

05-1415-CD  
Washington Mutual vs S. Walker al

Washington Mutual et al vs Stephen Walker  
2005-1415-CD

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

WASHINGTON MUTUAL BANK, F.A., S/I TO  
WASHINGTON MUTUAL HOME LOANS, INC., F/K/A  
PNC MORTGAGE CORP. OF AMERICA  
11200 WEST PARKLAND AVE.  
MILWAUKEE, WI 53224

Plaintiff

v.

STEPHEN A. WALKER  
KATHY L. WALKER  
600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

Defendants

**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. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

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.

05-1415-CD

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A., S/I TO  
WASHINGTONMUTUAL HOME LOANS, INC., F/K/A  
PNC MORTGAGE CORP. OF AMERICA  
11200 WEST PARKLAND AVE.  
MILWAUKEE, WI 53224

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

STEPHEN A. WALKER  
KATHY L. WALKER  
600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

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

3. On 11/07/1997 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORP. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. Book: 1886, Page: 555. By Assignment of Mortgage recorded 11/12/1997 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Mortgage Book No. 1886, Page 564.
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 03/01/2004 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	\$33,793.30
Interest	4,499.96
02/01/2004 through 09/11/2005	
(Per Diem \$7.64)	
Attorney's Fees	1,250.00
Cumulative Late Charges	73.46
11/07/1997 to 09/11/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 40,166.72
Escrow	
Credit	- 194.30
Deficit	0.00
Subtotal	<u>\$- 194.30</u>
<b>TOTAL</b>	<b>\$ 39,972.42</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 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 39,972.42, together with interest from 09/11/2005 at the rate of \$7.64 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

*Francis S. Hallinan*

By: /s/Francis S. Hallinan  
 LAWRENCE T. PHELAN, ESQUIRE  
 FRANCIS S. HALLINAN, ESQUIRE  
 Attorneys for Plaintiff

## **LEGAL DESCRIPTION**

ALL that certain messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curtin Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

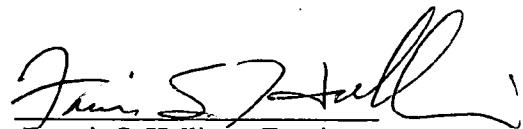
BEING the same premises which became vested in the Grantors herein by deed dated the 1st day January, 1997, recorded in Clearfield County Deed Book Volume 1384, at Page 107.

PROPERTY BEING: 600 CURTIN STREET

VERIFICATION

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

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



Francis S. Hallinan, Esquire  
Attorney for Plaintiff

DATE: 9/11/05

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100819  
NO: 05-1415-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

**SHERIFF RETURN**

NOW, October 06, 2005 AT 11:35 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON STEPHEN A. WALKER DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO STEPHEN A. WALKER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED  
10:45 AM  
JAN 27 2006  
S

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 100819  
NO: 05-1415-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

**SHERIFF RETURN**

---

NOW, October 06, 2005 AT 11:35 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KATHY L. WALKER DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KATHY L. WALKER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100819  
NO: 05-1415-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

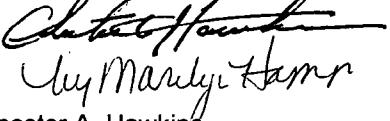
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	451499	20.00
SHERIFF HAWKINS	PHELAN	451499	44.40

Sworn to Before Me This

So Answers,

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

  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., S/I/I  
TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE  
CORP. OF AMERICA  
11200 WEST PARKLAND AVENUE  
MILWAUKEE, WI 53224

No.: 2005-1415-CD

vs.

STEPHEN A. WALKER  
KATHY L. WALKER  
600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

FILED *(F)*

FEB 03 2006

M/12/101  
William A. Shaw  
Prothonotary/Clerk of Courts

Cent to N.E.P.  
+  
Cent to A.T.T.

