

08-1961-CD

Nationstar Mortgage vs Cheryl Johnston

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

<sup>5</sup> **FILED** <sup>2</sup>

OCT 14 2008

W/12:15  
William A. Shaw  
Prothonotary/Clerk of Courts

Attorney for Plaintiff  
File: 9.09460

1 SENT TO ATT  
2 SENT TO SUPP

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC  
350 Highland Drive  
Lewisville, TX 75067,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston  
115 Johnston Road  
Clearfield, PA 16830,**

**and**

**Robert E. Johnston  
115 Johnston Road  
Clearfield, PA 16830,**

**Defendants.**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 2008-1961-C0**

**CIVIL ACTION  
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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Lawyers Referral and Information Services  
Clearfield County Bar Association  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, NJ 16830  
800-692-7375

Daniel J. Nelson, Court Admin.  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
814-765-2641 ext 5982

\*\*\*\*\*

**NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT**

\*\*\*\*\*

1. This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.
2. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after receipt of this notice, the debt will be assumed to be valid by our offices.
3. If you notify our offices in writing within 30 days of receipt of this notice that the debt, or any portion thereof, is disputed, our offices will provide you with verification of the debt or copy of the Judgment against you, and a copy of such verification or judgment will be mailed to you by our offices.

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff

---

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC  
350 Highland Drive  
Lewisville, TX 75067,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston  
115 Johnston Road  
Clearfield, PA 16830,**

**and**

**Robert E. Johnston  
115 Johnston Road  
Clearfield, PA 16830,**

**Defendants.**

---

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.:**

**CIVIL ACTION  
MORTGAGE FORECLOSURE**

---

**COMPLAINT IN MORTGAGE FORECLOSURE**

1. Plaintiff, Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC (the "Plaintiff"), is a corporation registered to conduct business in the Commonwealth of Pennsylvania and having an office and place of business at 350 Highland Drive, Lewisville, TX 75067.

2. Defendants, Cheryl A. Johnston and Robert E. Johnston, (collectively, the "Defendants"), are adult individuals and are the real owners of the premises hereinafter described.

3. Cheryl A. Johnston, Defendant, resides at 115 Johnston Road, Clearfield, PA 16830.  
Robert E. Johnston, Defendant, resides at 115 Johnston Road, Clearfield, PA 16830.

4. On July 12, 2005, in consideration of a loan in the principal amount of \$50,001.00, the Defendants executed and delivered to Centex Home Equity Company, LLC a note (the "Note") with interest thereon at 8.250 percent per annum, payable as to the principal and interest in equal monthly installments of \$613.28 commencing August 18, 2005.

5. To secure the obligations under the Note, the Defendants executed and delivered to Centex Home Equity Company, LLC a mortgage (the "Mortgage") dated July 12, 2005, recorded on July 18, 2005 in the Department of Records in and for the County of Clearfield under Mortgage Instrument Number 200510749. Pursuant to Pa.R.C.P. 1019 (g) the mortgage is incorporated herein by reference.

6. The Mortgage secures the following real property (the "Mortgaged Premises"): 115 Johnston Road, Clearfield, PA 16830. A legal description of the Mortgaged Premises is attached hereto as Exhibit "A" and made a part hereof.

7. The Defendants are in default of their obligations pursuant to the Note and Mortgage because payments of principal and interest due June 18, 2008, and monthly thereafter are due and have not been paid, whereby the whole balance of principal and all interest due thereon have become due and payable forthwith together with late charges, escrow deficit (if any) and costs of collection including title search fees and reasonable attorney's fees.

8. The following amounts are due on the Mortgage and Note:

Balance of Principal .....	\$39,952.66
Accrued but Unpaid Interest from 5/18/08 to 10/13/08 @ 8.250% per annum (\$9.03 per diem) .....	\$1,345.47
Accrued Late Charges .....	\$275.94
Corporate Advance .....	\$291.33
Title Search Fees .....	\$350.00
Reasonable Attorney's Fees .....	\$1,250.00
TOTAL as of 10/13/2008 .....	\$43,465.40

Plus, the following amounts accrued after October 13, 2008:


Interest at the Rate of 8.250 per cent per annum (\$9.03 per diem);

Late Charges of \$30.66 per month.

