

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, N.A., AS  
TRUSTEE FOR PENNSYLVANIA  
HOUSING FINANCE AGENCY,  
Assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY,  
Assignee of JERSEY SHORE STATE  
BANK,

Plaintiff,

vs.

ALISHA R. SHIMMEL

Defendant.

CIVIL DIVISION

NO. 05-1030-CD

**COMPLAINT IN MORTGAGE  
FORECLOSURE**

Code - MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED** Aug pd. 85.00  
m/11:12/01  
JUL 15 2005 2cc Atty Vitti  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., et al.	)	
Plaintiff,	)	NO:
vs.	)	
	)	
ALISHA R. SHIMMEL	)	
Defendant(s).	)	

**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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

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

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 - EXT. 20**

## **COMPLAINT IN MORTGAGE FORECLOSURE**

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 North Front Street, Harrisburg, PA 17105.

2. The Defendant(s) is/are individuals with a last known mailing address of 209 Hillvue Drive, Sevenfields, PA 16046. The property address is **715 Dorey Street, Clearfield, PA 16830** and is the subject of this action.

3. On the 30th day of January, 2002, in consideration of a loan of Forty Eight Thousand Four Hundred Fifty and 00/100 (\$48,450.00) Dollars made by Jersey Shore State Bank, a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to Jersey Shore State Bank, a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Jersey Shore State Bank, as mortgagee, which mortgage was recorded on the 30th day of January, 2002, in the Office of the Recorder of Deeds of Clearfield County at Instrument No. 200201659. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

*SEE EXHIBIT "A" ATTACHED HERETO.*

5. On the 30th day of January, 2002, Jersey Shore State Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded

in the Office of the Recorder of Deeds of Clearfield County on the 30th day of January, 2002 at Instrument No. 200201660. The said assignment is incorporated herein by reference.

6. On the 1st day of July, 2005, Pennsylvania Housing Finance Agency, a PA corporation, assigned to the Plaintiff, Wachovia Bank, N.A., the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County and the said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

8. Since March 1, 2005, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

10. The amount due on said mortgage is itemized on the attached schedule.

11. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the

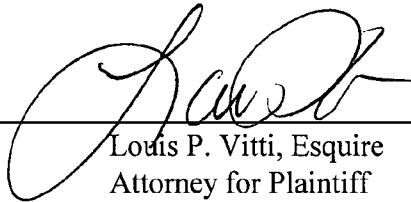
mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Two Thousand Eight Hundred Thirty Six and 63/100 Dollars (\$52,836.63) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY



Louis P. Vitti, Esquire  
Attorney for Plaintiff

SHIMMEL

**SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE**

Unpaid Principal Balance	46,096.40
Interest @ 4.7500% from 02/01/05 through 7/31/2005 (Plus \$5.9988 per day after 7/31/2005 )	1,079.79
Late charges through 7/12/2005 0 months @ 12.64 Accumulated beforehand (Plus \$12.64 on the 17th day of each month after 7/12/2005 )	187.60
Attorney's fee	2,304.82
Escrow deficit	<u>3,168.02</u>
(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	
<b>BALANCE DUE</b>	<b>52,836.63</b>

---

**EXHIBIT "A"**

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

BEGINNING at a stake on the South side of Dorey Street, said stake being seventy-five (75) feet from an alley which runs parallel with and is between Seventh and Eighth Streets; thence South sixty-two (62°) degrees fifteen (15') minutes East twenty-five (25) feet along Dorey Street to a stake; thence South twenty-seven (27°) degrees forty-five (45') minutes West one hundred eighty-seven (187) feet to a stake on a twenty (20) foot alley; thence along said alley North sixty-two (62°) degrees fifteen (15') minutes West twenty-five (25) feet to a stake; thence North twenty-seven (27°) degrees forty-five (45') minutes East one hundred eighty-seven (187) feet to a stake on Dorey Street and place of beginning. Being the eastern portion of Lot No. A-54 in the plan of W.W. Betts.

EXCEPTING AND RESERVING any exceptions and reservations in the chain of title.

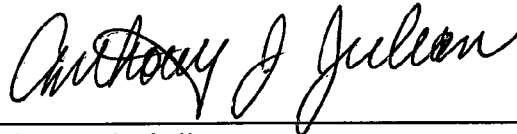
BEING the same premises conveyed to the Mortgagor herein by deed dated December 8, 2001, which deed is being recorded contemporaneously herewith.

---

ARS

## VERIFICATION

Anthony J. Julian hereby states that he is the Director of Accounting and Loan Servicing Program of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. Sec. 4904 relating to unsworn falsification to authorities.



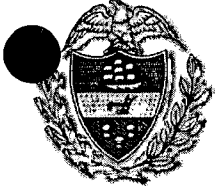
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Anthony J. Julian  
Director of Accounting & Loan Servicing

Date: 7-12-2005



# County of Butler, Pennsylvania



Office of County Sheriff  
Dennis C. Rickard, Sheriff

Douglas R. Hays, Chief Deputy

Thomas W. King, III, Solicitor



**FILED** *no cc*  
*m 12:32 PM*  
**SEP 12 2005**  
William A. Shaw  
Prothonotary/Clerk of Courts

Court Docket #: **2005-1030 CLE**

Sheriff File Number – 05001559

County of Butler County, Commonwealth of Pennsylvania

WACHOVIA BANK NA

vs.

ALISHA R SHIMMEL

## Affidavit of Service

COMPLAINT IN CIVIL ACTION -MORTGAGE  
FORECLOSURE, NOTICE TO DEFEND, COUNTS &  
VERIFICATION

I hereby CERTIFY and RETURN that on 7/28/2005 at 12:55PM at 209 HILLVUE DRIVE SEVEN FIELDS, PA 16046 the within COMPLAINT IN CIVIL ACTION -MORTGAGE FORECLOSURE, NOTICE TO DEFEND, COUNTS & VERIFICATION, was served on ALISHA R SHIMMEL, the defendant named therein, in the following manner:

### PERSONAL PERSON

By delivering to and leaving with ROBERT DOMINGO, LIVE IN FRIEND, personally a true copy thereof, said person being known or identified to me as the person mentioned and described therein.

### SERVICE ATTEMPTS

This is the first attempt at service

Deputy Notes:

Fees Received from Attorney: WRIT (\$9.00), COPIES (\$5.00), MILEAGE (\$12.00), SERVICE (\$9.00) Total Charges \$35.00

Attorney Name: LOUIS P VITTI & ASSOCIATES, 916 FIFTH AVENUE, PITTSBURGH, PA 15219

Affirmed & Subscribed to before  
Me July 29, 2005

*Richard S Jaksec*  
RICHARD S JAKSEC, Deputy Sheriff

Notary Public

My commission expires:

*Dennis C Rickard*  
Sheriff, Butler County, Pennsylvania  
Dennis C. Rickard

©SoftCode, Inc. - PA\_Butler\_POS\_PERSONAL.dotSheriff's Office

Courthouse • P.O. Box 1208 • Butler, PA 16003-1208

Fax: (724) 284- 5248 • Telephone (724) 284-5245 • TDD (724) 284-5473

FILED

SEP 12 2005

William A. Shaw  
Prothonotary/Clerk of Courts

Richard Z. Brown

Deputy Clerk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOIVA BANK, NA as trustee for  
PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee o PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK

Plaintiff,

vs.

ALISHA A. SHIMMEL

Defendants.

CIVIL DIVISION

NO. 05-1030-CD

**PRAECIPE FOR DEFAULT  
JUDGMENT, CERTIFICATION OF  
MAILING AND AFFIDAVIT OF NON-  
MILITARY SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED** *no cc*  
*m/2:30:01* Notice to  
SEP 12 2005 Def.  
Statement  
William A. Shaw to Atty  
Prothonotary/Clerk of Courts  
*Atty*  
*pd-20.00*  
*GW*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA	)	NO. 05-1030-CD
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA	)	
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE	)	
STATE BANK,	)	
	)	
	)	
Plaintiff,	)	
vs.	)	
ALISHA R. SHIMMEL,	)	
	)	
Defendant.	)	


**PRAECIPE FOR DEFAULT JUDGMENT**  
**AND ASSESSMENT OF DAMAGES**

TO: PROTHONOTARY OF CLEARFIELD

Enter judgment in Default of an Answer in the amount of **\$53,028.59**, in favor of the Wachovia Bank, et al, Plaintiff in the above-captioned action, against the Defendants, **Alisha R. Shimmel** and assess Plaintiff's damages as follows and/or as calculated in the Complaint:

Unpaid Principal Balance	<b>\$46,096.40</b>
Interest from <b>2/01/05-9/1/05</b> (Plus <b>\$5.9988</b> per day after <b>9/1/05</b> )	<b>1,271.75</b>
Late charges (Plus <b>\$12.64</b> per month from <b>7/12/05-Sale Date</b> )	<b>187.60</b>
Attorney's fee	<b>2,304.82</b>
Escrow Deficit (Plus any additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)	<b><u>3,168.02</u></b>
<b>Total Amount Due</b>	<b><u>\$53,028.59</u></b>

The real estate, which is the subject matter of the Complaint, is situate in 4th ward of the Clearfield Borough, Clearfield County, Pennsylvania. HET a dwg k/a 715 Dorey Street, Clearfield, PA 16830. Map#4-4-K8-246-30.

