

04-419-CD
WASHINGTON MUTUAL BANK, F.A. vs. ROBERT E. KIFER, et al.

2004-419-CD
Washington Mutual Bank vs Robert Kifer et al

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

WASHINGTON MUTUAL BANK, F.A.
11200 WEST PARKLAND AVE.
MILWAUKEE, WI 53224

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

TERM

v.

NO. 04-419-C

CLEARFIELD COUNTY

ROBERT E. KIFER
LINDA K. KIFER
A/K/A LINDA K. HUEGAN
SECTION 11, LOT 74 TRE
DUBOIS, PA 15801

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.

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

FILED

MAR 29 2004

William A. Shaw
Prothonotary/Clerk of Courts

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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.

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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

WASHINGTON MUTUAL BANK, F.A.
11200 WEST PARKLAND AVE.
MILWAUKEE, WI 53224

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

ROBERT E. KIFER
LINDA K. KIFER
A/K/A LINDA K. HUEGAN
SECTION 11, LOT 74 TRE
DUBOIS, PA 15801

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

3. On 05/28/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1937, Page 235. By Assignment of Mortgage recorded 6/2/98 the mortgage was assigned to PNC BANK which Assignment is recorded in Assignment of Mortgage Book No. 1937, Page 246. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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	\$68,896.13
Interest	2,886.60
09/01/2003 through 03/22/2004	
(Per Diem \$14.15)	
Attorney's Fees	1,250.00
Cumulative Late Charges	120.85
05/28/1998 to 03/22/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 73,703.58
Escrow	
Credit	- 91.42
Deficit	0.00
Subtotal	<u>\$- 91.42</u>
TOTAL	\$ 73,612.16

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

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 73,612.16, together with interest from 03/22/2004 at the rate of \$14.15 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: Francis S. Hallinan
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 74, SECTION 11, 'CURACAO' IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN MISC. DOCKET MAP FILE NO. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. ALL EASEMENTS, RIGHTS OF WAY, RESERVATIONS, RESTRICTIONS AND LIMITATIONS SHOWN OR CONTAINED IN PRIOR INSTRUMENTS OF RECORD AND IN THE AFORESAID RECORDED PLAN.
2. THE DECLARATION OF RESTRICTIONS, TREASURE LAKE, INC., RECORDED IN MISC. BOOK VOL. 146, AT PAGE 476; ALL OF SAID RESTRICTIONS BEING COVENANTS WHICH RUN WITH THE LAND.
3. ALL MINERALS AND MINING RIGHTS OF EVERY KIND AND NATURE.
4. A LIEN FOR ALL UNPAID CHARGES OR ASSESSMENTS AS MAY BE MADE BY THE FORMER GRANTOR OR TREASURE LAKE PROPERTY OWNERS ASSOCIATION, INC.; WHICH LIENS SHALL RUN WITH THE LAND AND BE AN ENCUMBRANCE AGAINST IT.

BEING THE SAME PROPERTY CONVEYED TO ROBERT E. KIFER AND LINDA K. KIFER, HIS WIFE TENANTS BY THE ENTIRETY BY DEED FROM PAMELA L. DONATI, WIDOW RECORDED 06/02/1998 IN DEED BOOK 1937 PAGE 231

TAX ID# 128-C2-11-74-21

ORDER NO. 1554502

Being Known as: Section 11 Lot 74 TRE

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: 3/28/04

FILED

2cc
Shff

10:50 AM
MAR 29 2004

Any pd.
85.00

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

WASHINGTON MUTUAL BANK

VS.