9. Plaintiff has complied fully with Act No. 91 (35 P.S.'1680.401(c) of the 1983 Session of the General Assembly ("Act 91") of the Commonwealth of Pennsylvania, by mailing to the Defendants at 115 Johnston Road, Clearfield, PA 16830 as well as to address of residences as listed in paragraph 3 of this document on August 20, 2008, the notice pursuant to § 403-C of Act 91, and the applicable time periods therein have expired.

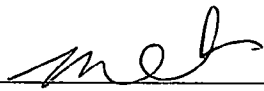
WHEREFORE, Plaintiff demands an in rem judgment against the Defendants for foreclosure and sale of the Mortgaged Premises in the amount due as set forth in paragraph 8, namely, \$43,465.40, plus the following amounts accruing after October 13, 2008, to the date of judgment: (a) interest of \$9.03 per day, (b) late charges of \$30.66 per month, (c) plus interest at the legal rate allowed on judgments after the date of judgment, (d) additional attorney's fees (if any) hereafter incurred, (e) and costs of suit.

MILSTEAD & ASSOCIATES, LLC

  
\_\_\_\_\_  
Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

**VERIFICATION**

I, Mary L. Harbert-Bell, hereby certify that I am an Attorney for Plaintiff and am authorized to make this verification on Plaintiff's behalf. I verify that the facts and statements set forth in the forgoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. ' 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Name: Mary L. Harbert-Bell, Esquire  
Title: Attorney



Date: 7/7/2005

Time: 12:16:19 PM

Order Number: 000026777

Re: Robert E. Johnston

Cheryl A. Johnston

**EXHIBIT A**115 JOHNSTON ROAD  
CLEARFIELD, PA 16830  
CLEARFIELD County**EXHIBIT 'A'**

ALL that certain piece or parcel of land situate in Goshen Township, Clearfield County, Pennsylvania, bounded and described as follows: BEGINNING at a point at the Southeast corner of the property now or formerly owned by Samuel J. Unch and Bonnie C. Unch and being the Northeast corner of this parcel hereby conveyed; thence South three (3) degrees fifty-one (51) minutes West two hundred fifty (250) feet to a point; thence North Eighty-six (86) degrees ten (10) minutes West three hundred ten (310) feet to a point; thence North three (3) degrees fifty-one (51) minutes East, two hundred fifty (250) feet to a point; thence South eighty-six (86) degrees ten (10) minutes East, three hundred ten (310) feet to point; containing 1.78 acres more or less. TOGETHER WITH a perpetual right of way and easement in, upon, through and over adjacent land of Grantors leading from the herein described parcel to a well on land of Grantors for purpose of installing, operating, maintaining and repairing a water line and related equipment along with the right to the use of water from the above referred to source or any alternate source in common with Grantors, their heirs and assigns.

EXCEPTING AND RESERVING unto the said Grantors herein and the Grantees herein and Samuel and Bonnie Unch, and all of the heirs and assigns of the above, an easement of fifteen (15) feet along the eastern edge of this property.

EXHIBIT A

Prothonotary/Clerk of Courts  
William A. Shaw

OCT 14 2008

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: ~~08-28~~ 1961-CD

NATIONSTAR MORTGAGE, LLC F/K/A CENTEX HOME EQUITY COMPANY, LLC

vs

SERVICE # 1 OF 2

CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 11/12/2008

HEARING:

PAGE: 104787

DEFENDANT:

CHERYL A. JOHNSON

ADDRESS:

115 JOHNSTON ROAD

CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SHERIFF'S RETURN**

NOW, THIS 30th day OF OCT 2008 AT 9:45 AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON CHERYL A. JOHNSON, DEFENDANT

BY HANDING TO Cheryl Johnson, Def.