  
Louis P. Vitti, Esquire  
Attorney for the Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA )  
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA )  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE )  
STATE BANK, )

NO. 05-1030-CD

Plaintiff, )

vs. )

ALISHA R. SHIMMEL, )


Defendant. )

**CERTIFICATION OF MAILING**

I, Louis P. Vitti, do hereby certify that a Notice of Intention to Take Judgment was mailed to the Defendant(s), in the above-captioned case on August 18, 2005, giving ten (10) day notice that judgment would be entered should no action be taken.

LOUIS P. VITTI & ASSOCIATES, P.C.


BY:

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

SWORN to and subscribed

before me this 1st day

of September, 2005.

  
Notary Public Notarial Seal  
Sherry L. House, Notary Public  
Pleasant Hills Boro, Allegheny County  
My Commission Expires January 28, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, NA., as trustee for PENNSYLVANIA HOUSING  
FINANCE AGENCY, assignee of PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee of JERSEY SHORE STATE BANK,

Plaintiff,

vs.

ALISHA R. SHIMMEL,

Defendant.

NO. 05-1030-CD

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## IMPORTANT NOTICE

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TO: Alisha A. Shimmel  
208 Hillvue Drive  
Seven Fields, PA 16046

Date of Notice: **August 18, 2005**

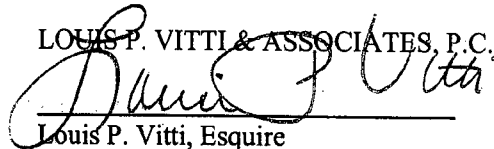
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

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

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830**

**814-765-2641 EXT 20**

LOUIS P. VITTI & ASSOCIATES, P.C.  
BY:   
Louis P. Vitti, Esquire  
Attorney for Plaintiff  
916 Fifth Avenue  
Pittsburgh, PA 15219

**\*\* THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN 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 ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA, SS:

COUNTY OF ALLEGHENY

BEFORE me, the undersigned authority, personally appeared Louis P. Vitti, Esquire, who, being duly sworn according to law, deposes and says that he is advised and believes that DEFENDANT(S) is/are not presently in the active military service of the United States of America and not members of the Army of the United States, United States Navy, the Marine Corps, or the Coast Guard, and not officers of the Public Health Service detailed by proper authority for duty with the Army or Navy; nor engaged in any active military service or duty with any military or naval units covered by the Soldiers and Sailors Civil Relief Act of 1940 and designated therein as military service, and to the best of this affiant's knowledge is/are not enlisted in military service covered by said act, and that the averments herein set forth, insofar as they are within his knowledge, are correct, and true; and insofar as they are based on information received from others, are true and correct as he verily believes.

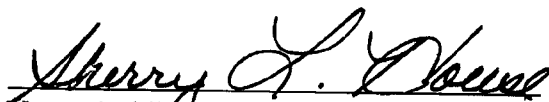
This Affidavit is made under the provisions of the Soldiers and Sailors Civil Relief Act of 1940.

  
Louis P. Vitti, Esquire

SWORN to and subscribed

before me this 1st day

of September, 2005.

  
Notary Public  
Notarial Seal  
Sherry L. House, Notary Public  
Pleasant Hills Boro, Allegheny County  
My Commission Expires January 28, 2007  
Member, Pennsylvania Association of Notaries

 COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA	)	NO. 05-1030-CD
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA	)	
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE	)	
STATE BANK,	)	
	)	
	Plaintiff,	)
vs.	)	
ALISHA R. SHIMMEL,	)	
	Defendant.	)

**NOTICE OF ORDER, DECREE OR JUDGMENT**

TO: DEFENDANT(S)

You are hereby notified that a judgment was entered in the above-captioned proceeding  
on the 12<sup>th</sup> day of September 2005.

Judgment is as follows: \$53,028.59.

\_\_\_\_\_  
Deputy

**\*\* THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN 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 ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***



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



COPY

Wachovia Bank, N.A.  
Pennsylvania Housing Finance Agency  
Jersey Shore State Bank  
Plaintiff(s)

No.: 2005-01030-CD

Real Debt: \$53,028.59

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Alisha R. Shimmel  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 12, 2005

Expires: September 12, 2010

Certified from the record this 12th day of September, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOIVA BANK, NA as trustee for  
PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee o PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK

Plaintiff,

vs.

ALISHA A. SHIMMEL

Defendants.

CIVIL DIVISION

NO. 05-1030-CD

**PRAECIPE FOR WRIT OF  
EXECUTION AND AFFIDAVIT OF  
LAST KNOWN ADDRESS**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED** *Att. pd.*  
*m.p. 3:20 PM 20.00*  
**SEP 12 2005** *ICC @ Lewrits*  
William A. Shaw  
Prothonotary/Clerk of Courts *to Shiff*  
*CR*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA	)	NO. 05-1030-CD
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA	)	
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE	)	
STATE BANK,	)	
	)	
	)	
	)	
Plaintiff,	)	
vs.	)	
ALISHA R. SHIMMEL,	)	
	)	
Defendant.	)	

**PRAECIPE FOR WRIT OF  
EXECUTION IN MORTGAGE FORECLOSURE**

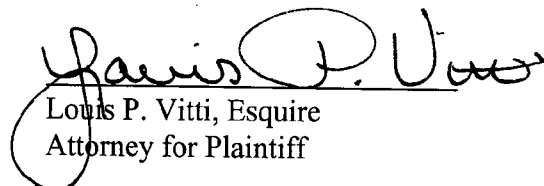
TO: PROTHONOTARY OF CLEARFIELD COUNTY

Issue a Writ of Execution in favor of the Plaintiff and against the Defendant(s) in the  
above-captioned matter as follows:

Amount Due	\$53,028.59
Interest 8/31/05-Sale Date	_____.
Total	<u><u>\$_____.</u></u>

The real estate, which is the subject matter of the Praecipe for Writ of Execution is situate  
in:

4th ward of the Clearfield Borough, Clearfield County, Pennsylvania. HET a dwg k/a 715 Dorey Street,  
Clearfield, PA 16830. Map#4-4-K8-246-30.

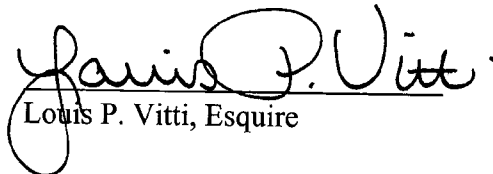
  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA	)	NO. 05-1030-CD
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA	)	
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE	)	
STATE BANK,	)	
	)	
	Plaintiff,	)
vs.	)	
ALISHA R. SHIMMEL,	)	
	Defendant.	)

**AFFIDAVIT**

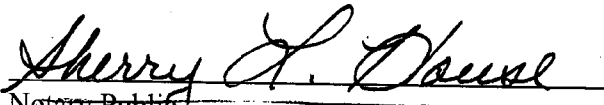
I, Louis P. Vitti, do hereby swear that, to the best of my knowledge, information and belief, the Defendant(s), is/are the owners of the real property on which the Plaintiff seeks to execute. That the Defendants' last known address is 208 Hillvue drive, Seven Fields, PA 16046.

  
Louis P. Vitti, Esquire

SWORN TO and subscribed

before me this 1st day of

September, 2005.

  
Notary Public

Notarial Seal  
Sherry L. House, Notary Public  
Pleasant Hills Boro, Allegheny County  
My Commission Expires January 28, 2007

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Wachovia Bank, N.A., as trustee for  
Pennsylvania Housing Finance Agency,  
assignee of Pennsylvania Housing Finance  
Agency, assignee of Jersey Shore State Bank

 COPY

Vs.