KIFER, ROBERT E. & LINDA K.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 15369

04-419-CD

SHERIFF RETURNS

NOW APRIL 16, 2004 AT 2:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURES ON LINDA K. KIFER, DEFENDANT AT RESIDENCE, 1223 TREASURE LAKE, DUBOIS, PA./SEC. 11 LOT 74 TRE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA (SAME ADDRESS) BY HANDING TO LINDA K. KIFER (2) TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURES AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET

NOW APRIL 16, 2004 AT 2:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURES ON ROBERT E. KIFER, DEFENDANT AT RESIDENCE, 1223 TREASURE LAKE, DUBOIS, PA./SEC. 11 LOT 74 TRE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA (SAME ADDRESS) BY HANDING TO LINDA K. KIFER, WIFE (2) TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURES AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET

Return Costs

Cost	Description
50.62	SHERIFF HAWKINS PAID BY: ATTY CK# 340835
40.00	SURCHARGE PAID BY: ATTY CK# 341850

Sworn to Before Me This

17 Day Of May 2004
Will Shaw

So Answers,

Chester A. Hawkins
by Marilyn F. Farnor
Chester A. Hawkins
Sheriff

FILED

0 1-25-BT

MAY 17 2004

W.A.S.

William A. Shaw
Prothonotary

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CLEARFIELD COUNTY

Defendant(s)

**FEDERMAN AND PHELAN
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CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

FILED
10:56 AM
MAR 29 2004
COPY
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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT ADMINISTRATOR

CLEARFIELD COUNTY COURTHOUSE

CLEARFIELD, PA 16830
(814) 765-2641 EXT. 5982

We hereby certify the
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FEDERMAN AND PHELAN

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Attorneys for Plaintiff

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TAX ID# 128-C2-11-74-21

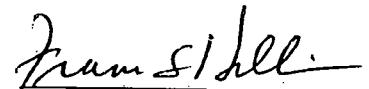
ORDER NO. 1554502

Being Known as: Section 11 Lot 74 TRE

VERIFICATION

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Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/28/04

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10:56
MAR 29 2004
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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

WASHINGTON MUTUAL BANK, F.A.
11200 WEST PARKLAND AVE.
MILWAUKEE, WI 53224

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

ROBERT E. KIFER
LINDA K. KIFER
A/K/A LINDA K. HUEGAN
SECTION 11, LOT 74 TRE
DUBOIS, PA 15801

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

3. On 05/28/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1937, Page 235. By Assignment of Mortgage recorded 6/2/98 the mortgage was assigned to PNC BANK which Assignment is recorded in Assignment of Mortgage Book No. 1937, Page 246. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
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	\$68,896.13
Interest	2,886.60
09/01/2003 through 03/22/2004	
(Per Diem \$14.15)	
Attorney's Fees	1,250.00
Cumulative Late Charges	120.85
05/28/1998 to 03/22/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 73,703.58
Escrow	
Credit	- 91.42
Deficit	0.00
Subtotal	<u>\$- 91.42</u>
TOTAL	\$ 73,612.16

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

8. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

9. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 73,612.16, together with interest from 03/22/2004 at the rate of \$14.15 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: Francis S. Hallinan
FRANK FEDERMAN, ESQUIRE
LAWRENCE T. PHELAN, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 74, SECTION 11, 'CURACAO' IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN MISC. DOCKET MAP FILE NO. 25.

EXCEPTING AND RESERVING THEREFROM AND SUBJECT TO:

1. ALL EASEMENTS, RIGHTS OF WAY, RESERVATIONS, RESTRICTIONS AND LIMITATIONS SHOWN OR CONTAINED IN PRIOR INSTRUMENTS OF RECORD AND IN THE AFORESAID RECORDED PLAN.
2. THE DECLARATION OF RESTRICTIONS, TREASURE LAKE, INC., RECORDED IN MISC. BOOK VOL. 146, AT PAGE 476; ALL OF SAID RESTRICTIONS BEING COVENANTS WHICH RUN WITH THE LAND.
3. ALL MINERALS AND MINING RIGHTS OF EVERY KIND AND NATURE.
4. A LIEN FOR ALL UNPAID CHARGES OR ASSESSMENTS AS MAY BE MADE BY THE FORMER GRANTOR OR TREASURE LAKE PROPERTY OWNERS ASSOCIATION, INC.; WHICH LIENS SHALL RUN WITH THE LAND AND BE AN ENCUMBRANCE AGAINST IT.