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 115 Johnston Rd CLFD

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **POSTED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR CHERYL A. JOHNSON

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO CHERYL A. JOHNSON

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answered, CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeHaven

Deputy Signature

GEORGE F. DeHaven

Print Deputy Name

5  
**FILED**  
DEC 09 2008  
0/8:40/10  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. ~~08~~ 28-1961-CD

NATIONSTAR MORTGAGE, LLC F/K/A CENTEX HOME EQUITY COMPANY, LLC

vs

SERVICE # 2 OF 2

CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 11/12/2008

HEARING:

PAGE: 104787

DEFENDANT: ROBERT E. JOHNSTON

ADDRESS: 115 JOHNSTON ROAD  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SHERIFF'S RETURN**

NOW, This 30th day of OCT 2008 AT 9:45 AM PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON ROBERT E. JOHNSTON, DEFENDANT

BY HANDING TO Cheryl Johnston, WIFE

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 115 Johnston Rd CLFD

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **POSTED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR ROBERT E. JOHNSTON

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO ROBERT E. JOHNSTON

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

\_\_\_\_\_

So Answered: CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeHaven  
Deputy Signature

George F. DeHaven  
Print Deputy Name

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC  
350 Highland Drive  
Lewisville, TX 75067,  
Plaintiff,**

Vs.

**Cheryl A. Johnston  
115 Johnston Road  
Clearfield, PA 16830,  
and  
Robert E. Johnston  
115 Johnston Road  
Clearfield, PA 16830,  
Defendants.**

**FILED**

cert w/ notice to  
JAN 21 2009  
m/12:15  
William A. Shaw  
Prothonotary/Clerk of Courts

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

JAN 21 2009

Attest.

William A. Shaw  
Prothonotary/  
Clerk of Courts

Attorney for Plaintiff

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

No.: 2008-1961 CD

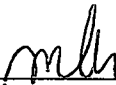
**PRAECIPE FOR JUDGMENT, IN REM, FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

**TO THE PROTHONOTARY:**

Kindly enter Judgment, *in rem*, in favor of Plaintiff and against Cheryl A. Johnston and Robert E. Johnston, Defendants, for failure to file an Answer on 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	\$43,465.40
Interest 10/14/08 through 01/20/09	893.97
Late Charges	91.98
Additional Corporate Advance	3,189.65
Additional Escrow Advance	2,002.82
<b>TOTAL</b>	<b>\$49,643.82</b>

I hereby certify that (1) the addresses of the Plaintiff and Defendants are as shown above and (2) that notice has been given in accordance with Rule 237.1. copy attached.

  
Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 1-28-09

  
PROTHONOTARY

{00316826}

MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400  
Attorney for Plaintiff

Our file number: 9.09460

---

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston**

**and**

**Robert E. Johnston,**

**Defendants.**

---

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 2008-1961 CD**

**TO:** Cheryl A. Johnston  
115 Johnston Road,  
Clearfield, PA 16830

Robert E. Johnston  
115 Johnston Road,  
Clearfield, PA 16830

**DATE OF NOTICE: December 15, 2008**

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.

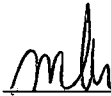
**IMPORTANT NOTICE**

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 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 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.

{00020971}

LAWYERS REFERRAL AND INFORMATION SERVICES  
CLEARFIED COUNTY BAR ASSOCIATION  
CLEARFIELD COUNTY COURTHOUSE  
230 E. MARKET STREET  
CLEARFIELD, NJ 16830  
800-692-7375

MILSTEAD & ASSOCIATES, LLC



---

By: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
Attorney for Plaintiff

**FILED**  
JAN 21 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.  
JAN 21 2009  
Attest  
William A. Shaw  
Prothonotary/  
Clerk of Courts



MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston,**

**and**

**Robert E. Johnston,**

**Defendants.**

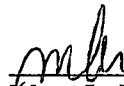
**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 2008-1961 CD**

**VERIFICATION OF NON-MILITARY SERVICE**

Mary L. Harbert-Bell, Esquire, hereby verifies that she is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, she has knowledge of the following facts, to wit:

1. that the defendants are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldier' and Sailors' Civil Relief Act of Congress of 1940, as amended,
2. defendant, Cheryl A. Johnston, is over 18 years of age and resides at 115 Johnston Road, Clearfield, PA 16830,
3. defendant, Robert E. Johnston, is over 18 years of age and resides at 115 Johnston Road, Clearfield, PA 16830.