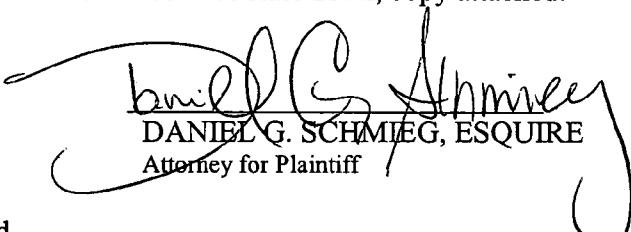
**PRAECIPE FOR JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against STEPHEN A. WALKER and KATHY L. WALKER, 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	\$39,972.42
Interest (9/12/05 to 2/3/06)	<u>1,107.22</u>
<b>TOTAL</b>	<b>\$41,080.22</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: FEB. 3, 2006

  
PRO PROTHY

KIO

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

WASHINGTON MUTUAL BANK, F.A., S/I/I  
TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE  
CORP. OF AMERICA

No.: 2005-1415-CD

Plaintiff

vs.

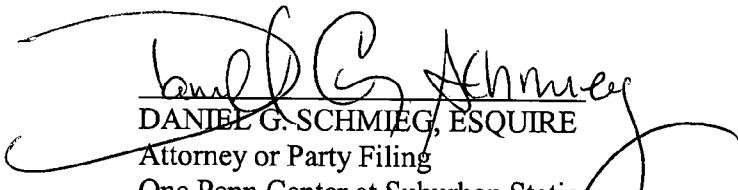
STEPHEN A. WALKER  
KATHY L. WALKER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on Feb. 3, 2004.

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: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/I TO : COURT OF COMMON PLEAS  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA : CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 2005-1415-CD

STEPHEN A. WALKER  
KATHY L. WALKER

Defendants

TO: KATHY L. WALKER  
600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

DATE OF NOTICE: DECEMBER 12, 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

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/I TO : COURT OF COMMON PLEAS  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA : CIVIL DIVISION  
Plaintiff : CLEARFIELD COUNTY  
Vs. : NO. 2005-1415-CD  
STEPHEN A. WALKER  
KATHY L. WALKER  
Defendants

TO: STEPHEN A. WALKER  
600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

DATE OF NOTICE: DECEMBER 12, 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

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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

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

WASHINGTON MUTUAL BANK, F.A., S/I/C CLEARFIELD COUNTY  
TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE No.: 2005-1415-CD  
CORP. OF AMERICA

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

**VERIFICATION OF NON-MILITARY SERVICE**

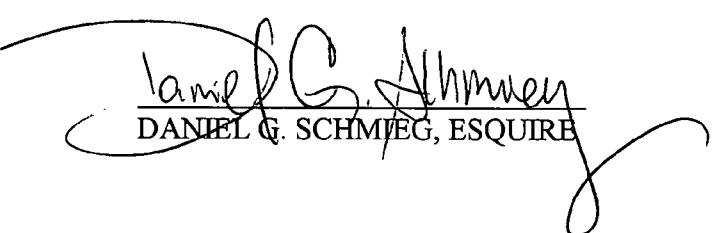
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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, STEPHEN A. WALKER, is over 18 years of age, and resides at 600 CURTIN STREET, OSCEOLA MILLS, PA 16666 .

(c) that defendant, KATHY L. WALKER, is over 18 years of age, and resides at 600 CURTIN STREET, OSCEOLA MILLS, PA 16666.

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

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

---

**WASHINGTON MUTUAL BANK, F.A., S/I/I TO  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA**

---

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

**No. 2005-1415-CD**

**vs.**

---

**STEPHEN A. WALKER  
KATHY L. WALKER**

---

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due	<u>\$41,080.22</u>
------------	--------------------

Interest from 2/3/06 to	<u>125.00</u>	and Costs.
Date of Sale (\$6.75 per diem)		

**Prothonotary costs**

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

Note: Please attach description of Property.