BEING THE SAME PROPERTY CONVEYED TO ROBERT E. KIFER AND LINDA K. KIFER, HIS WIFE TENANTS BY THE ENTIRETY BY DEED FROM PAMELA L. DONATI, WIDOW RECORDED 06/02/1998 IN DEED BOOK 1937 PAGE 231

TAX ID# 128-C2-11-74-21

ORDER NO. 1554502

Being Known as: Section 11 Lot 74 TRE

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
Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/28/04

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.
11200 WEST PARKLAND AVENUE
MILWAUKEE, WI 53224

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN
SECTION 11, LOT 74 TRE
DUBOIS, PA 15801

**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 ROBERT E. KIFER and LINDA K. KIFER A/K/A LINDA K. HUEGAN, 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:

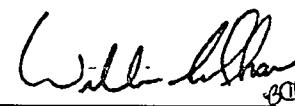
As set forth in Complaint	\$73,612.16
Interest (3/22/04 to 5/25/04)	<u>919.75</u>
TOTAL	\$74,531.91

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: May 26, 2004


PRO PROTHY

JLP

FILED

MAY 26 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

WASHINGTON MUTUAL BANK, F.A.
Plaintiff

Vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN
Defendants

: COURT OF COMMON PLEAS
: CIVIL DIVISION
: CLEARFIELD COUNTY
: NO. 04-419-CD

TO: LINDA K. KIFER A/K/A LINDA K. HUEGAN
1223 TREASURE LAKE
DUBOIS, PA 15801

FILE COPY

DATE OF NOTICE: MAY 7, 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

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

vs.

No.: 04-419-CD

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

VERIFICATION OF NON-MILITARY SERVICE

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

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

(b) that defendant, ROBERT E. KIFER, is over 18 years of age, and resides at 1223 TREASURE LAKE, DUBOIS, PA 15801 .

(c) that defendant, LINDA K. KIFER A/K/A LINDA K. HUEGAN, is over 18 years of age, and resides at 1223 TREASURE LAKE, DUBOIS, PA 15801.

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


FRANK FEDERMAN, ESQUIRE

FILED Notice to
ICC Defendants

11:25 AM
MAY 26 2004

AMY pd. \$0.00

William A. Shaw *ESQ*
Prothonotary/Clerk of Courts
Statement to AMY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

WASHINGTON MUTUAL BANK, F.A.

Plaintiff
vs. No.: 04-419-CD

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on May 26, 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

COPY

Washington Mutual Bank, F.A.
Plaintiff(s)

No.: 2004-00419-CD

Real Debt: \$74,531.91

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert E. Kifer
Linda K. Kifer
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: May 26, 2004

Expires: May 26, 2009

Certified from the record this 26th day of May, 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

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

WASHINGTON MUTUAL BANK, F.A.

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

No. 04-419-CD

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>\$74,531.91</u>
-------------------	---------------------------

Interest from 5/25/04 to	<u>\$919.75</u>
Date of Sale (\$12.25 per diem)	<u>and Costs.</u>

125.00 *Prothonotary costs*

Frank Federman

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.

JLP

FILED

MAY 26 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 04-419-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Prothonotary/Clerk of Courts
William A. Shaw
May 26, 2004
Filed 6/1/04
Case No. 44-1004
Attala County, PA
FILED May 26, 2004
Frank Polman
Attorney for Plaintiff(s)

Address: 1223 TREASURE LAKE, DUBOIS, PA 15801
1223 TREASURE LAKE, DUBOIS, PA 15801
Where papers may be served.

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
ROBERT E. KIFER	1223 TREASURE LAKE DUBOIS, PA 15801
LINDA K. KIFER A/K/A LINDA K. HUEGAN	1223 TREASURE LAKE DUBOIS, PA 15801

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

May 24, 2004

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

VS.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

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

None.

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

CSB BANK **P.O. BOX 465**
DUBOIS, PA 15801

HOUSING & URBAN DEVELOPMENT **451 7TH STREET SOUTHWEST**
WASHINGTON, DC 20410

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	SECTION 11, LOT 74 TRE DUBOIS, PA 15801
-----------------	--

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

May 24, 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

WASHINGTON MUTUAL BANK, F.A.