Mary L. Harbert-Bell, Esquire

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

Prothonotary

To: Cheryl A. Johnston  
Robert E. Johnston

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston,**

**and**

**Robert E. Johnston,**

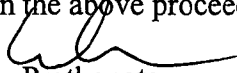
**Defendants.**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 2008-1961 CD**

**NOTICE PURSUANT TO RULE 236**

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

  
Prothonotary

**MORTGAGE FORECLOSURE JUDGMENT BY DEFAULT**

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

MARY L. HARBERT-BELL, ESQ. #80763  
MILSTEAD & ASSOCIATES, LLC  
856-482-1400

Notice Pursuant To Fair Debt Collection Practices Act

This is an attempt to collect a debt and any information obtained will be used for that purpose.

{00316826}

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

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston**

**and**

**Robert E. Johnston,**

**Defendants.**

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

**No.: 2008-1961 CD**

**FILED**

**JAN 21 2009**

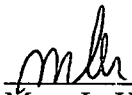
W/12/30/09  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 COPY TO ATTORNEY  
6 COPIES TO SHERIFF

To the Prothonotary:

Issue Writ of Execution in the above matter:

AMOUNT DUE	\$49,643.22
INTEREST	
From 01/21/2009 to <u>Date of Sale</u> at	\$
\$8.16 per diem	
Attorney's Fees	
(Costs to be added)	\$
TOTAL DUE	\$

**Prothonotary costs \$ 135.-**

  
\_\_\_\_\_  
Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GOSHEN TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOW:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF THE PROPERTY NOW OR FORMERLY OWNED BY SAMUEL J. UNCH AND BONNIE C. UNCH AND BEING THE NORTHEAST CORNER OF THIS PARCEL HEREBY CONVEYED; THENCE SOUTH THREE (3) DEGREES FIFTY-ONE (51) MINUTES WEST TWO HUNDRED (250) FEET TO A POINT; THENCE NORTH EIGHTY-SIX (86) DEGREES TEN (10) MINUTES WEST THREE HUNDRED TEN (310) FEET TO A POINT; THENCE NORTH (3) DEGREES FIFTY-ONE (51) MINUTES EAST, TWO HUNDRED FIFTY (250) FEET TO A POINT; THENCE SOUTH EIGHTY-SIX (86) DEGREES TEN (10) MINUTES EAST, THREE HUNDRED (310) FEET TO POINT; CONTAINING 1.78 ACRES MORE OR LESS.

**Being known as 115 Johnston Road, Clearfield, PA 16830**  
**Tax Parcel Number: 115-L06-92**

SEIZED, taken in execution to be sold as the property of Cheryl A. Johnston and Robert E. Johnston, at the suit of Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC, Judgment No. 2008-1961 CD.

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

Nationstar Mortgage LLC, f/d/a  
Centex Home Equity Company, LLC,

Vs.

NO.: 2008-01961-CD

Cheryl A. Johnston and  
Robert E. Johnston,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

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

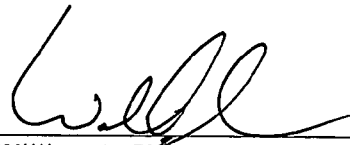
(1) See Attached

(2)

AMOUNT DUE/PRINCIPAL: \$49,643.22  
INTEREST FROM: 01/21/2009 to Date of Sale at \$8.16  
per diem  
ATTY'S COMM: \$  
DATE: 1/21/2009

PROTH. COSTS PAID: \$135.00  
SHERIFF: \$

OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

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

\_\_\_\_\_  
Sheriff

Requesting Party: Mary L. Harbert-Bell, Esq.  
220 Lake Drive East, Ste. 301  
Cherry Hill, NJ 08002  
856-482-1400

