

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

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.

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

**FILED**

**MAR 29 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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>
<b>TOTAL</b>	<b>\$ 73,612.16</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. 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

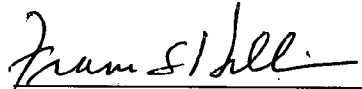
ORDER NO. 1554502

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: 3/25/04

FILED

2cc

Shift

MAR 29 2004

Att'y 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.

Sheriff Docket #

15369

04-419-CD

COMPLAINT IN MORTGAGE FORECLOSURE

**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  
*William A. Shaw*

So Answers,

*Chester A. Hawkins*  
*Sgt. Marilyn Hamer*  
Chester A. Hawkins  
Sheriff

**FILED**

0 1225 13A

MAY 17 2004

William A. Shaw  
Prothonotary

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

**COPY**  
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-CD

CLEARFIELD COUNTY

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

**FEDERMAN AND PHELAN**  
**ATTORNEY FILE COPY**  
**PLEASE RETURN**

Defendant(s)

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

**NOTICE**

**FILED**  
MAR 29 2004  
William A. Shaw  
Prothonotary Clerk of Courts

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

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

**FEDERMAN AND PHELAN**  
**ATTORNEY FILE COPY**  
**PLEASE RETURN**

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.

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.

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

**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

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.

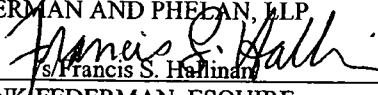
3. On 05/28/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORPORATION which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1937, Page 235. By Assignment of Mortgage recorded 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>
<b>TOTAL</b>	<b>\$ 73,612.16</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. 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:   
/s/ 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

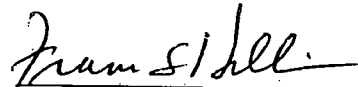
ORDER NO. 1554502

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



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

COPY

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-CD

CLEARFIELD COUNTY

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

FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN

Defendant(s)

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

**NOTICE**

FILED  
10:55  
MAR 29 2004  
William A. Shaw  
Prothonotary Clerk of Courts

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

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

FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN

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.

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.

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

**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

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	\$ 550.00
Subtotal	\$ 73,703.58
Escrow	
Credit	- 91.42
Deficit	0.00
Subtotal	\$- 91.42
<b>TOTAL</b>	<b>\$ 73,612.16</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. 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

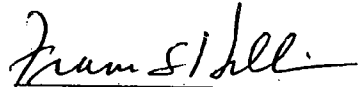
ORDER NO. 1554502

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: 3/25/04

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

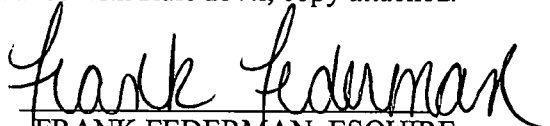
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

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>
<b>TOTAL</b>	<b>\$74,531.91</b>

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

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

: CLEARFIELD COUNTY

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

: 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 <sup>Office to</sup> ICE Defendants

~~NO 11:25 AM~~ MAY 26 2004 <sup>Att'y pd. 00:00</sup>

William A. Shaw  
Prothonotary/Clerk of Courts  
Statement to Att'y

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.**

**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**

**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)

\$919.75 and Costs.

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

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Prothonotary/Clerk of Courts

William A. Shaw

FILED  
MAY 14 2004  
MAY 26 2004  
cc Leventis  
w/prop descr. to SHFF

*Frank Leventis*  
Attorney for Plaintiff(s)

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

CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praecipe 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)
------	---

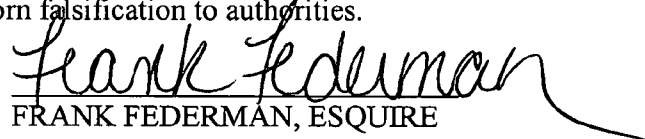
ROBERT E. KIFER	1223 TREASURE LAKE DUBOIS, PA 15801
-----------------	--

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



CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praecipe 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)
------	---

<b>CSB BANK</b>	<b>P.O. BOX 465 DUBOIS, PA 15801</b>
-----------------	--

<b>HOUSING &amp; URBAN DEVELOPMENT</b>	<b>451 7<sup>TH</sup> STREET SOUTHWEST WASHINGTON, DC 20410</b>
--	---

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)

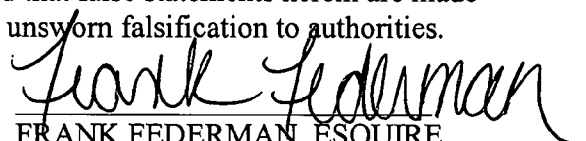
Commonwealth of Pennsylvania  
Department of Welfare

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:

- ☒ (X) 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

**COPY**

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

\_\_\_\_\_  
**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

\$74,531.91

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

\$919.75

Total

\$ 74,531.91 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	<u>\$74,531.91</u>
Int. from 5/25/04 to Date of Sale (\$12.25 per diem)	<u>                    </u>
Costs	<u>                    </u>
Prothy. Pd.	<u>125.00</u>
Sheriff	<u>                    </u>

  
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.**  
\_\_\_\_\_

**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**  
\_\_\_\_\_

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

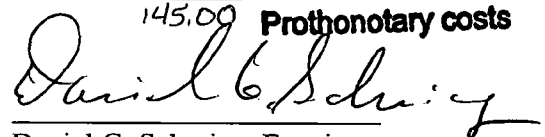
Amount Due

\$74,531.91

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

and Costs.