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

CLEARFIELD COUNTY

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

COPY

WASHINGTON MUTUAL BANK, F.A.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

vs.

NO.: 04-419-CD

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

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: SECTION 11, LOT 74 TRE, DUBOIS, PA 15801

(See legal description attached.)

Amount Due	<u>\$74,531.91</u>
Interest from 5/25/04 to Date of Sale (\$12.25 per diem)	\$919.75
Total	<u>\$74,531.91</u> Plus costs as endorsed. 125.00 Prothonotary costs

Dated May 26, 2004
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

JLP

No. 04-419-CD

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

WASHINGTON MUTUAL BANK, F.A.

VS.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$74,531.91

Int. from 5/25/04 _____
to Date of Sale (\$12.25 per diem)

Costs _____

Prothy. Pd. 125.00

Sheriff _____

Frank Federman

Attorney for Plaintiff

Address: 1223 TREASURE LAKE, DUBOIS, PA 15801
1223 TREASURE LAKE, DUBOIS, PA 15801
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 tract of land designated as Lot No. 74, Section 11, "Curacao" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Tax Parcel #128-C2-11-74-21

TITLE TO SAID PREMISES IS VESTED IN Robert E. Kifer and Linda K. Kifer, his wife by Deed from Pamela L. Donati, widow dated 5/28/1998 and recorded 6/2/1998, in Record Book 1937, Page 231.

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

WASHINGTON MUTUAL BANK, F.A.

vs.

**ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN**

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

No. 04-419-CD

**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

\$74,531.91

Interest from 5/25/04 to
Date of Sale (\$12.25 per diem)

145.09 and Costs.
Prothonotary costs



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.

SZB

FILED Atty pd. 20.00
64 m 19 40081 ICC & Lawuits
JAN 07 2005 w/ prop descr. to
Shaw
William A. Shaw
Prothonotary/Clerk of Courts

3 No. 04-419-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A.

Prothonotary/Clerk of Courts
William A. Shaw

JAN 07 2005

FILED

vs.
ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Daniel C. Schling

Attorney for Plaintiff(s)

Address: SECTION 11, LOT 74 TRE,
SECTION 11, LOT 74 TRE,
Where papers may be served.

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

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

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

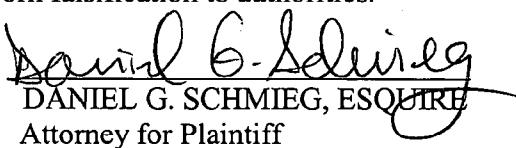
ROBERT E. KIFER SECTION 11, LOT 74 TRE

LINDA K. KIFER A/K/A LINDA K. HUEGAN SECTION 11, LOT 74 TRE

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, ESQUIRE
Attorney for Plaintiff

January 4, 2005

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

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)
------	---

CSB BANK	P.O. BOX 465 DUBOIS, PA 15801
----------	----------------------------------

HOUSING AND URBAN DEVELOPMENT	451 7 TH STREET SOUTHWEST WASHINGTON, DC 20410
-------------------------------	--

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

SECTION 11, LOT 74 TRE
DUBOIS, PA 15801

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

January 4, 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

WASHINGTON MUTUAL BANK, F.A.

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

CLEARFIELD COUNTY

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, ESQUIRE
Attorney for Plaintiff

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

COPY

WASHINGTON MUTUAL BANK, F.A.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 04-419-CD

**ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN**

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: **SECTION 11, LOT 74 TRE, DUBOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$74,531.91</u>
Interest from 5/25/04 to Date of Sale (\$12.25 per diem)	\$ _____
Total	\$ <u>145.06</u> Plus costs as endorsed. Prothonotary costs

Dated 1/7/05
(SEAL)

Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:
Deputy

SZB

No. 04-419-CD

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

WASHINGTON MUTUAL BANK, F.A.