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183**


<b>Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC,</b>	<b>IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA</b>
<b>Plaintiff,</b>	<b>No.: 2008-1961 CD</b>
<b>Vs.</b>	
<b>Cheryl A. Johnston</b>	
<b>and</b>	
<b>Robert E. Johnston,</b>	
<b>Defendants.</b>	

To the Prothonotary:

Issue Writ of Execution in the above matter:

AMOUNT DUE	\$49,643.22
INTEREST	
From 01/21/2009 to <u>Date of</u>	\$
<u>Sale</u> at \$8.16 per diem	
(Costs to be added)	\$
TOTAL DUE	\$

Prothonotary costs 135.00

  
\_\_\_\_\_  
Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GOSHEN  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND  
DESCRIBED AS FOLLOW:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF THE PROPERTY  
NOW OR FORMERLY OWNED BY SAMUEL J. UNCH AND BONNIE C. UNCH  
AND BEING THE NORTHEAST CORNER OF THIS PARCEL HEREBY  
CONVEYED; THENCE SOUTH THREE (3) DEGREES FIFTY-ONE (51) MINUTES  
WEST TWO HUNDRED (250) FEET TO A POINT; THENCE NORTH EIGHTY-SIX  
(86) DEGREES TEN (10) MINUTES WEST THREE HUNDRED TEN (310) FEET TO  
A POINT; THENCE NORTH (3) DEGREES FIFTY-ONE (51) MINUTES EAST, TWO  
HUNDRED FIFTY (250) FEET TO A POINT; THENCE SOUTH EIGHTY-SIX (86)  
DEGREES TEN (10) MINUTES EAST, THREE HUNDRED (310) FEET TO POINT;  
CONTAINING 1.78 ACRES MORE OR LESS.

**Being known as 115 Johnston Road, Clearfield, PA 16830**  
**Tax Parcel Number: 115-L06-92**

SEIZED, taken in execution to be sold as the property of Cheryl A. Johnston and Robert E.  
Johnston, at the suit of Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC,  
Judgment No. 2008-1961 CD.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104787  
NO: 08-1961-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: NATIONSTAR MORTGAGE, LLC F/K/A CENTEX HOME EQUITY COMPANY, LLC  
vs.  
DEFENDANT: CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MILSTEAD	51675	20.00
SHERIFF HAWKINS	MILSTEAD	51675	26.00

*S*  
**FILED**  
*013146/SH*  
**FEB 03 2009**  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

*Chester A. Hawkins*

Chester A. Hawkins  
Sheriff



MILSTEAD & ASSOCIATES, LLC  
BY: Mary L. Harbert-Bell, Esquire  
ID No. 80763  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Attorney for Plaintiff  
File No. 9.09460

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston,**

**and**

**Robert E. Johnston,**

**Defendant(s).**

**COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

**No.: 2008-1961 CD**

**Praecipe to Satisfy Default Judgment and  
Discontinue and End**

**TO THE PROTHONOTARY:**

Kindly Satisfy the Default Judgment filed on January 21, 2009 in the amount of \$49,643.22 and Discontinue and End the above captioned Mortgage Foreclosure action without Prejudice.

MILSTEAD & ASSOCIATES, LLC



Mary L. Harbert-Bell, Esquire  
Attorney ID No. 80763

**FILED**

APR 06 2009

William A. Shaw  
Prothonotary/Clerk of Courts

pd \$7.00 Att  
m/1:202m ICC, 1 cert of  
disc & 1 cert of  
Set issued to  
Att Bell

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2008-01961-CD

Nationstar Mortgage LLC  
Centex Home Equity Company, LLC

Vs.

Cheryl A. Johnston  
Robert E. Johnston

Debt: \$49,643.22

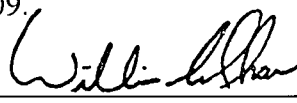
Atty's Comm.:

Interest From:

Cost: \$7.00

NOW, Monday, April 06, 2009 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 6th day of April, A.D. 2009.

