

05-535-CD  
PHH Mortgage Corp. v. John Valles

PHH Mortgage Corp. v. John Valles  
2005-535-CD

SALE DATE: 01/06/06

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

No.: 2005-535-CD

vs.

JOHN P. VALLES

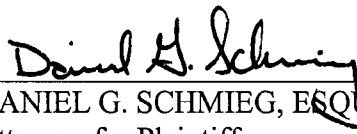
**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**


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

TREASURE LAKE SECTION 15 LOT 202 & 203, 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

**FILED** <sup>uo</sup> <sub>cc</sub>  
m/11:08/01  
DEC 14 2005   
William A. Shaw  
Prothonotary/Clerk of Courts

**Name and Address Of Sender**  
**PHILAN HALLINAN & SCHMIEG**  
 One Penn Center at Suburban Station Suite 1400  
 Philadelphia, PA 19103-1814 **SANDRA COOPER/KIO**

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	JOHN P. VALLES	Tenant/Occupant, TREASURE LAKE SECTION 15 LOT 202 & 203, DUBOIS, PA 15801		
2	0023948623	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				
5				
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.

**AFFIDAVIT OF SERVICE – CLEARFIELD COUNTY(MMT)**

**PLAINTIFF PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE CORPORATION**

**DEFENDANT JOHN P. VALLES**

**SERVE AT: 9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129**

**NO. 2005-535-CD  
TYPE OF ACTION  
XX Mortgage Foreclosure  
XX Civil Action  
File Number 111454**

**SERVED**

Served and made known to JOHN P. VALLES Defendant on the 10 day of May, 2005 at 7:10 o'clock, P. M., at 9653 Mesa Ridge Court, Las Vegas, Nevada 89129, City in the manner described below:

\_\_\_\_ Defendant personally served.

☒ Adult family member with whom Defendant(s) reside(s).

Relationship is sister (Anita)

\_\_\_\_ Adult in charge of Defendant's residence who refused to give name/relationship.

\_\_\_\_ Manager/Clerk of place of lodging in which Defendant(s) reside(s)

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

\_\_\_\_ and officer of said defendant company.

\_\_\_\_ Other: \_\_\_\_\_

**FILED** *McC*  
*m/12:51 PM*  
**JUN 06 2005** *W*

William A. Shaw  
Prothonotary/Clerk of Courts

I, Jeremy Guist, a competent adult, being duly sworn according to law, depose and state that I personally handed to Anita

☒ a true and correct copy of the Civil Action Complaint (Mortgage Foreclosure) issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed

Before me this \_\_\_\_\_ day

Of \_\_\_\_\_, 20\_\_.

Notary:

Served By: Jeremy Guist #081

**NOT SERVED**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock

\_\_\_\_ M., Defendant NOT FOUND because:

\_\_\_\_ Moved \_\_\_\_ Unknown \_\_\_\_ No Answer \_\_\_\_ Vacant

Other: \_\_\_\_\_

Sworn to and subscribed

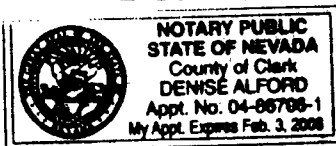
Before me the 18 day

Of May, 2005

Notary:

Denise Alford

**Not Served By:** \_\_\_\_\_



**Phelan Hallinan & Schmieg, LLP**

Attorneys For Plaintiff

Francis S. Hallinan, Esquire – I.D.#62695

Suite 1400- One Penn Center Plaza at Suburban Station

Philadelphia, PA 19103-1799

(215)563-7000

AFFIDAVIT OF SERVICE

CLEARFIELD COUNTY

PLAINTIFF

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

F&P. #111454

DEFENDANT  
JOHN P. VALLES

COURT NO.: 2005-535-CD

SERVE JOHN P. VALLES AT:  
8501 RAINDROP CAYNON AVENUE  
LAS VEGAS, NV 89129

TYPE OF ACTION  
XX Notice of Sheriff's Sale  
SALE DATE: JANUARY 6, 2006

SERVED

Served and made known to John P. Valles, Defendant on the 17<sup>th</sup> day of November, 2005, at 12:59 o'clock P. M., at 8501 Raindrop Canyon Ave, Commonwealth of Pennsylvania, in the manner described below: Las Vegas, Nevada 89129

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

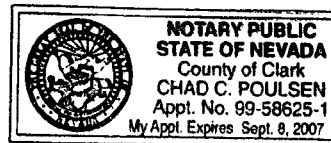
Description: Age 33 Height 5'8" Weight 170 Race Hisp Sex M Other Glasses

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

Sworn to and subscribed  
before me this 22 day  
of NOV., 2005.