KIO

**FILED** *recd lew on 2/14/06*  
*2/14/06* *w/ prop. deser.*  
**FEB 14 2006** *to Shaff*

William A. Shaw  
Prothonotary/Clerk of Courts  
*Atty pd. 20.00*

*(6K)*

Prothonotary/Clerk of Courts  
William A. Shaw  
9006

FILED

No. 2005-1415-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., S/I/TO  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

PRAECLPICE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

*Janell G. Ahmoe*  
\_\_\_\_\_  
Attorney for Plaintiff(s)

Address: 600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG, ESQUIRE  
ONE PENN CENTER AT  
SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

WASHINGTON MUTUAL BANK, F.A.,  
S/I/I TO WASHINGTON MUTUAL  
HOME LOANS, INC., F/K/A PNC  
MORTGAGE CORP. OF AMERICA

No.: 2005-1415-CD

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

CLEARFIELD COUNTY

CERTIFICATION

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

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

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A., S/I/I  
TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE  
CORP. OF AMERICA

No.: 2005-1415-CD

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 1)**

WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 600 CURTIN STREET, OSCEOLA MILLS, PA 16666:

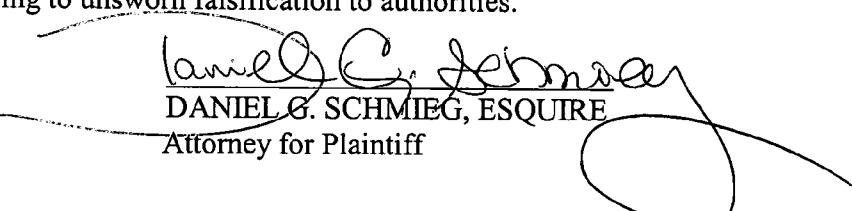
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
STEPHEN A. WALKER	600 CURTIN STREET OSCEOLA MILLS, PA 16666
KATHY L. WALKER	600 CURTIN STREET OSCEOLA MILLS, PA 16666

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

SAME AS ABOVE

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

  
DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

February 13, 2006

CLEARFIELD COUNTY

WASHINGTON MUTUAL BANK, F.A., S/I/I  
TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE  
CORP. OF AMERICA

No.: 2005-1415-CD

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

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

WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 600 CURTIN STREET, OSCEOLA MILLS, PA 16666:

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

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

None.

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

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

**BENEFICIAL CONSUMER DISCOUNT  
COMPANY D/B/A BENEFICIAL MORTGAGE  
COMPANY**

**90 BEAVER DRIVE  
DU BOIS, PA 15801**

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

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

None.

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

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

Clearfield County Domestic Relations

Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

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

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

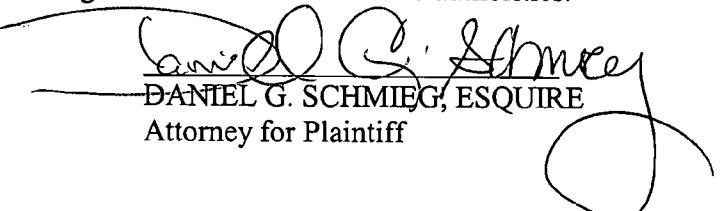
Commonwealth of Pennsylvania  
Department of Welfare

PO Box 2675  
Harrisburg, PA 17105

Tenant/Occupant

600 CURTIN STREET  
OSCEOLA MILLS, PA 16666

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

February 13, 2006

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

 COPY

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**WASHINGTON MUTUAL BANK, F.A., S/I/I TO  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA**

---

vs.

---

**STEPHEN A. WALKER  
KATHY L. WALKER**

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: **2005-1415-CD**

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

**Commonwealth of Pennsylvania:**

**County of Clearfield:**

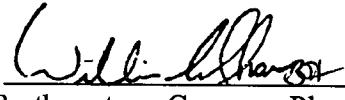
**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:**

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

Premises: **600 CURTIN STREET, OSCEOLA MILLS, PA 16666**

(See legal description attached.)

