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

NO.: 2004-176

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

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: **119 STONE STREETOSCEOLA MILLS, PA 16666**

(See legal description attached.)

Amount Due	<u>\$47,988.78</u>
Interest from 4/1/04 to Date of Sale (\$7.89 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed. <i>125.00 Prothonotary costs</i>

Dated April 16, 2004
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

DBG

No. 2004-176

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

VS.

KEVIN J. MORIARTY

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$47,988.78

Int. from 4/1/04 _____
to Date of Sale (\$7.89 per diem) _____

Costs _____

Prothy. Pd. 125.00

Sheriff _____



Attorney for Plaintiff

Address: 104 N. FRONT STREET, PHILADELPHIA, PA 16866
Where papers may be served.

Frank Federman, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the Westerly side of Edward Alley; thence thereby sixty two (62) feet to a post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (620 feet to the Southeast corner of Stone Street and Second Avenue and place of beginning.

Tax Parcel #16-013-377-43

TITLE TO SAID PREMISES IS VE\$TED IN Kevin J. Moriarity by Deed from Winfield H. Bambarger, by his Power of Attorney Ellen S. Bambarger and Ellen S. Bambarger, husband and wife dated 10/19/1999 and recorded 11/3/1999 in Instrument #199918229.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

No.: 2004-176

vs.

KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

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

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against KEVIN J. MORIARITY, 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 Interest (2/4/04 to 4/1/04)	\$47,396.02 <u>592.76</u>
TOTAL	\$47,988.78

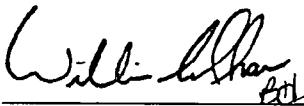
I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.


FRANK FEDERMAN, ESQUIRE

Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: April 16, 2004


PRO PROTHY

DBG

FILED

APR 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP
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

MORTGAGE ELECTRONIC REGISTRATION : COURT OF COMMON PLEAS
SYSTEMS, INC.

Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
KEVIN J. MORIARITY : NO. 2004-176-CD
Defendants

FILE COPY

TO: KEVIN J. MORIARITY
104 N. FRONT STREET
PHILIPSBURGH, PA 16866

DATE OF NOTICE: MARCH 17, 2004

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

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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



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

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

CLEARFIELD COUNTY

No.: 2004-176

vs.

KEVIN J. MORIARTY

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, KEVIN J. MORIARTY, is over 18 years of age, and resides at 104 N. FRONT STREET, PHILADELPHIA, PA 16866 .

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

1cc & Notice to Def.
APR 06 2004

William A. Shaw
Prothonotary Clerk of Courts

Atty pd.20.00

Ex
ASD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

Plaintiff No.: 2004-176

KEVIN J. MORIARITY

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on April 16, 2004.

By: Willie Khan DEPUTY

If you have any questions concerning this matter please contact:

FRANK FEDERMAN, ESQUIRE
Attorney or Party Filing
One Penn Center at Suburban Station
1617 John F. Kennedy Blvd., Suite 1400
Philadelphia, PA 19103-1814
(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.

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

Copy

Mortgage Electronic Registration Systems, Inc.
Plaintiff(s)

No.: 2004-00176-CD

Real Debt: \$47,988.78

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kevin J. Moriarity
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: April 6, 2004

Expires: April 6, 2009

Certified from the record this April 6, 2004.

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

In The Court of Common Pleas of Clearfield County, Pennsylvania

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

VS.

MORIARITY, KEVIN J.

Sheriff Docket # 15168

04-176-CD

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW FEBRUARY 6, 2004, DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KEVIN J. MORIARITY, DEFENDANT.

NOW FEBRUARY 13, 2004 SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KEVIN J. MORIARITY, DEFENDANT BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

NOW MARCH 10, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO KEVIN J. MORIARITY, DEFENDANT. ACCORDING TO DAUGHTER HE NO LONGER LIVES AT 119 STONE ST., OSCEOLA MILLS, PA.

Return Costs

Cost	Description
50.00	SHERIFF HAWKINS PAID BY: ATTY CK# 328676
20.00	SURCHARGE PAID BY: ATTY
43.00	CENTRE COUNTY SHFF. PAID BY: ATTY CK# 328676

Sworn to Before Me This

10th Day Of March 2004

William A. Shaw

So Answers,


My Marilyn Harr
Chester A. Hawkins
Sheriff

FILED

MAR 10 2004 *no cc*
0/3:10 p.m

William A. Shaw *EKA*
Prothonotary

#178

SHERIFF'S OFFICE

CENTRE COUNTY

15168

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s)	2. Case Number
<i>Mortgage Electronic Registration</i>	
3. Defendant(s)	4. Type of Writ or Complaint:
<i>Kevin J. Moriarity</i>	
SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
104 N. Front street, Philipsburg, Pa 16866	
7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other	

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date
12. Signature		

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed
		15. Expiration/Hearing Date

TO BE COMPLETED BY SHERIFF

16. Served and made known to <u>Kevin J. Moriarity</u> , on the <u>13</u> day of <u>FEB.</u> ,	20 <u>04</u> , at <u>1:15</u> o'clock, <u>P</u> m., at <u>SAME AS ABOVE ADDRESS</u> , County of Centre
Commonwealth of Pennsylvania, in the manner described below:	

Defendant(s) personally served.

Adult family member with whom said Defendant(s) resides(s). Relationship is _____

Adult in charge of Defendant's residence.