NO.: 2005-01030-CD

Alisha R. Shimmel

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WACHOVIA BANK, N.A. as trustee for PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of Pennsylvania Housing Finance Agency, assignee of JERSEY SHORE STATE BANK, Plaintiff(s) from ALISHA R. SHIMMEL, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
See Attached Description

(2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$53,028.59  
INTEREST 8/31/05-Sale Date  
PROTH. COSTS: \$  
ATTY'S COMM: \$  
DATE: 09/12/2005

PAID: \$125.00  
SHERIFF: \$  
OTHER COSTS: \$

\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Louis P. Vitti, Esq.  
916 Fifth Ave.  
Pittsburgh, PA 15219  
(412) 281-1725

\_\_\_\_\_  
Sheriff

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA ) NO. 05-1030-CD  
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA )  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE )  
STATE BANK, )  
Plaintiff, )  
vs. )  
ALISHA R. SHIMMEL, )  
Defendant. )

Being the same premises which Edward V. Stella and Shirley A. Stella his wife, Mary Lou Graves and Robert E. Graves, her husband , William E. Single individual, by their deed dated 12/08/2001 and recorded 1/20/2002 in the Recorder of Deeds Office of Clearfield County, Pennsylvania, in Instrument number 200201658, granted and conveyed unto Alisha R. Shimmel.

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

Service # 1 of 2 Services

Sheriff Docket # **100647**

WACHOVIA BANK, N.A.

Case # 05-1030-CD

vs.

ALISHA R. SHIMMEL

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW December 02, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ALISHA R. SHIMMEL, DEFENDANT. ATTEMPTED "NOT HOME" @715 DAISY ST., CLEARFIELD,PA.

SERVED BY: /

**FILED**  
9/4/0061  
DEC 02 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100647  
NO: 05-1030-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WACHOVIA BANK, N.A.  
vs.  
DEFENDANT: ALISHA R. SHIMMEL

**SHERIFF RETURN**

---

NOW, July 22, 2005, SHERIFF OF BUTLER COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ALISHA R. SHIMMEL.

NOW, July 28, 2005 AT 12:55 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON ALISHA R. SHIMMEL, DEFENDANT. THE RETURN OF BUTLER COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100647  
NO: 05-1030-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WACHOVIA BANK, N.A.  
vs.  
DEFENDANT: ALISHA R. SHIMMEL

SHERIFF RETURN

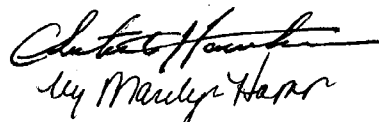
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VITTI	25898	20.00
SHERIFF HAWKINS	VITTI	25898	39.00
BUTLER CO.	VITTI	25902	35.00

Sworn to Before Me This

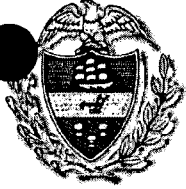
\_\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,



Chester A. Hawkins  
Sheriff

# County of Butler, Pennsylvania



Office of County Sheriff  
Dennis C. Rickard, Sheriff

Douglas R. Hays, Chief Deputy

Thomas W. King, III, Solicitor



Sheriff File Number – 05001559

Court Docket #: 2005-1030 CLE

County of Butler County, Commonwealth of Pennsylvania

WACHOVIA BANK NA

vs.

ALISHA R SHIMMEL

## Affidavit of Service

COMPLAINT IN CIVIL ACTION -MORTGAGE  
FORECLOSURE, NOTICE TO DEFEND, COUNTS &  
VERIFICATION

I hereby CERTIFY and RETURN that on 7/28/2005 at 12:55PM at 209 HILLVUE DRIVE SEVEN FIELDS, PA 16046 the within COMPLAINT IN CIVIL ACTION -MORTGAGE FORECLOSURE, NOTICE TO DEFEND, COUNTS & VERIFICATION, was served on ALISHA R SHIMMEL, the defendant named therein, in the following manner:

### PERSONAL PERSON

By delivering to and leaving with ROBERT DOMINGO, LIVE IN FRIEND, personally a true copy thereof, said person being known or identified to me as the person mentioned and described therein.

### SERVICE ATTEMPTS

This is the first attempt at service

Deputy Notes:

Fees Received from Attorney: WRIT (\$9.00), COPIES (\$5.00), MILEAGE (\$12.00), SERVICE (\$9.00) Total Charges \$35.00

Attorney Name: LOUIS P VITTI & ASSOCIATES, 916 FIFTH AVENUE, PITTSBURGH, PA 15219

Affirmed & Subscribed to before

Me July 29, 2005

*Glenna M. Watters*

Notary Public

**PROTHONOTARY OFFICIAL TITLE**

**COMMISSION EXPIRES FIRST MONDAY IN JAN. 2008**

My commission expires:

*Richard S. Jaksec*  
RICHARD S JAKSEC, Deputy Sheriff

*Dennis C. Rickard*

Sheriff, Butler County, Pennsylvania  
Dennis C. Rickard



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

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

ROBERT SNYDER  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

CYNTHIA AUGHENBAUGH  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

## DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100647

WACHOVIA BANK, N.A.

vs.

ALISHA R. SHIMMEL

TERM & NO. 05-1030-CD

COMPLAINT IN MORTGAGE FORECLOSURE

**SERVE BY: 08/14/05**

**MAKE REFUND PAYABLE TO LOUIS P. VITTI & ASSOC.**

**SERVE:** ALISHA R. SHIMMEL

**ADDRESS:** 209 HILLVUE DRIVE, SEVENFIELDS, PA 16046

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF BUTLER COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, July 22, 2005.

RESPECTFULLY,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, N.A., AS  
TRUSTEE FOR PENNSYLVANIA  
HOUSING FINANCE AGENCY,  
Assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY,  
Assignee of JERSEY SHORE STATE  
BANK,

Plaintiff,

vs.

ALISHA R. SHIMMEL

Defendant.

CIVIL DIVISION

NO. 05-1030-CD

**COMPLAINT IN MORTGAGE  
FORECLOSURE**

Code - MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916-Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

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

JUL 15 2005

Attest.

*William L. Shaw*  
Prothonotary/  
Clerk of Courts

**COPY**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., et al.  
Plaintiff,

vs.

ALISHA R. SHIMMEL  
Defendant(s).

)  
)  
)  
)  
)  
)

NO:

**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 THE ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES AND 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 SHOULD NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

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

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 - EXT. 20**

## **COMPLAINT IN MORTGAGE FORECLOSURE**

AND NOW, comes the Plaintiff by its attorneys, Louis P. Vitti and Associates, P.C. and Louis P. Vitti, Esquire, and pursuant to the Pennsylvania Rules of Civil Procedure Numbers 1141 through 1150, for its Complaint in Mortgage Foreclosure, sets forth the following:

1. The Plaintiff is a corporation duly authorized to conduct business within the laws of the Commonwealth of Pennsylvania, having a principal place of business located at 211 North Front Street, Harrisburg, PA 17105.

2. The Defendant(s) is/are individuals with a last known mailing address of 209 Hillvue Drive, Sevenfields, PA 16046. The property address is **715 Dorey Street, Clearfield, PA 16830** and is the subject of this action.

3. On the 30th day of January, 2002, in consideration of a loan of Forty Eight Thousand Four Hundred Fifty and 00/100 (\$48,450.00) Dollars made by Jersey Shore State Bank, a PA corporation, to Defendant(s), the said Defendant(s) executed and delivered to Jersey Shore State Bank, a PA corporation, a "Note" secured by a Mortgage with the Defendant(s) as mortgagor(s) and Jersey Shore State Bank, as mortgagee, which mortgage was recorded on the 30th day of January, 2002, in the Office of the Recorder of Deeds of Clearfield County at Instrument No. 200201659. The said mortgage is incorporated herein by reference thereto as though the same were set forth fully at length.

4. The premises secured by the mortgage are:

*SEE EXHIBIT "A" ATTACHED HERETO.*

5. On the 30th day of January, 2002, Jersey Shore State Bank, a PA corporation, assigned to the Plaintiff, Pennsylvania Housing Finance Agency, the said mortgage, that assignment being recorded

in the Office of the Recorder of Deeds of Clearfield County on the 30th day of January, 2002 at Instrument No. 200201660. The said assignment is incorporated herein by reference.