Amount Due	<u>\$41,080.22</u>
Interest from 2/3/06 to Date of Sale (\$6.75 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed. <b>125.00</b> <b>Prothonotary costs</b>

  
\_\_\_\_\_  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

  
Deputy

KJO

Dated 2/14/06  
(SEAL)

No. 2005-1415-CD

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

WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL  
HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

STEPHEN A. WALKER  
KATHY L. WALKER

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

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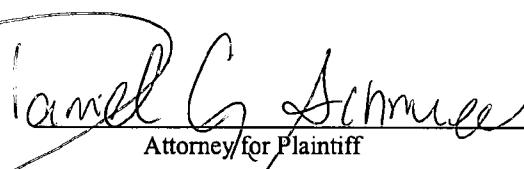
Real Debt \$41,080.22

Int. from 2/3/06  
to Date of Sale (\$6.75 per diem) \_\_\_\_\_

Costs \_\_\_\_\_

Proth. Pd. 125.00

Sheriff \_\_\_\_\_

  
Daniel G. Schmieg

Attorney for Plaintiff

Address: 600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

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

ALL THAT CERTAIN messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curtin Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

Map #16-013-382-10.

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife by Deed from David B. Wagner and Christine R. Wagner, his wife dated 11/5/1997 and recorded 11/12/1997 in Record Book 1886 Page 551.

Premises: 600 Curtin Street, Osceola Mills, PA 16666

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20284  
NO: 05-1415-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

DEFENDANT: STEPHEN A. WALKER AND KATHY L. WALKER

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 02/15/2006

LEVY TAKEN 02/17/2006 @ 1:57 PM

POSTED 02/17/2006 @ 1:57 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 11/13/2006

DATE DEED FILED NOT SOLD

**FILED**

NOV 13 2006  
01 11:20 (cm)  
William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

02/21/2006 @ 8:40 AM SERVED STEPHEN A. WALKER

SERVED STEPHEN A. WALKER, DEFENDANT, AT HIS RESIDENCE 600 CURTIN STREET, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO STEPHEN A. WALKER

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

02/21/2006 @ 8:40 AM SERVED KATHY L. WALKER

SERVED KATHY L. WALKER, DEFENDANT, AT HER RESIDENCE 600 CURTIN STREET, OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO STEPHEN WALKER, HUSBAND/CO-DEFENDANT

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

@ SERVED

NOW, MAY 1, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR MAY 5, 2006 TO AUGUST 4, 2006.

@ SERVED

NOW, AUGUST 1, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR AUGUST 4, 2006.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20284  
NO: 05-1415-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

DEFENDANT: STEPHEN A. WALKER AND KATHY L. WALKER

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$244.25

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins  
By: Cynthia Bitter-Chephal*  
Chester A. Hawkins  
Sheriff

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

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WASHINGTON MUTUAL BANK, F.A., S/I/I TO  
WASHINGTON MUTUAL HOME LOANS, INC.,  
F/K/A PNC MORTGAGE CORP. OF AMERICA

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 2005-1415-CD

vs.

---

STEPHEN A. WALKER  
KATHY L. WALKER

---

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):

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(See legal description attached.)

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Interest from 2/3/06 to Date of Sale (\$6 .75 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.

*125.00* **Prothonotary costs**  
*Willie H. Gray*

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

Dated 2/14/06  
(SEAL)

Received February 15, 2006 @ 1:45 P.M.  
Chester A. Hawkins  
by Cynthia Butler-Aughenbaugh

Deputy

KJO

No. 2005-1415-CD

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

WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL  
HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA

VS.