Notary:

By:



NOT SERVED

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M., Defendant NOT FOUND because:

☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant

Other:

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

By:

Notary:

ATTORNEY FOR PLAINTIFF  
DANIEL G. SCHMIEG, ESQUIRE  
I.D.#62205  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

FILED NO CC  
m/10:4330  
DEC 02 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

Service # 1 of 1 Services

Sheriff Docket # **100409**

PHH MORTGAGE CORPORATION

Case # **05-535-CD**

vs.

JOHN P. VALLES

**SHERIFF RETURNS**

NOW May 20, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO JOHN P. VALLES, DEFENDANT. ATTEMPTED, NOT HOME.

SERVED BY: /

**FILED**  
cr 0111430  
MAY 23 2005

William A. Shaw  
Prothonotary/Clerk of Courts

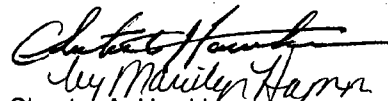
**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PHELAN	420864	10.00
SHERIFF HAWKINS	PHELAN	420917	60.17

Sworn to Before me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff

PHELAN HALLINAN & SCHMIEG, LLP  
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

PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE CORPORATION  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129

Defendant

**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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

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

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

**APR 15 2005**

**Attest.**

*William A. Brown*  
**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

PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE CORPORATION  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129

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

3. On 05/23/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to FIRST COMMONWEALTH BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200308841. By Assignment of Mortgage recorded 07/18/2003 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No. 200312724
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 09/01/2004 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	\$207,070.45
Interest	9,085.44
08/01/2004 through 04/13/2005 (Per Diem \$35.49)	
Attorney's Fees	1,250.00
Cumulative Late Charges	384.54
05/23/2003 to 04/13/2005	
Cost of Suit and Title Search	\$ 550.00
Subtotal	\$ 218,340.43
Escrow	
Credit	0.00
Deficit	2,185.85
Subtotal	\$ 2,185.85
<b>TOTAL</b>	<b>\$ 220,526.28</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 220,526.28, together with interest from 04/13/2005 at the rate of \$35.49 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.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL that two certain tracts of land designated as Lot No. 202 and Lot No. 203, Section No. 15, "Bimini", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous 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, 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 Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

**BEING** the same premises conveyed to Gary J. Hennen and Sarah J. Hennen, husband and wife, by deed of Gary J. Hennen, dated March 24, 1988, and recorded in the Office of the Recorder of Clearfield County in Volume 1221, page 322 (as to Lot No. 203); and **being** the same premises conveyed to Gary J. Hennen and Sarah J. Hennen, husband and wife, by deed of Donald J. Gill, et ux, dated June 29, 1990, and recorded in the Office of the Recorder of Clearfield County in Volume 1351, page 383 (as to Lot No. 202).

**ALSO BEING** part of the premises conveyed to Gary J. Hennen by deed of Gary J. Hennen and Sarah J. Hennen, husband and wife, dated February 1, 2000, and recorded in the Office of the Recorder of Clearfield County as Instrument #200001673.

**SUBJECT** to all exceptions, reservations, conditions, restrictions, rights-of-way and easements as fully and to the same extent as the same are contained in all prior deeds or instruments, or writings, or in any other manner touching or affecting the premises hereby conveyed.

**PROPERTY BEING: TREASURE LAKE SECTION 15 LOT 202 & 203**

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: 4/13/05

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

No.: 2005-535-CD

vs.