6. On the 1st day of July, 2005, Pennsylvania Housing Finance Agency, a PA corporation, assigned to the Plaintiff, Wachovia Bank, N.A., the said mortgage, that assignment being recorded in the Office of the Recorder of Deeds of Clearfield County and the said assignment is incorporated herein by reference.

7. Said mortgage provides, inter alia:

"that when as soon as the principal debt secured shall become due and payable, or in case default shall be made in the payment of any installment of principal and interest, or any monthly payment, keeping and performance by the mortgagor of any of the terms, conditions or covenants of the mortgage or note, it shall be lawful for mortgagee to bring an Action of Mortgage Foreclosure, or other proceedings upon the mortgage, of principal debt, interest and all other recoverable sums, together with attorney's fees."

~~8. Since March 1, 2005, the mortgage has been in default by reason, inter alia, of the failure of the mortgagor(s) to make payments provided for in the said mortgage (including principal and interest) and, under the terms of the mortgage, the entire principal sum is due and payable.~~

9. In accordance with the appropriate Pennsylvania Acts of Assembly and the Pennsylvania Rules of Civil Procedure, the mortgagor(s) has been advised in writing of the mortgagees intention to foreclose. The appropriate time period has elapsed since the Notice of Intention to Foreclose has been served upon the mortgagor(s).

10. The amount due on said mortgage is itemized on the attached schedule.

11. Pursuant to Pennsylvania Rule of Civil Procedure 1144, the Plaintiff releases from liability for the debt secured by the mortgage any mortgagor, personal representative, heir or devisee of the

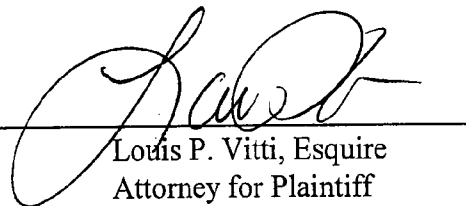
mortgagor who is not a real owner of the property as evidenced by the last recorded deed of record at the time of the filing of this Complaint.

WHEREFORE, pursuant to Pennsylvania Rule of Civil Procedure Number 1147(6), Plaintiff demands judgment for the amount due of Fifty Two Thousand Eight Hundred Thirty Six and 63/100 Dollars (\$52,836.63) with interest and costs.

Respectfully submitted,

LOUIS P. VITTI & ASSOC., P.C.

BY



Louis P. Vitti, Esquire  
Attorney for Plaintiff



**SCHEDULE OF AMOUNTS DUE UNDER MORTGAGE**

Unpaid Principal Balance	46,096.40
Interest @ 4.7500% from 02/01/05 through 7/31/2005 (Plus \$5.9988 per day after 7/31/2005 )	1,079.79
Late charges through 7/12/2005 0 months @ 12.64 Accumulated beforehand (Plus \$12.64 on the 17th day of each month after 7/12/2005 )	187.60
Attorney's fee	2,304.82
Escrow deficit	<u>3,168.02</u>

(This figure includes projected additional charges that may be incurred by the Plaintiff and transmitted to the sheriff as charges on the writ prior to the date of the sheriff's sale)

**BALANCE DUE** **52,836.63**

EXHIBIT "A"

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

BEGINNING at a stake on the South side of Dorey Street, said stake being seventy-five (75) feet from an alley which runs parallel with and is between Seventh and Eighth Streets; thence South sixty-two (62°) degrees fifteen (15') minutes East twenty-five (25) feet along Dorey Street to a stake; thence South twenty-seven (27°) degrees forty-five (45') minutes West one hundred eighty-seven (187) feet to a stake on a twenty (20) foot alley; thence along said alley North sixty-two (62°) degrees fifteen (15') minutes West twenty-five (25) feet to a stake; thence North twenty-seven (27°) degrees forty-five (45') minutes East one hundred eighty-seven (187) feet to a stake on Dorey Street and place of beginning. Being the eastern portion of Lot No. A-54 in the plan of W.W. Betts.

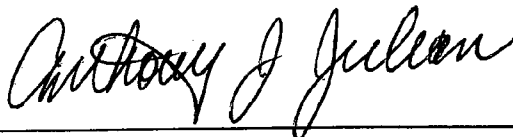
EXCEPTING AND RESERVING any exceptions and reservations in the chain of title.

BEING the same premises conveyed to the Mortgagor herein by deed dated December 8, 2001, which deed is being recorded contemporaneously herewith.

ARS

## VERIFICATION

Anthony J. Julian hereby states that he is the Director of Accounting and Loan Servicing Program of the Pennsylvania Housing Finance Agency, mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. Sec. 4904 relating to unsworn falsification to authorities.



---

Anthony J. Julian  
Director of Accounting & Loan Servicing

Date: 7-12-2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOIVA BANK, NA., as trustee for  
PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE STATE BANK

Plaintiff,

vs.

ALISHA A. SHIMMEL

Defendants.

CIVIL DIVISION

NO. 05-1030-CD

**MOTION FOR SPECIAL SERVICE**

Code MORTGAGE FORECLOSURE

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219  
(412) 281-1725

**FILED** <sup>NO</sup> <sub>CC</sub>  
m11:03/BA  
DEC 22 2005 (GR)

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

**NOTICE**

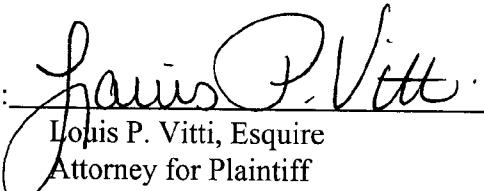
TO: Alisha Shimmel  
209 Hillview Dr  
Sevenfield, PA 16046

Sheriff of Clearfield County  
PO Box 549  
Clearfield, PA 16830

TAKE NOTICE that the within Motion for Special Service pursuant to Rule 400, et seq., and Rule 3129 of the Pennsylvania Rules of Civil Procedure will be presented before the Motions Judge, Clearfield County, Pennsylvania, as unopposed unless a responsive pleading is filed.

LOUIS P. VITTI & ASSOC., P.C.

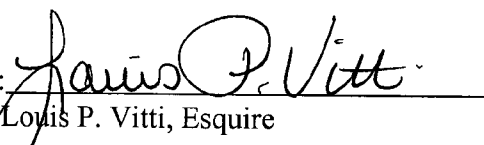
BY:

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff

**CERTIFICATION**

I hereby certify that a true and correct copy of the within Motion was mailed to the above, this 20<sup>th</sup>  
day of December, 2005.

BY:

  
Louis P. Vitti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOIVA BANK, NAA., as trustee for	)	NO. 05-1030-CD
PENNSYLVANIA HOUSING FINANCE AGENCY,	)	
assignee of PENNSYLVANIA HOUSING FINANCE	)	
AGENCY,. assignee of JERSEY SHORE STATE BANK,	)	
Plaintiff,	)	
vs.	)	
ALISHA A. SHIMMEL,	)	
Defendant	)	

**MOTION FOR SPECIAL SERVICE**

AND NOW comes the Plaintiff by and through its counsel, Louis P. Vitti & Associates, P.C., and Louis P. Vitti, Esquire, and files this Motion for Special Service whereof the following is a statement:

1. Plaintiff did file a Complaint at the above-captioned number in mortgage foreclosure and judgment was entered and sale scheduled.

2. The Plaintiff has attempted to make service in accordance with Pennsylvania Rule of Civil Procedure No. 3129.1, et seq. by mailing a copy of the Notice of Sale to the Defendant by certified mail, return receipt requested, and the Defendant has either avoided, frustrated or removed herself from the jurisdiction to prevent service; and said certified receipt not has been returned to Plaintiff's counsel to date. See Exhibit "A".

3. The Defendant, Alisha A. Shimmel, was sent notice by certified mail that the mortgaged property would be subject to Sheriff's Sale on January 6, 2006. See Exhibit "B".

4. Postal Authority indicated that the Defendant resides at 209 Hillview Dr, Sevenfields, PA 16046. See Exhibit "C".

5. The Sheriff did attempt to make service, but has been unable to serve the Defendant due to the fact that she does not reside at 208 Hillview Drive, Seven Fields, PA 16046, . See Exhibit "D".

6. Notice of said sale was given by handbills posted by the Sheriff of Clearfield County in his office and upon the mortgaged property at least thirty (30) days before the sale.


7. Mail has been directed to the Defendant, effecting substantial compliance with Rule of Civil Procedure 3129 and Rule 400, et seq.

8. This Sale has been advertised in accord with the Rules of Civil Procedure by the Sheriff.

9. By virtue of the fact that substantial compliance with the requirements of Rule 3129.1 and Rule 400, et seq. have been effected, the case may be scheduled for the April 7, 2006 sale.