VS.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$74,531.91

Int. from 5/25/04 _____
to Date of Sale (\$12.25 per diem)

Costs _____

Prothy. Pd. 145.00

Sheriff _____

Daniel C Schmieg

Attorney for Plaintiff

Address: SECTION 11, LOT 74 TRE,
SECTION 11, LOT 74 TRE,
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

ALL THAT CERTAIN tract of land designated as Lot No. 74, Section 11, "Curacao" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Tax Parcel #128-C2-11-74-21

TITLE TO SAID PREMISES IS VESTED IN Robert E. Kifer and Linda K. Kifer, his wife by
Deed from Pamela L. Donati, widow dated 5/28/1998 and recorded 6/2/1998, in Record Book
1937, Page 231.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15951
NO: 04-419-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: ROBERT E. KIFER AND LINDA K. KIFER A/K/A LINDA K. HUEGAN

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/26/2004

LEVY TAKEN 07/26/2004 @ 2:30 PM

POSTED 07/26/2004 @ 2:30 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 02/05/2005

DATE DEED FILED NOT SOLD

FILED
O/S: 5/26/04 64
MAR 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED ROBERT E. KIFER
ROBERT E. KIFER, DEFENDANT, NOT SERVED.

@ SERVED LINDA K. KIFER, A/K/A LINDA K. HUEGAN
LINDA K. KIFER, A/K/A LINDA K. HUEGAN, DEFENDANT, NOT SERVED.

@ SERVED
NOW, SEPTEMBER 21, 2004 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE
SALE SCHEDULED FOR OCTOBER 1, 2004 TO DECEMBER 3, 2004.

@ SERVED
NOW, NOVEMBER 30, 2004 RECEIVED A FAX LETTER TO STAY THE SHERIFF SALE AND RETURN THE WRIT
TO THE PROTHONOTARY DUE TO A BANKRUPTCY FILING.

@ SERVED
NOW, MARCH 5, 2005 RETURN WRIT AS NO SALE HELD ON THE PROPERTY OF THE DEFENDANTS.
PLAINTIFF'S ATTORNEY STAYED THE SALE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15951
NO: 04-419-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: ROBERT E. KIFER AND LINDA K. KIFER A/K/A LINDA K. HUEGAN

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$223.31

SURCHARGE PAID BY

So Answers,


Ings Cemtrea Bitter-Deighenau
Chester A. Hawkins
Sheriff

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

WASHINGTON MUTUAL BANK, F.A.

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 04-419-CD

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: **SECTION 11, LOT 74 TRE, DUBOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$74,531.91</u>
Interest from 5/25/04 to Date of Sale (\$12.25 per diem)	\$919.75
Total	<u>\$74,531.91</u> Plus costs as endorsed. 125.00 Prothonotary costs

Willie H. Blair
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

JLP

Dated May 26, 2004
(SEAL)
Received May 26, 2004 @ 2:30 P.M.
Chester A. Hawkins
by Cynthia Butler-Augustine

No. 04-419-CD

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

WASHINGTON MUTUAL BANK, F.A.

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$74,531.91

Int. from 5/25/04 _____
to Date of Sale (\$12.25 per diem)

Costs _____

Prothy. Pd. 125.00

Sheriff _____



Attorney for Plaintiff

Address: 1223 TREASURE LAKE, DUBOIS, PA 15801
1223 TREASURE LAKE, DUBOIS, PA 15801
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 tract of land designated as Lot No. 74, Section 11, "Curacao" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Tax Parcel #128-C2-11-74-21

TITLE TO SAID PREMISES IS VESTED IN Robert E. Kifer and Linda K. Kifer, his wife by Deed from Pamela L. Donati, widow dated 5/28/1998 and recorded 6/2/1998, in Record Book 1937, Page 231.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ROBERT E. KIFER

NO. 04-419-CD

NOW, March 05, 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 December 03, 2004, I exposed the within described real estate of Robert E. Kifer And Linda K. Kifer A/K/A Linda K. Huegan to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	14.25
LEVY	15.00
MILEAGE	14.25
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.81
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	10.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$223.31

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	74,531.91
INTEREST @ 12.2500	2,352.00
FROM 05/25/2004 TO 12/03/2004	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$76,883.91

COSTS:

ADVERTISING	243.54
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	223.31
LEGAL JOURNAL COSTS	126.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$717.85

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

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 21, 2004

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

ATTENTION: CINDY (814) 765-5915

Re: **WASHINGTON MUTUAL BANK, F.A. v. ROBERT E. KIFER and LINDA K. KIFER A/K/A LINDA K. HUEGAN**

No. 04-419-CD

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 December 3, 2004 Sheriff's Sale.