STEPHEN A. WALKER  
KATHY L. WALKER

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

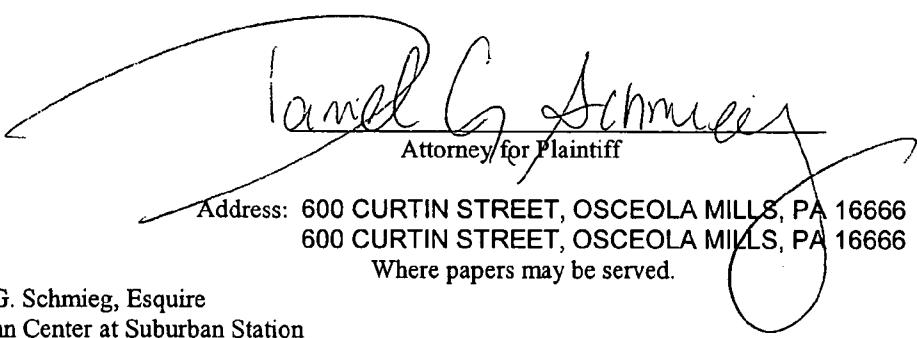
Real Debt \$41,080.22

Int. from 2/3/06  
to Date of Sale (\$6.75 per diem) \_\_\_\_\_

Costs \_\_\_\_\_

Proth. Pd. 125.00

Sheriff \_\_\_\_\_

  
Daniel G. Schmieg  
Attorney for Plaintiff

Address: 600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
600 CURTIN STREET, OSCEOLA MILLS, PA 16666  
Where papers may be served.

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

ALL THAT CERTAIN messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curtin Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

Map #16-013-382-10.

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife by Deed from David B. Wagner and Christine R. Wagner, his wife dated 11/5/1997 and recorded 11/12/1997 in Record Book 1886 Page 551.

Premises: 600 Curtin Street, Osceola Mills, PA 16666

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME STEPHEN A. WALKER NO. 05-1415-CD

NOW, November 13, 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 , I exposed the within described real estate of Stephen A. Walker And Kathy L. Walker to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

<b>SHERIFF COSTS:</b>		<b>PLAINTIFF COSTS, DEBT AND INTEREST:</b>	
RDR SERVICE	15.00	DEBT-AMOUNT DUE	41,080.22
MILEAGE	15.00	INTEREST @ 6.7500	(4,943,328.7
LEVY	17.80	FROM 02/03/2006 TO	
MILEAGE	15.00		
POSTING	17.80	PROTH SATISFACTION	
CSDS	15.00	LATE CHARGES AND FEES	
COMMISSION	10.00	COST OF SUIT-TO BE ADDED	
POSTAGE	0.00	FORECLOSURE FEES	
HANDBILLS	5.85	ATTORNEY COMMISSION	
DISTRIBUTION	15.00	REFUND OF ADVANCE	
ADVERTISING	25.00	REFUND OF SURCHARGE	40.00
ADD'L SERVICE	15.00	SATISFACTION FEE	
DEED		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE	17.80	INTEREST	
ADD'L LEVY		MISCELLANEOUS	
BID/SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	(\$4,902,208.53)
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	306.34
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$244.25</b>	LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	
DEED COSTS:		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	244.25
REGISTER & RECORDER		LEGAL JOURNAL COSTS	144.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	125.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>	MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$959.59</b>

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

CHESTER A. HAWKINS, Sheriff

Law Offices  
**PHELAN HALLINAN & SCHMIEG**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814

Christine Schoffler  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

May 4, 2006

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

ATTENTION: CINDY (814) 765-5915

Re: **WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC. D/K/A PNC MORTGAGE CORP. OF AMERICA v. STEPHEN A. WALKER KATHY L. WALKER**

**No. 2005-1415-CD  
600 CUMMING STREET, OSCEOLA MILLS, PA 16666**

De: Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for May 5, 2006.

The property is to be relisted for the August 4, 2006 Sheriff's Sale.

Very truly yours,

Christine Schoffler  
For Phelan Hallinan & Schmieg, LLP

VIA TELECOPY (814) 765-5915

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Christine.Schoffler@fedphe.com](mailto:Christine.Schoffler@fedphe.com)

CHRISTINE SCHOFFLER  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

August 1, 2006

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

**ATTENTION: CINDY (814) 765-5915**

**Re: WASHINGTON MUTUAL BANK, F.A., S/I/I TO WASHINGTON MUTUAL HOME  
LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA v. STEPHEN A. WALKER  
KATHY L. WALKER**

**No. 2005-1415-CD  
600 CURTIN STREET, OSCEOLA MILLS, PA 16666**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for **AUGUST 4, 2006**, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

Please be further advised that no consideration was reported to have been received by our office.

Very truly yours,  
Christine Schoffler

**VIA TELECOPY (814) 765-5915**