WHEREFORE, Plaintiff prays this Honorable Court enter an Order directing the Sheriff to sell the within property at the regularly scheduled Sheriff's Sale or at any date to which continued.

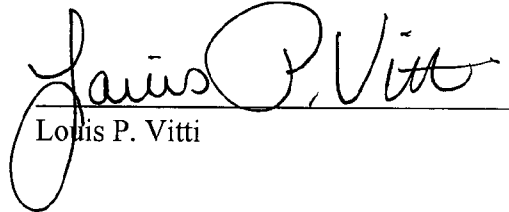
LOUIS P. VITTI & ASSOC., P.C.

BY:   
Louis P. Vitti, Esquire  
Attorney for Plaintiff

**VERIFICATION**

AND NOW Louis P. Vitti verifies that the statements made in this Motion are true and correct to the best of his knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

By virtue of the fact that the Plaintiff is outside the jurisdiction of the Court and the verification cannot be obtained within the time allowed for the filing of this pleading, the pleading is submitted by counsel having sufficient knowledge, information and belief based upon the information provided him by the Plaintiff.

  
Louis P. Vitti

Dated: December 20, 2005



7160 3901 889 7248

<b>US Postal Service</b> <b>Certified Mail Receipt</b> <i>Domestic Mail Only</i> <i>No Insurance</i> <i>Coverage Provided</i>	Postage	\$	Postmark Here
	Certified Fee		
	Return Receipt Fee (Endorsement Required)		
	Restricted Delivery Fee (Endorsement Required)		
	<b>Total Postage &amp; Fees</b>	\$	
Sent To:  Alicia Shimmel 209 Hillview Dr Sevenfields, PA 16046			
PS Form 3800, January 2003		US-Postal Service	<b>Certified Mail Receipt</b>
hb.Shimmel.1.6.06			2

EXHIBIT" A "

# Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW  
916 FIFTH AVENUE  
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1725

FAX: (412) 281-3810

LOUIS P. VITTI  
RODNEY PERMIGLIANI  
ANDREW T. MOXIE



Today is Friday  
October 21, 2005

Alisha A. Shimmel  
208 Hillview Drive  
Seven Fields, PA 16046

**RE: Wachoiva Bank, NA., et al vs. Alisha R. Shimmel  
No. 05-1030-CD**

Dear Ms. Shimmel:

Be advised that a default judgment has been taken against you by the above-captioned Plaintiff in the amount of \$53,028.59, together with interest and costs.

Also, be advised that the Sheriff's Sale for the property located at 715 Dorey Street, Clearfield, PA 16830, shall occur on the **6th day of January, 2006, at 10:00 A.M.** in Clearfield County Courthouse, Pennsylvania.

Very truly yours,

*Louis P. Vitti*

Louis P. Vitti

LPV/hb

**\*\* THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN 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 ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

EXHIBIT" B "

**NOTICE OF SHERIFF'S SALE OF  
REAL ESTATE PURSUANT TO  
PENNSYLVANIA RULE OF CIVIL  
PROCEDURE 3129.1**

TO: Alisha A. Shimmel  
208 Hillvue Drive  
Seven Fields, PA 16046

AND: ALL LIEN HOLDERS

TAKE NOTICE that by virtue of the above Writ of Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to the Sheriff of Clearfield County, directed, there will be exposed to Public Sale in Clearfield County Courthouse, 1 North 2nd Street, Clearfield, PA 16830 on **January 6, 2006 at 10:00 A. M.**, the following described real estate, of which Alisha A. Shimmel are owners or reputed owners:

4th ward of the Clearfield Borough, Clearfield County, Pennsylvania. HET a dwg k/a 715 Dorey Street, Clearfield, PA 16830. Map#4-4-K8-246-30.

The said Writ of Execution has issued on a judgment in the mortgage foreclosure action of Wachovia Bank, NA, et al vs. Alisha R. Shimmel at No. 05-1030-CD in the amount of \$53,028.59.

Claims against property must be filed at the Office of the Sheriff before above sale date.

Claims to proceeds must be made with the Office of the Sheriff before the sale date.

Schedule of Distribution will be filed with the Office of the Sheriff no later than thirty (30) days from sale date.

Exceptions to Distribution or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff no later than ten (10) days from the date when Schedule of Distribution is filed in the Office of the Sheriff.

The Writ of Execution has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights you must act promptly.

**YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.**

**PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 - EXT. 20**

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary. A lawyer may be able to help you.

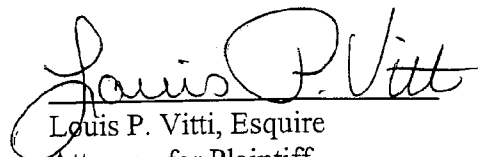
You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court any defense or objection you might have within twenty (20) days after service of the Complaint for Mortgage Foreclosure and Notice to Defend, you may have the right to have the judgment opened in you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened, the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the Plaintiff has a valid claim to foreclose the Mortgage.

You may also have the right to have the judgment stricken if the Sheriff has not made a valid return of service of the Complaint and Notice to Defend or if the judgment was entered before twenty (20) days after service or in certain other events. To exercise this right, you would have to file a petition to strike the judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

You may also have the right to have the Sheriff's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Sheriff's Sale. To exercise this right, you should file a petition with the Court after the sale and before the Sheriff has delivered his Deed to the property. The Sheriff will deliver the Deed if no petition to set aside the sale is filed within ten (10) days from the date when the Schedule of Distribution is filed in the Office of the Sheriff.

  
Louis P. Vitti, Esquire  
Attorney for Plaintiff  
916 Fifth Avenue  
Pittsburgh, PA 15219  
(412) 281-1725

**\*\* THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN 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 ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

116

**LOUIS P. VITTI & ASSOCIATES, P.C.**  
 916 Fifth Avenue  
 Pittsburgh, PA 15219  
 PHONE: (412) 281-1725 FAX: (412) 281-3810

DATE: 11/4/05

POSTMASTER  
 Sevenfields, PA 16046

**Request for Change of Address or Boxholder  
 Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: Alisha Shimmel  
 Address: 209 Hillview Dr. Sevenfields, PA 16046

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

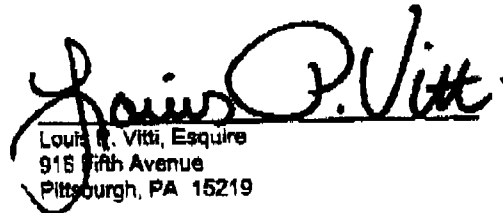
The following information is provided in accordance with 39 CFR 265.6(d)(8)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): Attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting pro se - except a corporation acting pro se must cite statute): N/A
3. The names of all known parties to the litigation: Wachovia Bank, et al vs. Alisha Shimmel
4. The court in which the case has been or will be heard: Commonwealth of Clearfield County
5. The docket or other identifying number (one has been issued): No. 06-1030-CD
6. The capacity in which this individual is to be served (e.g., defendant or witness): Defendant

**WARNING**

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION FOR NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

  
 Louis P. Vitti, Esquire  
 916 Fifth Avenue  
 Pittsburgh, PA 15219

\*OR POST OFFICE USE ONLY

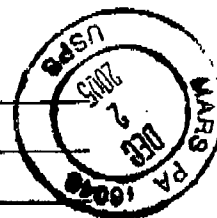
\_\_\_\_\_ No change of address order on file. NEW

ADDRESS or BOXHOLDER'S POSTMASTER:

- \_\_\_\_\_ Not known at address given.
- \_\_\_\_\_ Moved, left no forwarding address.
- \_\_\_\_\_ No such address.
- ☒ Good as Addressed

NAME AND STREET ADDRESS

EXHIBIT" C "



# County of Butler, Pennsylvania



Office of County Sheriff  
Dennis C. Rickard, Sheriff

Douglas R. Hays, Chief Deputy

Thomas W. King, III, Solicitor



Sheriff File Number - 05002263

Court Docket #: 2005-1030 CLE

County of Butler County, Commonwealth of Pennsylvania

WACHOVIA BANK NA

vs.