JOHN P. VALLES  
TREASURE LAKE SECTION  
15 LOT 202 & 203  
DUBOIS, PA 15801

FILED

JUN 17 2005

William A. Shaw

Prothonotary/Clerk of Courts

NOTICE TO DEFENDANT

STATEMENT TO

ATTORNEY

**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 JOHN P. VALLES , 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	\$220,526.28
Interest (4/14/05 to 6/14/05)	<u>2,200.38</u>
<b>TOTAL</b>	<b>\$222,726.66</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.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: June 17, 2005

  
PRO PROTHY

KIO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

Plaintiff

No.: 2005-535-CD

vs.

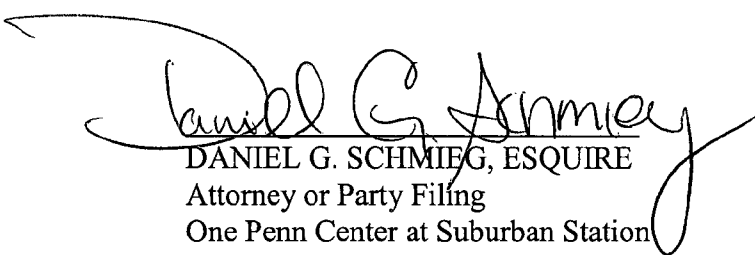
JOHN P. VALLES

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on June 12, 2005.

By:  DEPUTY

If you have any questions concerning this matter please contact:

  
DANIEL G. SCHMIEG, 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.\*\***

PHELAN, HALLINAN AND SCHMIEG  
By: Francis S. Hallinan, Esq., Id. No. 62695  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION

Plaintiff

: CIVIL DIVISION

Vs.

: CLEARFIELD COUNTY

JOHN P. VALLES

: NO. 2005-535-CD

Defendants

TO: JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129

DATE OF NOTICE: JUNE 1, 2005

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 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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

IDENTIFICATION NO. 62205  
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

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

CLEARFIELD COUNTY

No.: 2005-535-CD

vs.

JOHN P. VALLES

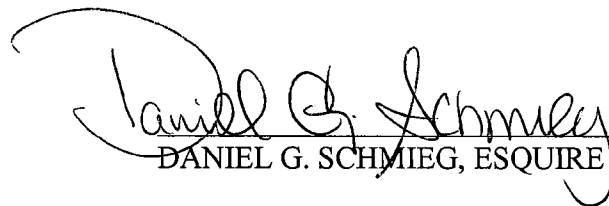
**VERIFICATION OF NON-MILITARY SERVICE**

DANIEL G. SCHMIEG, 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, JOHN P. VALLES, is over 18 years of age, and resides at 9653 MESA RIDGE COURT, LAS VEGAS, NV 89129 .

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

  
DANIEL G. SCHMIEG, ESQUIRE



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

PHH Mortgage Corporation  
Plaintiff(s)

No.: 2005-00535-CD

Real Debt: \$222,726.66

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

John P. Valles  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 17, 2005

Expires: June 17, 2010

Certified from the record this June 17, 2005

\_\_\_\_\_  
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

PHELAN HALLINAN & SCHMIEG, LLP  
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

PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE CORPORATION  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129

Defendant

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 2005-535-CJ

CLEARFIELD COUNTY

**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.

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**FILED**

APR 15 2005

*William A. Shaw*

William A. Shaw  
Prothonotary

1 CENT TO SHAR

**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

PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE CORPORATION  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129

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

3. On 05/23/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to FIRST COMMONWEALTH BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200308841. By Assignment of Mortgage recorded 07/18/2003 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Instrument No. 200312724
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 09/01/2004 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	\$207,070.45
Interest	9,085.44
08/01/2004 through 04/13/2005 (Per Diem \$35.49)	
Attorney's Fees	1,250.00
Cumulative Late Charges	384.54
05/23/2003 to 04/13/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 218,340.43
Escrow	
Credit	0.00
Deficit	2,185.85
Subtotal	<u>\$ 2,185.85</u>
<b>TOTAL</b>	<b>\$ 220,526.28</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 220,526.28, together with interest from 04/13/2005 at the rate of \$35.49 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.