145.00 **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*  
*OK m/19:40/21 ICC & Lowits*  
**JAN 07 2005** *w/ prop descr. to*  
*Sh A*  
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.

William A. Shaw  
Prothonotary/Clerk of Courts

vs.

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

JAN 07 2005

FILED

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

*David C. Schwing*  
Attorney for Plaintiff(s)

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



CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praecipe 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

CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praeipe 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<sup>TH</sup> 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)

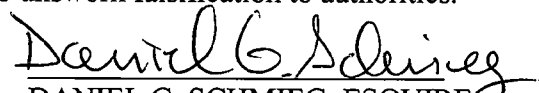
Commonwealth of Pennsylvania  
Department of Welfare

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

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:

- ☒ (X) 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.**

**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

\$74,531.91

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

\$ \_\_\_\_\_

Total

\$ 145.06 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	<u>\$74,531.91</u>
Int. from 5/25/04 to Date of Sale (\$12.25 per diem)	<u>                    </u>
Costs	<u>                    </u>
Prothy. Pd.	<u>145.00</u>
Sheriff	<u>                    </u>

2004-05-09 10:00 AM

  
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, "Curaçao" 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**  
018:5562 GK  
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


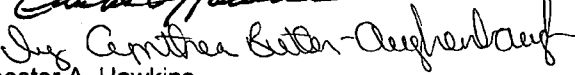
---

SHERIFF HAWKINS \$223.31

SURCHARGE

PAID BY

So Answers,

  
  
Chester A. Hawkins  
Sheriff

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

\_\_\_\_\_  
**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

\$74,531.91

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

\$919.75

Total

\$ 74,531.91 Plus costs as endorsed.

*125.00 Prothonotary costs*

*Willie L. L. L.*

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated May 26, 2004  
(SEAL)

~~By:~~

~~Deputy~~

JLP

*Received May 26, 2004 @ 2:30 P.M.  
Creston A. Hawkins  
by Cynthia Butler-Ayherd*

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	<u>\$74,531.91</u>
Int. from 5/25/04 to Date of Sale (\$12.25 per diem)	<u>                    </u>
Costs	<u>                    </u>
Prothy. Pd.	<u>125.00</u>
Sheriff	<u>                    </u>

  
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	
<b>TOTAL SHERIFF COSTS</b>	<b>\$223.31</b>

**DEED COSTS:**

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

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	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

<b>TOTAL DEBT AND INTEREST</b>	<b>\$76,883.91</b>
--------------------------------	--------------------

**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	

<b>TOTAL COSTS</b>	<b>\$717.85</b>
--------------------	-----------------

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

CHESTER A. HAWKINS, Sheriff

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,



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** <sup>60</sup>NO  
MAY 10 4 10 PM '05  
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 Praecept 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



CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praecipe 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

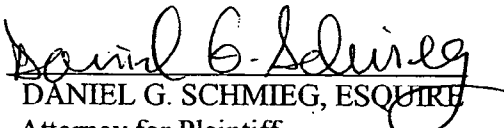
SECTION 11, LOT 74 TRE

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

CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A.

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 Praecipe 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 <sup>TH</sup> 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

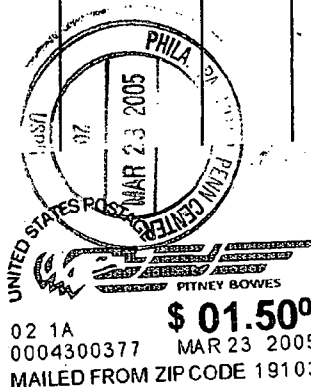
Name and Address

Of Sender

PHILAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station  
Philadelphia, PA 19103-1814  
Suite 1400  
SANDRA COOPER/SZB

TEAM 5

Line	Article Number	Name of Addressee, Street, and Post Office Address	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 \$500,000 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.
1	ROBERT E. KUFER	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 <sup>TH</sup> 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 \$500,000 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.	



**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**  
0112:2631  
JUN 24 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

---

SHERIFF HAWKINS \$256.61


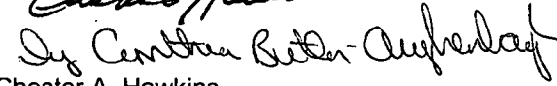
SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

\_\_\_\_\_

So Answers,

  
  
Chester A. Hawkins  
Sheriff

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

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

\$74,531.91

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

\$ \_\_\_\_\_

Total

\$ \_\_\_\_\_ Plus costs as endorsed.

145.00

Prothonotary costs

*Willie L. Brown*

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated 1/7/05  
(SEAL)

By:

Deputy

SZB

Received January 7, 2005 @ 3:00 P.M.  
Chester A. Hanks  
By Cynthia Butler-Arphenday



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	<u>\$74,531.91</u>
Int. from 5/25/04 to Date of Sale (\$12.25 per diem)	<u>                    </u>
Costs	<u>                    </u>
Prothy. Pd.	<u>145.00</u>
Sheriff	<u>                    </u>

  
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	
<b>TOTAL SHERIFF COSTS</b>	<b>\$256.61</b>

**DEED COSTS:**

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

**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	

<b>TOTAL DEBT AND INTEREST</b>	<b>\$79,153.41</b>
--------------------------------	--------------------

**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	
<b>TOTAL COSTS</b>	<b>\$943.69</b>

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

CHESTER A. HAWKINS, Sheriff

**FILED**

**JUN 24 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