ALISHA R SHIMMEL

## Affidavit of Service

### NOTICE OF SHERIFF'S SALE OF REAL ESTATE

I hereby CERTIFY and RETURN that on 10/28/2005 at 12:45PM service was attempted with the due diligence and inquiry for ALISHA R SHIMMEL. Service was unable to be made for the following reasons: DEFENDANT DOES NOT LIVE AT THE RESIDENCE OF 208 HILLVUE DRIVE SEVEN FIELDS PA, PER OWNER, RICH KRZNARIC

Fees Received from Attorney: MILEAGE (\$15.00), NOTARY (\$4.00), WRIT (\$9.00), NEI (\$5.00) Total Charges \$33.00

Attorney Name: SWARTZ LOVEJOY & ASSOCIATES, LLP, LAW & FINANCE BLDG 429 4TH AVENUE FL 16, PITTSBURGH, PA 15219-1503

Affirmed & Subscribed to before  
Me October 28, 2005

*Richard S Jaksec*  
RICHARD S JAKSEC, Deputy Sheriff

*Glenn M. Walters*  
Notary Public

PROTHONOTARY OFFICIAL TITLE  
COMMISSION EXPIRES FIRST MONDAY IN JAN. 2008

My commission expires: \_\_\_\_\_

*Dennis C Rickard*  
Sheriff, Butler County, Pennsylvania

©SoftCode, Inc. - PA Butler POS NOTSERVED.dot Sheriff's Office

Courthouse • P.O. Box 1208 • Butler, PA 16003-1208

Fax: (724) 284- 5248 • Telephone (724) 284-5245 • TDD (724) 284-5473

EXHIBIT "D"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA ) NO. 05-1030-CD  
Plaintiff, )  
vs. )  
ALISHA SHIMMEL, )  
Defendant. )

**INVESTIGATION AFFIDAVIT PURSUANT TO PA.R.C.P. NO. 430**

Four Star Investigation sets forth the following:

1. Affiant and/or its agents have conducted an investigation to determine the whereabouts of the Defendant(s), Alisha Shimmel, by making inquiries of or examining the following:

a. Local telephone directory assistance has the following information:

NO LISTING

b. Local voter registration office shows the property address is:

NO INFORMATION AVAILABLE

c. Department of Transportation - shows that the last known address for the Defendant(s) is/are:

209 HILLVUE DR. SEVEN FIELDS, PA 16846  
VALID REGISTRATION UNTIL 06/06

d. Other (please explain): NEIGH. ON DOREY ST. CLEARFIELD, PA  
STATES THAT SHIMMEL MOVED TO PGH AREA.  
POSSIBLY A COUSIN NOW LIVING AT DOREY ST. ADDRESS.

NO NEIGH. LISTED THAT COULD CONFIRM SHIMMEL'S  
PRESENCE AT 209 HILLVUE DR. SEVEN FIELDS, PA.

2. Notwithstanding the investigation as set forth in this Affidavit, Affiant and/or its agents have not been able to locate the whereabouts of said Defendant(s) as shown above and by the attached exhibits.

We verify that the statements made in this Affidavit are true and correct to the best of our knowledge, information and belief. We understand that false statements are made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

FOUR STAR INVESTIGATION

BY: *Ray English*  
Investigator

Commonwealth of Pennsylvania :  
: SS.  
County of Allegheny :

On this the 19<sup>th</sup> day of December, 2005, before me the undersigned officer, personally appeared the Affiant, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

**In Witness Whereof**, I hereunto set my hand and official seal.

*Sherry L. House*  
NOTARY PUBLIC  
Notarial Seal  
Sherry L. House, Notary Public  
Pleasant Hills Boro, Allegheny County  
My Commission Expires January 28, 2007  
Member Pennsylvania Association Of Notaries



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

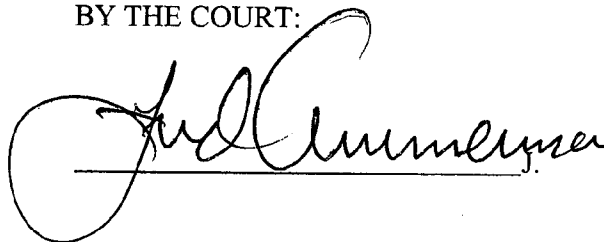
WACHOIVA BANK, NAA., as trustee for	)	NO. 05-1030-CD
PENNSYLVANIA HOUSING FINANCE AGENCY,	)	
assignee of PENNSYLVANIA HOUSING FINANCE	)	
AGENCY, assignee of JERSEY SHORE STATE BANK,	)	
Plaintiff,	)	
vs.	)	
ALISHA A. SHIMMEL,	)	
Defendant	)	

**ORDER OF COURT**

AND NOW, to-wit, this 4<sup>th</sup> day of JANUARY, 2006, it is hereby Ordered,

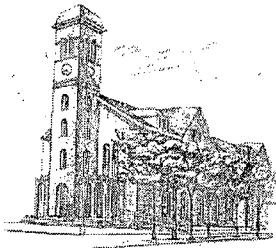
Adjudged and Decreed Plaintiff shall direct a copy of this Order upon Defendant and upon all lienholders by regular mail to complete service under Rule 3129.1 and by posting the property by the Sheriff. Sale need not be advertised again and the Sheriff may sell the within property at the regularly scheduled sale or at any future sale date.

BY THE COURT:



**FILED** 1cc  
0112:47301  
JAN 06 2006  
Atty Vitti  
CK

William A. Shaw  
Prothonotary/Clerk of Courts



## Clearfield County Office of the Prothonotary and Clerk of Courts

**William A. Shaw**  
Prothonotary/Clerk of Courts

**David S. Ammerman**  
Solicitor

**Jacki Kendrick**  
Deputy Prothonotary

**Bonnie Hudson**  
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw  
Prothonotary

DATE: 11/6/06

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s)/Attorney(s)

☐ Defendant(s)/Attorney(s)

☐ Other

☐ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WACHOVIA BANK, AS trustee for  
PENNSYLVANIA HOUSING FINANCE  
AGENCY, assignee of PENNSYLVANIA  
HOUSING FINANCE AGENCY, assignee  
of JERSEY SHORE BANK

Plaintiff,

vs.

ALISHA A. SHIMMEL,

Defendant.

CIVIL DIVISION

NO.05-1030-CD

**AFFIDAVIT OF SERVICE**

Filed on behalf of  
Plaintiff

Counsel of record for this  
party:

Louis P. Vitti, Esquire  
PA I.D. #3810  
Supreme Court #01072

Louis P. Vitti & Assoc., P.C.  
916 Fifth Avenue  
Pittsburgh, PA 15219

(412) 281-1725

**FILED**  
M 110.29.30  
JAN 23 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOVIA BANK, na., as trustee for PENNSYLVANIA	)	NO. 05-1030-CD
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA	)	
HOUSING FINANCE AGENCY, assignee of JERSEY STATE	)	
BANK,	)	
	)	
	Plaintiff,	)
vs.	)	
ALISHA A. SHIMMEL,	)	
	Defendant.	)

**AFFIDAVIT OF SERVICE**

I, Helen Boyce, do hereby certify that a Notice of Sale and Order of Court has been served upon the Defendants and all lienholders by Certificate of Mailing, for service in the above-captioned case on January 17, 2006, advising them of the Sheriff's sale of the property at 715 Dorey Street, Clearfield, PA 16830 on April 7, 2006

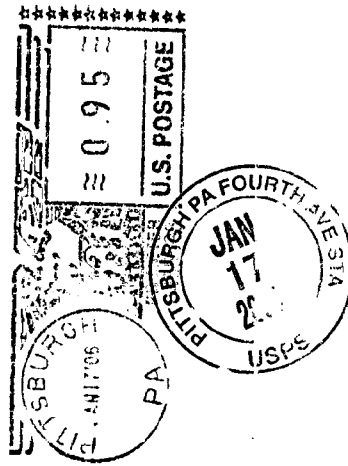
LOUIS P. VITTI & ASSOCIATES, P.C.

BY Helen Boyce  
Helen Boyce

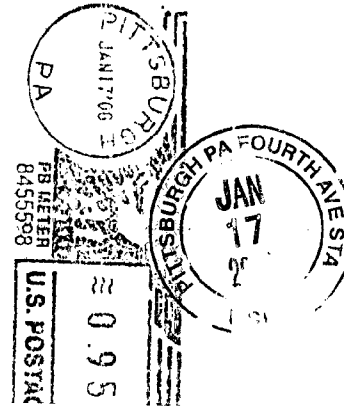
SWORN to and subscribed  
before me this 17th day  
of January, 2006.