Very truly yours,

SMC

Sandra Cooper

VIA TELECOPY (814) 765-5915

CC:

Law Offices

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

November 30, 2004

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

ATTENTION: CINDY (814) 765-5915

**Re: WASHINGTON MUTUAL BANK, F.A. v. ROBERT E. KIFER and LINDA K. KIFER
A/K/A LINDA K. HUEGAN
No. 04-419-CD
Premises: SECTION 11, LOT 74 TRE, DUBOIS, PA 15801**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for December 03, 2004, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

The Defendant (s) filed a Chapter 07 Bankruptcy (No. 04-30939) on 8/19/04.

Very truly yours,

Sandra Cooper

VIA TELECOPY (814) 765-5915

CC:

		Attn: Loan No:
--	--	-------------------

SALE DATE: June 3, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

WASHINGTON MUTUAL BANK, F.A.

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

FILED ⁽⁶⁾
NO
MAY 10 4 2005
CC
MAY 03 2005

William A. Shaw
Prothonotary/Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

SECTION 11, LOT 74 TRE, DUBOIS, PA 15801.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Supplemental Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

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, ESQUIRE
Attorney for Plaintiff

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

vs.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

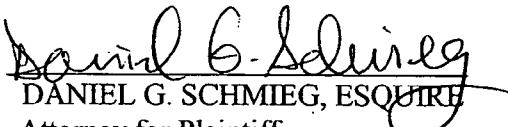
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
ROBERT E. KIFER	SECTION 11, LOT 74 TRE
LINDA K. KIFER A/K/A LINDA K. HUEGAN	SECTION 11, LOT 74 TRE

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, ESQUIRE
Attorney for Plaintiff

January 4, 2005

WASHINGTON MUTUAL BANK, F.A.

CLEARFIELD COUNTY

No.: 04-419-CD

VS.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K.
HUEGAN

**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

WASHINGTON MUTUAL BANK, F.A., 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 SECTION 11, LOT 74 TRE, DUBOIS, PA 15801:

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

None.

4 Na

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

Name

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

CSB BANK

P.O. BOX 465
DUBOIS, PA 15801

HOUSING AND URBAN DEVELOPMENT

451 7TH STREET SOUTHWEST
WASHINGTON, DC 20410

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	SECTION 11, LOT 74 TRE DUBOIS, PA 15801
-----------------	--

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, ESQUIRE
Attorney for Plaintiff

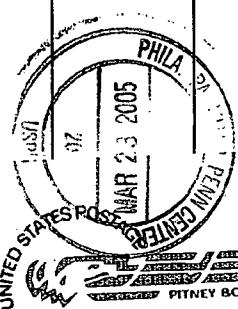
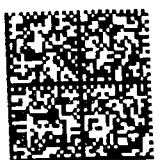
January 4, 2005

Name and
Address
Of Sender

PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station
Philadelphia, PA 19103-1814 SANDRA COOPERSZB

TEAM 5

Line	Article Number	Name of Addressee, Street, and Post Office Address	
1	ROBERT E. KIFER	Tenant/Occupant, SECTION 11, LOT 74 TRE, DUBOIS, PA 15801	
2	5227671137	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830	
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105	
4		CSB BANK P.O. BOX 465 DUBOIS, PA 15801	
5		HOUSING AND URBAN DEVELOPMENT 451 7 TH STREET SOUTHWEST WASHINGTON, DC 20410	
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	
Postmaster, Per Name Of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.	