PHELAN HALLINAN & SCHMIEG, LLP

By:   
/s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

**ALL** that two certain tracts of land designated as Lot No. 202 and Lot No. 203, Section No. 15, "Bimini", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous 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, 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 Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

**BEING** the same premises conveyed to Gary J. Hennen and Sarah J. Hennen, husband and wife, by deed of Gary J. Hennen, dated March 24, 1988, and recorded in the Office of the Recorder of Clearfield County in Volume 1221, page 322 (as to Lot No. 203); **and being** the same premises conveyed to Gary J. Hennen and Sarah J. Hennen, husband and wife, by deed of Donald J. Gill, et ux, dated June 29, 1990, and recorded in the Office of the Recorder of Clearfield County in Volume 1351, page 383 (as to Lot No. 202).

**ALSO BEING** part of the premises conveyed to Gary J. Hennen by deed of Gary J. Hennen and Sarah J. Hennen, husband and wife, dated February 1, 2000, and recorded in the Office of the Recorder of Clearfield County as Instrument #200001673.

**SUBJECT** to all exceptions, reservations, conditions, restrictions, rights-of-way and easements as fully and to the same extent as the same are contained in all prior deeds or instruments, or writings, or in any other manner touching or affecting the premises hereby conveyed.

**PROPERTY BEING: TREASURE LAKE SECTION 15 LOT 202 & 203**

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: 4/13/05

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

**PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION**

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

**vs.**

**No. 2005-535-CD**

**JOHN P. VALLES**

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

To the Director of the Office of the Prothonotary:

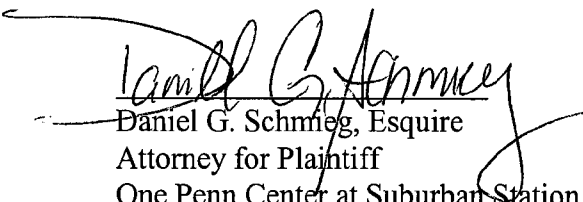
Issue writ of execution in the above matter:

Amount Due

\$222,726.66

Interest from 6/14/05 to  
Date of Sale (\$36.61 per diem)

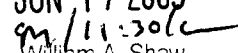
\_\_\_\_\_ and Costs.

  
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.

KIO

**FILED** 

**JUN 17 2005**  
  
William A. Shaw  
Prothonotary/Clerk of Courts

*6 units to SHF*



No. 2005-535-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

vs.

JOHN P. VALLES

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

  
Attorney for Plaintiff(s)

Address: 9653 MESA RIDGE COURT, LAS VEGAS, NV 89129  
Where papers may be served.

FILED

JUN 17 2005

William A. Sherry  
Prothonotary/Clerk of Courts

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

**PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION**

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

**vs.**

**NO.: 2005-535-CD**

**JOHN P. VALLES**

**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: TREASURE LAKE SECTION 15 LOT 202 & 203, DUBOIS, PA 15801**

**(See legal description attached.)**

Amount Due \$222,726.66

Interest from 6/14/05 to \$ \_\_\_\_\_  
Date of Sale (\$36.61 per diem)

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

**Prothonotary costs \$125.00**

**WILLIAM A. SHAW  
Prothonotary**

**My Commission Expires**

**1st Monday in Jan. 2006**

**Prothonotary, Court of  
Common Pleas, Clearfield County, Pennsylvania**

Dated June 17, 2005  
(SEAL)

By:  Deputy

KIO

**IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.**

No. 2005-535-CD

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

PHH MORTGAGE CORPORATION F/K/A CENDANT MORTGAGE  
CORPORATION

vs.

JOHN P. VALLES

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

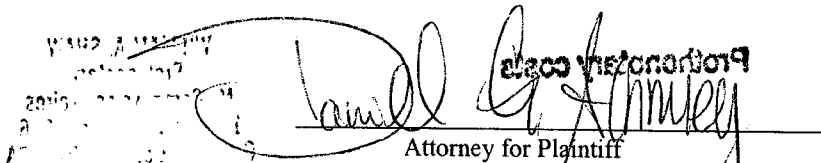
Real Debt \$222,726.66

Int. from 6/14/05 \_\_\_\_\_  
to Date of Sale (\$36.61 per diem)

Costs \_\_\_\_\_

Prothy. Pd. \_\_\_\_\_

Sheriff \_\_\_\_\_

  
Attorney for Plaintiff

Address: 9653 MESA RIDGE COURT, LAS VEGAS, NV 89129  
Where papers may be served.