Sherry L. House  
Notary Public Notarial Seal  
Sherry L. House, Notary Public  
Pleasant Hills Boro, Allegheny County  
My Commission Expires January 28, 2007  
Member Pennsylvania Association of Notaries

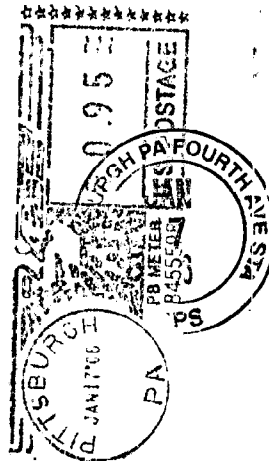
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Pennsylvania Housing Finance Agency 211 N. Front Street PO Box 8029 Harrisburg, PA 17101 PS Form 3817, January 2001	



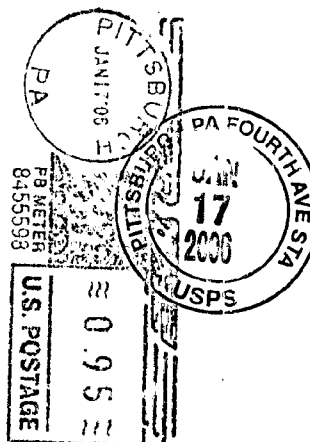
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Clearfield Bank and Trust 2nd & Bridge St Clearfield, PA 16830 PS Form 3817, January 2001	



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Tax Collector of Clearfield Borough c/o Chris Cargo 138 West Market Street Clearfield, PA 16830 PS Form 3817, January 2001	



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830 PS Form 3817, January 2001	



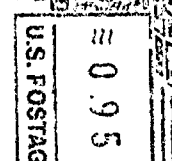
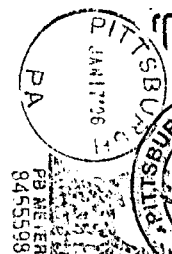
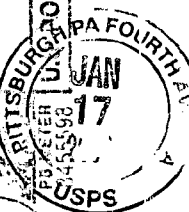
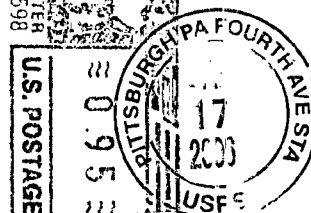
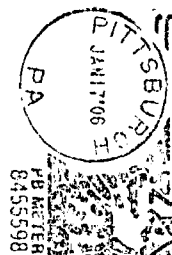
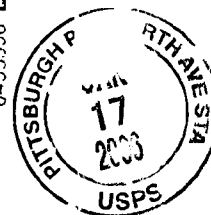
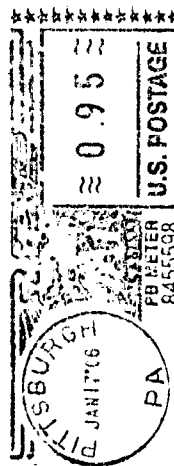
UB. Shimmel. 4-7-06

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Commonwealth of PA -DPW P.O. Box 8016 Harrisburg, PA 17105	
PS Form 3817, January 2001	

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Clerk of Courts Criminal/Civil Division P.O. Box 549 Clearfield, PA 16830	
PS Form 3817, January 2001	

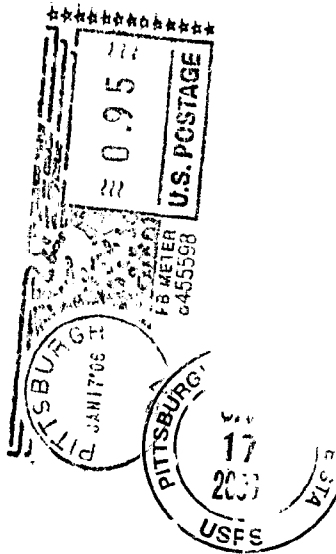
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Tax Claim Bureau of Clearfield County 230 East Market Street Clearfield, PA 16830	
PS Form 3817, January 2001	

U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u> <u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Court of Common Pleas of Clearfield County Domestic Relations Division P.O. Box 549 Clearfield, PA 16830	
PS Form 3817, January 2001	



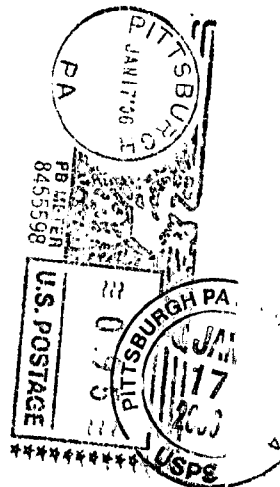
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u>	
<u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Bureau of Compliance	
Attn: Susan Blough	
Clearance Support Section	
Dept. #281230	
Harrisburg, PA 17128-1230	

PS Form 3817, January 2001



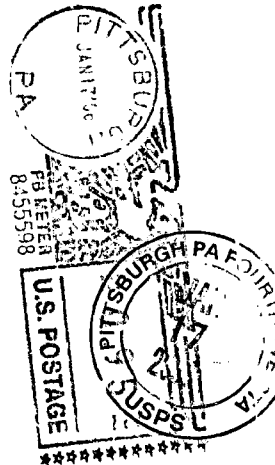
U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u>	
<u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Tenant/Occupant	
715 Dorey Street	
Clearfield, PA 16830	

PS Form 3817, January 2001



U.S. POSTAL SERVICE	<b>CERTIFICATE OF MAILING</b>
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
<u>Louis P. Vitti &amp; Associates, P.C.</u>	
<u>916 Fifth Avenue, Pittsburgh, PA 15219</u>	
One piece of ordinary mail addressed to:	
Alisha A. Shimmel	
715 Dorey Street	
Clearfield, PA 16830	

PS Form 3817, January 2001



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20229

NO: 05-1030-CD

PLAINTIFF: WACHOVIA BANK, NA AS TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE  
OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE STATE BANK

vs.

DEFENDANT: ALISHA A. SHIMMEL

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 09/12/2005

LEVY TAKEN 10/21/2005 @ 9:50 AM

POSTED 10/21/2005 @ 9:50 AM

SALE HELD 04/07/2006

SOLD TO WACHOVIA BANK, NA AS TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 04/18/2006

DATE DEED FILED 04/18/2006

PROPERTY ADDRESS 715 DOREY STREET CLEARFIELD , PA 16830

FILED

APR 18 2006

William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

@

SERVED ALISHA A. SHIMMEL

BUTLER COUNTY UNABLE TO SERVE ALISHA A. SHIMMEL, DEFENDANT, SHE DOES NOT RESIDE AT 208 HILLVUE DRIVE, SEVEN FIELDS,  
PA , PER OWNER OF RESIDENCE.

01/24/2006 @ 10:38 AM SERVED

JANUARY 24, 2006 REPOSTED PROPERTY PER COURT ORDER.

01/24/2006 @ SERVED ALISHA A. SHIMMEL

SERVED ALISHA A. SHIMMEL BY REG & CERT MAIL PER COURT ORDER TO 208 HILLVUE DRIVE, SEVEN FIELDS, PA CERT  
#70050390000372351261. CERT MAIL RETURNED UNCLAIMED TO SHERIFF OFFICE ON 2/16/06.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20229

NO: 05-1030-CD

PLAINTIFF: WACHOVIA BANK, NA AS TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE  
OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE STATE BANK

vs.

DEFENDANT: ALISHA A. SHIMMEL

Execution REAL ESTATE

SHERIFF RETURN

---

SHERIFF HAWKINS \$237.34

SURCHARGE \$20.00 PAID BY ATTORNEY

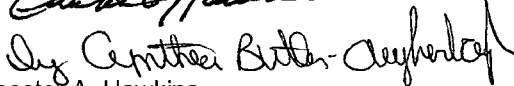
Sworn to Before Me This

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

\_\_\_\_\_

So Answers,



  
Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW**

Wachovia Bank, N.A., as trustee for  
Pennsylvania Housing Finance Agency,  
assignee of Pennsylvania Housing Finance  
Agency, assignee of Jersey Shore State Bank

Vs.