Manager/Clerk of place of lodging in which Defendant(s) resides(s).

Agent or person in charge of Defendant's office or usual place of business.

_____ and officer of said Defendant company.

Other _____

On the _____ day of _____, 20_____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
<u>75.00</u>	<u>9.00</u>	<u>9.00</u>	<u>—</u>	<u>2.50</u>	<u>21.00</u>	<u>.50</u>	<u>1.00</u>	<u>43.00</u>	<u>32.00</u>

17. AFFIRMED and subscribed to before me this <u>13</u>	So Answer.
---	------------

20. day of <u>February</u> 20 <u>04</u>	18. Signature of Dep. Sheriff
---	-------------------------------

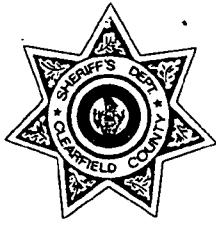
<u>Coninne Peters, Notary Public</u>	19. Date <u>2-13-04</u>
--------------------------------------	-------------------------

21. Signature of Sheriff	22. Date
--------------------------	----------

SHERIFF OF CENTRE COUNTY	
--------------------------	--

Amount Pd.	Page
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24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE.	25. Date Received
---	-------------------



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

#178
OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

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

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
PAGE 15168

MORTGAGE ELECTRONIC REGISTRATION

TERM & NO. 04-176-CD

VS

DOCUMENT TO BE SERVED:

KEVIN J. MORIARITY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 03/07/2004

MAKE REFUND PAYABLE TO: FEDERMAN & PHELAN, ESQ.

SERVE: KEVIN J. MORIARITY

ADDRESS: 1424 PORT MATILDA HIGHWAY, APT #5, PHILIPSBURG, PA.

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 6th Day of FEBRUARY 2004

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

Pg. 2622A
Pd 750

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

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

Plaintiff
v.

NO. 2004-176-CO

KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

CLEARFIELD COUNTY

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE

CLEARFIELD, PA 16830

(814) 765-2641 EXT. 5982

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

FEB 06 2004

Attest.

William L. Ober
Prothonotary/
Clerk of Courts

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

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.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
8201 GREENSBORO DRIVE, SUITE 350
MCLEAN, VA 22102

Plaintiff, is or will be, the owner of legal title to the mortgage that is the subject of this action, and nominee for the entity indicated below, which is the owner of the entire beneficial interest in the mortgage:

WASHINGTON MUTUAL HOME LOANS
F/K/A HOMESIDE LENDING
8120 NATIONS WAY, BUILDING 100
JACKSONVILLE, FL 32256

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

KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

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

3. On 11/02/1999 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to NORTH AMERICAN MORTGAGE COMPANY which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument ID # 199918230. By Assignment of Mortgage recorded 05/03/03 the mortgage was assigned to PLAINTIFF which Assignment is recorded in Assignment of Mortgage Instrument ID # 200307323.
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 10/01/2003 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	\$43,902.71
Interest	1,594.32
09/01/2003 through 02/03/2004	
(Per Diem \$10.22)	
Attorney's Fees	1,250.00
Cumulative Late Charges	43.38
11/02/1999 to 02/03/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 47,340.41
Escrow	
Credit	0.00
Deficit	55.61
Subtotal	<u>\$ 55.61</u>
TOTAL	\$ 47,396.02

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 as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 47,396.02, together with interest from 02/03/2004 at the rate of \$10.22 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: /s/ Francis S. Hallinan
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

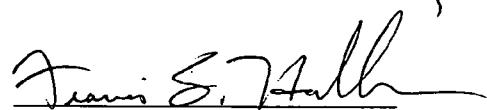
ALL that certain lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the westerly side of Edward Alley; thence thereby sixty two (62) feet to post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al.; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (62) feet to the Southeast corner of Stone Street and Second Avenue and place of beginning. PROPERTY ADDRESS: 119 STONE STREET

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 08/04/04

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
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COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff
v.

NO. 2004-176-CO

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CLEARFIELD COUNTY

Defendant(s)

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COMPLAINT IN MORTGAGE FORECLOSURE

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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 EXT. 5982

FILED

FEB 06 2004

m/12:25pm

William A. Shaw

Prothonotary/Clerk of Courts

2 Cents to Sheriff

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REGISTRATION SYSTEMS, INC.
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MCLEAN, VA 22102

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F/K/A HOMESIDE LENDING
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KEVIN J. MORIARITY
119 STONE STREET
OSCEOLA MILLS, PA 16666

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11/02/1999 to 02/03/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 47,340.41
Escrow	
Credit	0.00
Deficit	55.61
Subtotal	<u>\$ 55.61</u>
TOTAL	\$ 47,396.02

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 as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 47,396.02, together with interest from 02/03/2004 at the rate of \$10.22 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 S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL that certain lot or piece of ground situate in the Borough of Osceola Mills, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at the Southeast corner of Stone Street and Second Avenue; thence by said Second Avenue one hundred fifty (150) feet to the westerly side of Edward Alley; thence thereby sixty two (62) feet to post on portion of Lot No. 380 heretofore sold and conveyed to Harry K. Boone et. al.; thence thereby and on line parallel with Second Avenue aforesaid one hundred and fifty (150) feet to Stone Street aforesaid; thence thereby sixty two (62) feet to the Southeast corner of Stone Street and Second Avenue and place of beginning. PROPERTY ADDRESS: 119 STONE STREET

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 08/04/04