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

**DESCRIPTION**

ALL THAT TWO CERTAIN tracts of land designated as Lot No. 202 and Lot No. 203, Section No. 15 "Bimini", in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous 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 Miscellaneous Book Volume 146 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 Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

**TITLE TO SAID PREMISES IS VESTED IN** John P. Valles, an unmarried individual by Deed from Gary J. Hennen, an unmarried individual, dated 5/21/2003 and recorded 5/27/2003 in Instrument #200308840.

Parcel # C2-15-202-21  
# C2-15-203-21

Premises: Treasure Lake Sec 15 Lot, 202& 203, Dubois, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20189

NO: 05-535-CD

PLAINTIFF: PHH MORTGAGE CORPORATION F/K/A CENDANT MORTGAGE CORPORATION

vs.

DEFENDANT: JOHN P. VALLES

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 06/17/2005

LEVY TAKEN 08/31/2005 @ 3:00 PM

POSTED 08/31/2005 @ 3:05 PM

SALE HELD 01/06/2006

SOLD TO FEDERAL NATIONAL MORTGAGE ASSOICATION

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 02/10/2006

DATE DEED FILED 02/10/2006

PROPERTY ADDRESS TREASURE LAKE SECTION 15, LOT 202 & 203 DUBOIS, , PA 15801

FILED  
01/31/06  
FEB 10 2006

William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

@ SERVED JOHN P. VALLES

SERVED JOHN P. VALLES, DEFENDANT, BY CERTIFIED AND REGULAR MAIL TO 9653 MESA RIDGE COURT, LAS VEGAS, NV 89129 CERT#70033110000193801128. RETURNED UNCLAIMED TO SHERIFF'S OFFICE 10/15/05.

12/14/2005 @ SERVED JOHN P. VALLES

SERVED JOHN VALLES, DEFENDANT, BY REG & CERT MAIL TO NEW ADDRESS 18501 RAINDROP CANYON AVENUE, LAS VAGES, NV 89129 CERT #70050390000372351155 SIGNED FOR BY JOHN VALLES

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

@ SERVED

NOW, NOVEMBER 3, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR NOVEMBER 4, 2005 TO JANUARY 6, 2006.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20189

NO: 05-535-CD

PLAINTIFF: PHH MORTGAGE CORPORATION F/K/A CENDANT MORTGAGE CORPORATION

vs.

DEFENDANT: JOHN P. VALLES

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$251.93



SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2006

\_\_\_\_\_

So Answers,

Chester A. Hawkins  
Sheriff

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

PHH MORTGAGE CORPORATION F/K/A  
CENDANT MORTGAGE CORPORATION

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

vs.

NO.: 2005-535-CD

JOHN P. VALLES

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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(See legal description attached.)

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Interest from 6/14/05 to \$

Date of Sale (\$36.61 per diem)

Total

\$ Plus costs as endorsed.

Prothonotary costs \$125.00

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Prothonotary, Court of  
Clearfield County, Pennsylvania

Dated June 17, 2005  
(SEAL)

By:

Deputy

KIO

Received June 17, 2005 @ 1:40 P.M.  
Cristen A. Housh  
By Cristen A. Housh - Deput

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 2005-535-CD

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

PHH MORTGAGE CORPORATION F/K/A CENDANT MORTGAGE  
CORPORATION

vs.