NO.: 2005-01030-CD

Alisha R. Shimmel

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due WACHOVIA BANK, N.A. as trustee for PENNSYLVANIA HOUSING FINANCE AGENCY, assignee of Pennsylvania Housing Finance Agency, assignee of JERSEY SHORE STATE BANK, Plaintiff(s) from ALISHA R. SHIMMEL, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:

See Attached Description

- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$53,028.59

INTEREST 8/31/05-Sale Date

PROTH. COSTS: \$


ATTY'S COMM: \$

DATE: 09/12/2005

PAID: \$125.00

SHERIFF: \$

OTHER COSTS: \$



William A. Shaw

Prothonotary/Clerk Civil Division

Received this writ this 12<sup>th</sup> day  
of September A.D. 2005  
At 3:00 A.M. PM

Christy A. Hunkeler  
Sheriff By Catherine Butler - Auphrey

Requesting Party: Louis P. Vitti, Esq.  
916 Fifth Ave.  
Pittsburgh, PA 15219  
(412) 281-1725

WACHOVIA BANK, N.A., as trustee for PENNSYLVANIA ) NO. 05-1030-CD  
HOUSING FINANCE AGENCY, assignee of PENNSYLVANIA )  
HOUSING FINANCE AGENCY, assignee of JERSEY SHORE )  
STATE BANK, )  
 )  
Plaintiff, )  
 )  
vs. )  
ALISHA R. SHIMMEL, )  
 )  
Defendant. )

Being the same premises which Edward V. Stella and Shirley A. Stella his wife, Mary Lou Graves and Robert E. Graves, her husband , William E. Single individual, by their deed dated 12/08/2001 and recorded 1/20/2002 in the Recorder of Deeds Office of Clearfield County, Pennsylvania, in Instrument number 200201658, granted and conveyed unto Alisha R. Shimmel.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME ALISHA A. SHIMMEL

NO. 05-1030-CD

NOW, April 17, 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 April 07, 2006, I exposed the within described real estate of Alisha A. Shimmel to public venue or outcry at which time and place I sold the same to WACHOVIA BANK, NA AS TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE STATE BANK 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	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	10.34
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	15.00
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$237.34</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$28.50</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	53,028.59
INTEREST @ %	0.00
FROM TO 04/07/2006	
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>\$53,048.59</b>

**COSTS:**

ADVERTISING	428.20
TAXES - COLLECTOR	261.30
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	237.34
LEGAL JOURNAL COSTS	198.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	735.98
<b>TOTAL COSTS</b>	<b>\$2,159.32</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



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

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

ROBERT SNYDER  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

CYNTHIA AUGHENBAUGH  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

## DEPUTATION

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

PAGE 20229

TERM & NO. 05-1030-CD

WACHOVIA BANK, NA AS TRUSTEE FOR PENNSYLVANIA HOUSING FINANCE AGENCY, ASSIGNEE OF PENNSYLVANIA  
HOUSING FINANCE AGENCY, ASSIGNEE OF JERSEY SHORE STATE BANK

VS.  
ALISHA A. SHIMMEL

DOCUMENTS TO BE SERVED:  
NOTICE OF SALE  
WRIT OF EXECUTION  
COPY OF LEVY

**SERVE BY: DEC. 2. 2005**

**MAKE REFUND PAYABLE TO ATTY OFFICE LOUIS P. VITTI & ASSOC.  
RETURN TO BE SENT TO THIS OFFICE**

**SERVE:** ALISHA A. SHIMMEL

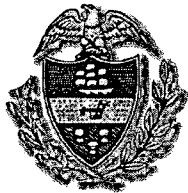
**ADDRESS:** 208 HILLVUE DRIVE  
SEVEN FIELDS, PA 16046

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF BUTLER COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Tuesday, October 25, 2005.

RESPECTFULLY,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

# County of Butler, Pennsylvania



Office of County Sheriff  
Dennis C. Rickard, Sheriff

Douglas R. Hays, Chief Deputy

Thomas W. King, III, Solicitor



Sheriff File Number – 05002263

Court Docket #: 2005-1030 CLE

County of Butler County, Commonwealth of Pennsylvania

WACHOVIA BANK NA

vs.

ALISHA R SHIMMEL

## Affidavit of Service

### NOTICE OF SHERIFF'S SALE OF REAL ESTATE

I hereby CERTIFY and RETURN that on 10/28/2005 at 12:45PM service was attempted with the due diligence and inquiry for ALISHA R SHIMMEL. Service was unable to be made for the following reasons: DEFENDANT DOES NOT LIVE AT THE RESIDENCE OF 208 HILLVUE DRIVE SEVEN FIELDS PA, PER OWNER, RICH KRZARNIC

Fees Received from Attorney: MILEAGE (\$15.00), NOTARY (\$4.00), WRIT (\$9.00), NEI (\$5.00) Total Charges \$33.00

Attorney Name: SWARTZ LOVEJOY & ASSOCIATES, LLP, LAW & FINANCE BLDG 429 4TH AVENUE FL 16, PITTSBURGH, PA 15219-1503

RICHARD S JAKSEC, Deputy Sheriff

Affirmed & Subscribed to before  
Me October 28, 2005

Notary Public

PROTHONOTARY OFFICIAL TITLE  
COMMISSION EXPIRES FIRST MONDAY IN JAN. 2008

My commission expires: \_\_\_\_\_

Sheriff, Butler County, Pennsylvania

# Louis P. Vitti and Associates, P.C.

COUNSELLORS AT LAW  
916 FIFTH AVENUE  
PITTSBURGH, PENNSYLVANIA 15219

PHONE: (412) 281-1721

FAX: (412) 281-3810

LOUIS P. VITTI  
RODNEY PERMIGIANI  
ANDREW T. MOXIE



Today is Friday

December 2, 2005

Sheriff of Clearfield County  
814-765-5915

RE: Aliha Shimmel  
05-1030-cd

To whom it may concern:

Kindly continue the above captioned Sheriff's sale which was scheduled for

January 6, 2006 to April 7, 2006

Thank you for your cooperation with this matter.

Very Truly Yours,

*Louis P. Vitti*

Louis P. Vitti

LPV/hb

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WACHOIVA BANK, NAA., as trustee for	)	NO. 05-1030-CD
PENNSYLVANIA HOUSING FINANCE AGENCY,	)	
assignee of PENNSYLVANIA HOUSING FINANCE	)	
AGENCY, assignee of JERSEY SHORE STATE BANK,	)	
	Plaintiff,	)
vs.	)	
ALISHA A. SHIMMEL,	)	
	Defendant	)

ORDER OF COURT

AND NOW, to-wit, this 4<sup>th</sup> day of January, 2006, it is hereby Ordered,  
Adjudged and Decreed Plaintiff shall direct a copy of this Order upon Defendant and upon all  
lienholders by regular mail to complete service under Rule 3129.1 and by posting the property by the  
Sheriff. Sale need not be advertised again and the Sheriff may sell the within property at the  
regularly scheduled sale or at any future sale date.

BY THE COURT:

/s/ Fredric J. Ammerman

\_\_\_\_\_. J.

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

JAN 06 2006

Attest.

*William L. Sh*  
Prothonotary/  
Clerk of Courts





CHESTER A. HAWKINS

SHERIFF

COURTHOUSE

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

C-2

**CERTIFIED MAIL™**



7005 0390 0003 7235 1261

016H16505405

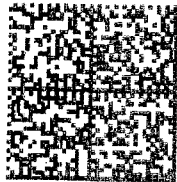
\$04.880

01/24/2006

Mailed From 16830

US POSTAGE

Hasler



**RETURN RECEIPT  
REQUESTED**

ALISHA A. SHIMMEL  
208 HILLVUE DRIVE  
SEVEN FIELDS, PA 16046

A  
C  
S

- ☐ INSUFFICIENT ADDRESS  
☐ ATTEMPTED NOT KNOWN  
☐ NO SUCH NUMBER/ STREET  
☐ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD

☐ OTHER

**RTS**  
RETURN TO SENDER

**UNCLAIMED**

16830/2006 1/24/2006 11:11 AM

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	\$ \$0.63
Certified Fee	\$2.40
Return Receipt Fee (Endorsement Required)	\$1.85
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ \$4.88

0830  
06

Postmark

Clear

06

24

2006

01/24/2006

Sent To

Street, Apt. No.,  
or PO Box No.

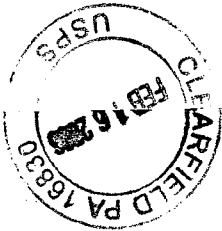
City, State, ZIP+4

ALISHA A. SHIMMEL  
208 HILLVUE DRIVE  
SEVEN FIELDS, PA 16046

PS Form 3800, June 2002

See Reverse for Instructions

1921 3521 E000 0602 5005



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:

ALISHA A. SHIMMEL  
208 HILLYDE DRIVE  
SEVENFIELDS, PA 16046

**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

If YES, enter delivery address below:

☐ No

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 J26J

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540