02 1A
0004300377 MAR 23 2005
MAILED FROM ZIP CODE 19103

\$ 01.50⁰

FILED

MAY 03 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20086
NO: 04-419-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: ROBERT E. KIFER AND LINDA K. KIFER A/K/A LINDA K. HUEGAN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 01/07/2005

LEVY TAKEN 03/29/2005 @ 2:30 PM

POSTED 03/28/2005 @ 2:30 PM

SALE HELD 06/03/2005

SOLD TO WASHINGTON MUTUAL BANK, F.A.

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 06/25/2005

DATE DEED FILED 06/24/2005

PROPERTY ADDRESS SECTION 11, LOT 74, TREASURE LAKE DUBOIS , PA 15801

SERVICES

04/15/2005 @ 11:13 AM SERVED ROBERT E. KIFER

SERVED ROBERT E. KIFER, DEFENDANT, AT HIS RESIDENCE 108 WILSON AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LINDA HUEGAN KIFER, WIFE/DEFENDANT

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

04/15/2005 @ 11:13 AM SERVED LINDA K. KIFER A/K/A LINDA K. HUEGAN

SERVED LINDA K. KIFER A/K/A LINDA K. HUEGAN, DEFENDANT, AT HER RESIDENCE 108 WILSON AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LINDA K. KIFER A/K/A LINDA K. HUEGAN

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

FILED
01/24/2005
JUN 24 2005 (GK)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20086
NO: 04-419-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS

vs.
DEFENDANT: ROBERT E. KIFER AND LINDA K. KIFER A/K/A LINDA K. HUEGAN

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$256.61

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2005

Sgt. C. H. Hawkins
Chester A. Hawkins
Sheriff

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

WASHINGTON MUTUAL BANK, F.A.

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 04-419-CD

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

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: SECTION 11, LOT 74 TRE, DUBOIS, PA 15801

(See legal description attached.)

Amount Due	<u>\$74,531.91</u>
Interest from 5/25/04 to Date of Sale (\$12.25 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.

145.00 Prothonotary costs

Will A. Hausey
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

By:

Deputy

Dated 1/7/05
(SEAL)

Received January 7, 2005 @ 3:00 P.M.

Chester A. Hausey
by Cynthia Butler-Alexander

SZB

No. 04-419-CD

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

WASHINGTON MUTUAL BANK, F.A.

VS.

ROBERT E. KIFER
LINDA K. KIFER A/K/A LINDA K. HUEGAN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$74,531.91

Int. from 5/25/04
to Date of Sale (\$12.25 per diem)

Costs _____

Prothy. Pd. 145.00

Sheriff _____

Daniel G. Schmieg

Attorney for Plaintiff

Address: SECTION 11, LOT 74 TRE,
SECTION 11, LOT 74 TRE,
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

ALL THAT CERTAIN tract of land designated as Lot No. 74, Section 11, "Curacao" in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in Misc. Docket Map File No. 25.

Tax Parcel #128-C2-11-74-21

TITLE TO SAID PREMISES IS VESTED IN Robert E. Kifer and Linda K. Kifer, his wife by
Deed from Pamela L. Donati, widow dated 5/28/1998 and recorded 6/2/1998, in Record Book
1937, Page 231.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME ROBERT E. KIFER

NO. 04-419-CD

NOW, June 03, 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 June 03, 2005, I exposed the within described real estate of Robert E. Kifer And Linda K. Kifer A/K/A Linda K. Huegan to public venue or outcry at which time and place I sold the same to WASHINGTON MUTUAL BANK, F.A. he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	15.39
LEVY	15.00
MILEAGE	15.39
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	15.39
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$256.61

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	74,531.91
INTEREST @ 12.2500 %	4,581.50
FROM 05/25/2004 TO 06/03/2005	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$79,153.41
COSTS:	
ADVERTISING	224.08
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	256.61
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	145.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$943.69

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

CHESTER A. HAWKINS, Sheriff

FILED

JUN 24 2005

William A. Shaw
Prothonotary/Clerk of Courts