JOHN P. VALLES

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

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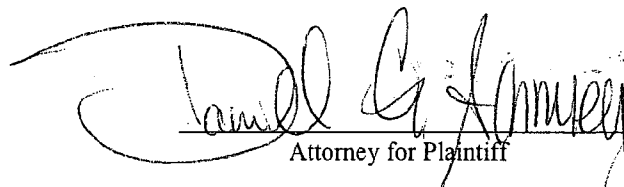
Real Debt \$222,726.66

Int. from 6/14/05 \_\_\_\_\_  
to Date of Sale (\$36.61 per diem)

Costs \_\_\_\_\_

Prothy. Pd. \_\_\_\_\_

Sheriff \_\_\_\_\_

  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 9653 MESA RIDGE COURT, LAS VEGAS, NV 89129  
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



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Parcel # C2-15-202-21

# C2-15-203-21

Premises: Treasure Lake Sec 15 Lot, 202& 203, Dubois, PA 15801

Federman and Phelan is now  
Law Offices

**PHELAN HALLINAN & SCHMIEG, LLP**

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

Sandra Cooper  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

November 3, 2005

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

ATTENTION: CINDY (814) 765-5915

Re: PHH MORTGAGE CORPORATION F/K/A CENDANT MORTGAGE  
CORPORATION v. JOHN P. VALLES  
No. 2005-535-CD  
TREASURE LAKE SECTION 15 LOT 202 & 203, DUBOIS, PA 15801

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for November 4, 2005.

The property is to be relisted for the January 6, 2006 Sheriff's Sale.

Very truly yours,  
SMC  
Sandra Coouer

VIA TELECOPY (814) 765-5915

CC: JOHN P. VALLES

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JOHN P. VALLES  
8501 RAINDROP CANYON AVENUE  
LAS VEGAS, NV 89129

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  ☐ Agent ☐ Addressee

B. Received by (Printed Name) John Valles C. Date of Delivery 12/14/05

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7005 0390 0003 7235 1155

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-NR-1540

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

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

LAS VEGAS NV 89129

Postage	\$ \$0.60
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$ \$4.65</b>

0830  
07 Postmark  
Here  
12/08/2005

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

JOHN P. VALLES  
8501 RAINDROP CANYON AVENUE  
LAS VEGAS NV 89129

PS Form 3800, June 2002

See Reverse for Instructions

55TT 5E2L E000 06ED 5002

CERTIFIED MAIL<sup>TM</sup>

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JOHN P. VALLES  
9655 MESA RIDGE COURT  
LAS VEGAS, NV 89129

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

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

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

3 3110 0001 9380 1128

Return Receipt

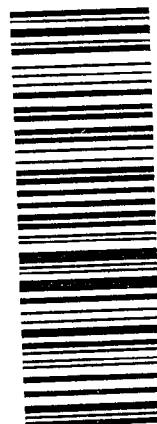
102595-02-M-1540





CHESTER A. HAWKINS  
SHERIFF  
COURTHOUSE  
1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

1st  
DECLA  
RETURN TO  
SENDER



7003 3110 0001 9380 1128

JOHN P. VALLES  
9653 MESA RIDGE COURT  
LAS VEGAS, NV 89129  
DECLA

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

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

**OFFICIAL USE**

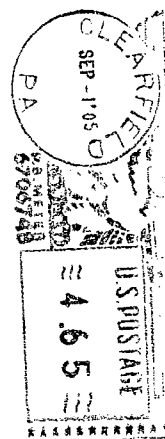
Postage	\$ 0.60
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 4.65

0830  
07 Postmark  
Here

09/01/2005

Sent To  
JOHN P. VALLES  
Street, Apt. No.;  
or PO Box No. 9653 MESA RIDGE COURT  
City, State, ZIP+4 LAS VEGAS, NV 89129

See Reverse for Instructions



**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME JOHN P. VALLES

NO. 05-535-CD

NOW, February 10, 2006, 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 January 06, 2006, I exposed the within described real estate of John P. Valles to public venue or outcry at which time and place I sold the same to FEDERAL NATIONAL MORTGAGE ASSOCIATION 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	
LEVY	15.00
MILEAGE	15.39
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	15.54
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	15.00
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	10.00
CONTINUED SALES	20.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$251.93</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	222,726.66
INTEREST @ 36.6100 %	7,541.66
FROM 06/14/2005 TO 01/06/2006	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$230,288.32</b>

**COSTS:**

ADVERTISING	301.48
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	251.93
LEGAL JOURNAL COSTS	162.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$1,014.41</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