  
\_\_\_\_\_  
Prothonotary

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

**CIVIL DIVISION**

**Nationstar Mortgage LLC  
Centex Home Equity Company, LLC**

**Vs.**

**No. 2008-01961-CD**

**Cheryl A. Johnston  
Robert E. Johnston**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on April 6, 2009, marked:

Discontinued and Ended without prejudice

Record costs in the sum of \$142.00 have been paid in full by Milstead & Associates.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 6th day of April A.D. 2009.

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20910  
NO: 08-1961-CD

PLAINTIFF: NATIONSTAR MORTGAGE LLC, F/D/A CENTEX HOME EQUITY COMPANY, LLC  
vs.  
DEFENDANT: CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 1/21/2009

LEVY TAKEN 2/11/2009 @ 1:42 PM

POSTED 2/11/2009 @ 1:42 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 4/24/2009

DATE DEED FILED **NOT SOLD**

5  
**FILED**  
01/31/2009  
APR 24 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

@ SERVED CHERYL A. JOHNSTON

DEPUTIES UNABLE TO SERVE CHERYL A. JOHNSTON, DEFENDANT, AT 115 JOHNSTON ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA THE RESIDENCE IS OCCUPIED BY TENANTS.

@ SERVED ROBERT E. JOHNSTON

DEPUTIES UNABLE TO SERVE ROBERT E. JOHNSTON, DEFENDANT, AT 115 JOHNSTON ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA THE RESIDENCE IS OCCUPIED BY TENANTS.

3/4/2009 @ 2:13 PM SERVED CHERYL A. JOHNSTON

SERVED CHERYL A. JOHNSTON, DEFENDANT, AT HER RESIDENCE LAWRENCE PARK VILLAGE, APT 3B, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHERYL JOHNSTON

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.

3/4/2009 @ 2:18 PM SERVED ROBERT E. JOHNSTON

SERVED ROBERT E. JOHNSTON, DEFENDANT, AT HIS RESIDENCE LAWRENCE PARK VILLAGE, APT 3B, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHERYL JOHNSTON, WIFE/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, MARCH 30, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR 4/3/09. \$51,345.97 WAS RECEIVED TO STAY THE SALE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20910

NO: 08-1961-CD

PLAINTIFF: NATIONSTAR MORTGAGE LLC, F/D/A CENTEX HOME EQUITY COMPANY, LLC  
vs.

DEFENDANT: CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

Execution REAL ESTATE


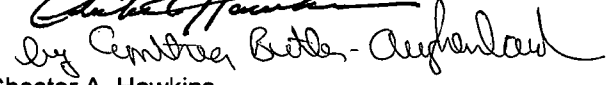
SHERIFF RETURN

---

SHERIFF HAWKINS \$1,202.96

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

  
by   
Chester A. Hawkins  
Sheriff

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

Nationstar Mortgage LLC, f/d/a  
Centex Home Equity Company, LLC,

Vs.

NO.: 2008-01961-CD

Cheryl A. Johnston and  
Robert E. Johnston,

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

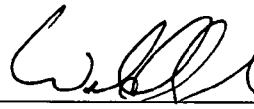
To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

(1) See Attached

(2)

AMOUNT DUE/PRINCIPAL: \$49,643.22  
INTEREST FROM: 01/21/2009 to Date of Sale at \$8.16  
per diem  
ATTY'S COMM: \$  
DATE: 1/21/2009

PROTH. COSTS PAID: \$135.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21st day  
of January A.D. 2009  
At 1:00 A.M. (P.M.)

