

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

Attorney for Plaintiff
File: 9.09460

S FILED 
OCT 14 2008
m/12/08
William A. Shaw
Prothonotary/Clerk of Courts
1 cent to APP
2 cent to SUPER

**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,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

No.:

Vs.

**CIVIL ACTION
MORTGAGE FORECLOSURE**

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

and

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

Defendants.

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.

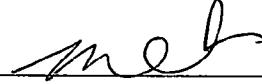
MILSTEAD & ASSOCIATES, LLC



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

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

FILED
OCT 14 2008
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

CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

COMPLAINT IN MORTGAGE FORECLOSURE

SERVICE # 1 OF 2

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 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. DeHayw

Deputy Signature

George F. DeHayw

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. 28-1961-CD

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

VS

CHERYL A. JOHNSTON AND ROBERT E. JOHNSTON

COMPLAINT IN MORTGAGE FORECLOSURE

SERVICE # 2 OF 2

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 Chery/ 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 Answers: CHESTER A. HAWKINS, SHERIFF

BY:

George F. De Haven
Deputy Signature

George F. De Haven
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
Clerk of Courts to
JAN 21 2009 Encls DEPT.
m/12/09 10:45 AM Attest.
William A. Shaw
Prothonotary/Clerk of Courts
Attorney for Plaintiff

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

JAN 21 2009

William A. Shaw
Prothonotary/
Clerk of Courts

**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
TOTAL	\$49,643.82

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: 1-21-09


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,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

No.: 2008-1961 CD

V_S

Cheryl A. Johnston

and

Robert E. Johnston,

Defendants.

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.

LAWYERS REFERRAL AND INFORMATION SERVICES
CLEARFIELD 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

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

FILED

JAN 21 2009
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,**

**COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

Plaintiff,

Vs.

Cheryl A. Johnston,

and

Robert E. Johnston,

Defendants.

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.

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

5 M/12/2009
William A. Shaw

Prothonotary/Clerk of Courts

1 CERT TO ATT

6 WRTS 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 \$135.00


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.

**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

**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)	\$
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
013146-071
FEB 03 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



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 pd \$7.00 Atty
MAY 12 2009 1CC, 1 cert of
APR 06 2009 disc & 1 cert of
S William A. Shaw
Prothonotary/Clerk of Courts
Atty 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

Debt: \$49,643.22

Vs.

Atty's Comm.:

Cheryl A. Johnston
Robert E. Johnston

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

Q
C
L

**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.


LM

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

S FILED
01/30/2009
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 LAWERNCE 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,

Chester Hawkins
by Cynthia Bittel - Afghanland
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.

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

Chesler A. Hawley
Sheriff by Cynthia Butler, Clerk/Deed

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 <input type="text"/> Date of	\$
<input type="text"/> Sale at \$8.16 per diem	
(Costs to be added)	\$
TOTAL DUE	\$

Prothonotary costs *5133--*



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 SERVICE	15.00
MILEAGE	15.00
LEVY	2.00
MILEAGE	15.00
POSTING	2.00
CSDS	15.00
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	
TOTAL SHERIFF COSTS	\$1,202.96

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

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	
TOTAL DEBT AND INTEREST	\$50,270.74
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	
TOTAL COSTS	\$1,921.71

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

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.