Chester A. Hawker  
Sheriff by Cynthia Butler-Chester

Requesting Party: Mary L. Harbert-Bell, Esq.  
220 Lake Drive East, Ste. 301  
Cherry Hill, NJ 08002  
856-482-1400

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183**

**Nationstar Mortgage, LLC f/k/a Centex  
Home Equity Company, LLC,**

**Plaintiff,**

**Vs.**

**Cheryl A. Johnston**

**and**

**Robert E. Johnston,**

**Defendants.**


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

**No.: 2008-1961 CD**

To the Prothonotary:

Issue Writ of Execution in the above matter:

AMOUNT DUE	\$49,643.22	
INTEREST		
From 01/21/2009 to <u>Date of</u>	\$	
<u>Sale</u> at \$8.16 per diem		
(Costs to be added)	\$	Prothonotary costs \$135.-
TOTAL DUE	\$	

  
\_\_\_\_\_  
Mary L. Harbert-Bell, Esquire  
Attorney for Plaintiff

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GOSHEN--  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND  
DESCRIBED AS FOLLOW:

BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF THE PROPERTY  
NOW OR FORMERLY OWNED BY SAMUEL J. UNCH AND BONNIE C. UNCH  
AND BEING THE NORTHEAST CORNER OF THIS PARCEL HEREBY  
CONVEYED; THENCE SOUTH THREE (3) DEGREES FIFTY-ONE (51) MINUTES  
WEST TWO HUNDRED (250) FEET TO A POINT; THENCE NORTH EIGHTY-SIX  
(86) DEGREES TEN (10) MINUTES WEST THREE HUNDRED TEN (310) FEET TO  
A POINT; THENCE NORTH (3) DEGREES FIFTY-ONE (51) MINUTES EAST, TWO  
HUNDRED FIFTY (250) FEET TO A POINT; THENCE SOUTH EIGHTY-SIX (86)  
DEGREES TEN (10) MINUTES EAST, THREE HUNDRED (310) FEET TO POINT;  
CONTAINING 1.78 ACRES MORE OR LESS.

**Being known as 115 Johnston Road, Clearfield, PA 16830**

**Tax Parcel Number: 115-L06-92**

SEIZED, taken in execution to be sold as the property of Cheryl A. Johnston and Robert E.  
Johnston, at the suit of Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC,  
Judgment No. 2008-1961 CD.



**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME CHERYL A. JOHNSTON

NO. 08-1961-CD

NOW, April 24, 2009, 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 03, 2009, I exposed the within described real estate of Cheryl A. Johnston And Robert E. Johnston 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 \$51,345.97 and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	2.00
LEVY	15.00
MILEAGE	2.00
POSTING	15.00
CSDS	10.00
COMMISSION	1,026.92
POSTAGE	5.04
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	2.00
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	51,345.97
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$1,202.96</b>

**DEED COSTS:**

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

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	49,643.22
INTEREST @ 8.1600	587.52
FROM 01/21/2009 TO 04/03/2009	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$50,270.74</b>

**COSTS:**

ADVERTISING	340.75
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	1,202.96
LEGAL JOURNAL COSTS	243.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$1,921.71</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

**MILSTEAD & ASSOCIATES, LLC**

WOODLAND FALLS CORPORATE PARK  
220 LAKE DRIVE EAST, SUITE 301  
CHERRY HILL, NJ 08002

(856) 482-1400  
fax: (856) 482-9190

**FACSIMILE TRANSMITTAL SHEET**

TO:	Cindy	FROM:	Greg Wilkins
COMPANY:	Clearfield County Sheriff's Office	DATE:	March 30, 2009
FAX NUMBER:	814-765-5915	TOTAL NO. OF PAGES INCLUDING COVER:	1
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	9.09460
RE:	Cheryl A. Johnston Robert E. Johnston	YOUR REFERENCE NUMBER:	2008-1961 CD

A follow-up copy ☐ will ☐ not be sent by mail.

**Comments**

Please accept this fax as authorization to stay the sale set for 4/3/09. The loan has been paid off; \$51,345.97 was received in consideration for the stay.

Thank you for your attention in this matter.

Thanks,



Gregory Wilkins

**IF THERE IS A PROBLEM WITH THIS TRANSMISSION  
PLEASE CALL (856) 482-1400**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INTENDED RECIPIENT(S) NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS LISTED ABOVE VIA UNITED STATES POSTAL SERVICE.