

SHERIFF'S SALE COST SHEET

VS. _____

NO. 34-05 ED NO. _____ JD DATE/TIME OF SALE _____

| | |
|---------------------------------|--------------------|
| DOCKET/RETURN | \$15.00 |
| SERVICE PER DEF. | \$ <u>96.00</u> |
| LEVY (PER PARCEL | \$15.00 |
| MAILING COSTS | \$ <u>9.79</u> |
| ADVERTISING SALE BILLS & COPIES | \$17.50 |
| ADVERTISING SALE (NEWSPAPER) | \$15.00 |
| MILEAGE | \$ <u>8.00</u> |
| POSTING HANDBILL | \$15.00 |
| CRYING/ADJOURN SALE | \$10.00 |
| SHERIFF'S DEED | \$35.00 |
| TRANSFER TAX FORM | \$25.00 |
| DISTRIBUTION FORM | \$25.00 |
| COPIES | \$ <u>5.50</u> |
| NOTARY | \$ <u>12.00</u> |
| TOTAL ***** \$ <u>242.79</u> | |

| | |
|------------------------------|---------------------|
| WEB POSTING | 2518 \$150.00 |
| PRESS ENTERPRISE INC. | 13 \$ <u>703.64</u> |
| SOLICITOR'S SERVICES | 20 \$75.00 |
| TOTAL ***** \$ <u>928.64</u> | |

| | |
|---------------------------|----------|
| PROTHONOTARY (NOTARY) | \$10.00 |
| RECORDER OF DEEDS | \$ _____ |
| TOTAL ***** \$ <u>-0-</u> | |

REAL ESTATE TAXES:

| | |
|----------------------------|----------------|
| BORO, TWP & COUNTY 20 | \$ _____ |
| SCHOOL DIST. 20 | \$ _____ |
| DELINQUENT 20 | \$ <u>5.00</u> |
| TOTAL ***** \$ <u>5.00</u> | |

MUNICIPAL FEES DUE:

| | |
|---------------------------|----------|
| SEWER 20 | \$ _____ |
| WATER 20 | \$ _____ |
| TOTAL ***** \$ <u>-0-</u> | |

| | |
|----------------------|-------------------|
| SURCHARGE FEE (DSTE) | \$ <u>-0-</u> |
| MISC. <u>Pd's</u> | \$ <u>1780.00</u> |
| TOTAL ***** \$ _____ | |

TOTAL COSTS (OPENING BID) \$ 2126.43

22 B 7823.57 to Watkins

IN THE COURT OF COMMON PLEAS COLUMBIA COUNTY, PENNSYLVANIA

| | | |
|---|---|-----------------------|
| Washington Mutual Bank, F.A., | : | COURT OF COMMON PLEAS |
| S/B/M/ To Washington Mutual Home Loans, | : | |
| Inc., F/K/A PNC Mortgage Corp. of America | : | CIVIL DIVISION |
| | : | |
| Plaintiff | : | COLUMBIA COUNTY |
| | : | |
| vs. | : | |
| | : | |
| Rosimarie R. Shaffer | : | No. 2004-CV-1245 |
| Craig E. Shaffer | : | |
| | : | |
| Defendant | : | |

ORDER

AND NOW, this 19th day of October, 2005, upon consideration of the attached Petition and noting the stipulation of all parties having any interest therein, IT IS ORDERED AND DECREED that the Sheriff's Sale held in the above captioned proceedings on June 8, 2005, shall be set aside and declared void and without legal effect.

BY THE COURT:

151 Scott W. Naus P.J.

2005 OCT 19 5:02Z

IN THE COURT OF COMMON PLEAS COLUMBIA COUNTY, PENNSYLVANIA

| | | |
|---|---|-----------------------|
| Washington Mutual Bank, F.A., | : | COURT OF COMMON PLEAS |
| S/B/M/ To Washington Mutual Home Loans, | : | |
| Inc., F/K/A PNC Mortgage Corp. of America | : | CIVIL DIVISION |
| | : | |
| Plaintiff | : | COLUMBIA COUNTY |
| | : | |
| vs. | : | |
| | : | |
| Rosimarie R. Shaffer | : | No. 2004-CV-1245 |
| Craig E. Shaffer | : | |
| | : | |
| Defendant | : | |

PETITION TO SET ASIDE AND VOID SHERIFF'S SALE
PURSUANT TO PA.R.C.P. 3132

Petitioners, William Watkins and Scott Watkins, by their attorney, Elwood R. Harding, Jr., Esquire, petitions to set aside and void Sheriff's Sale and in support thereof sets forth the following:

1. Pursuant to execution upon judgment in mortgage foreclosure in the above captioned proceedings on June 8, 2005, a Sheriff's sale of premises located at 674 Saw Mill Road, Bloomsburg, PA 17815, was conducted.
2. Your Petitioners were successful purchasers at said sale.
3. Prior to said Sheriff's sale, settlement upon the sale of the premises subject to foreclosure had occurred, to the end that the then current owners, Rosimarie R. Shaffer and Craig E. Shaffer, conveyed ownership of the premises to Wayne A. Poe and Nikki L. Poe. A copy of the deed of conveyance as appears of record in the Office of Recorder of Deeds of Columbia County is appended hereto and incorporated by reference herein as Exhibit A.

4. Due to inadvertence, the payoff proceeds of the mortgage held by Plaintiff in the instant proceedings were not delivered prior to the sale, with the result that Plaintiff did not cancel the sale.

5. Petitioners, Plaintiff, the Columbia County Sheriff, the Shaffers and the Poes have all agreed that the sale shall be set aside and voided, as appears in the parties' stipulation appended hereto and incorporated by reference herein.

WHEREFORE, Petitioners request entry of an order setting aside the June 8, 2005 Sheriff's Sale and voiding the same.

Harding and Hill, LLP

By: 

Elwood R. Harding, Jr., Esquire

Harding and Hill, LLP

38 W. Third Street

Bloomsburg, PA 17815

Phone: (570) 784-6770

Sup.Ct.Id.: 20027

THIS DEED

MADE the 1st day of June, in the year two thousand five (2005),

BETWEEN

CRAIG E. SHAFFER, of 3410 Shaffer's Road, Bloomsburg,
Columbia County, Pennsylvania, 17815, and **ROSIMARIE R.
SHAFFER A/K/A ROSIMAIRE R. SHAFFER**, of 400 Railroad
Street, Bloomsburg, Columbia County, Pennsylvania, 17815.

GRANTORS,

- AND -

WAYNE A. POE, and **NIKKI L. POE**, husband and wife, of
203 Locust Lane, Danville, Pennsylvania, 17821

GRANTEES,

WITNESSETH, that in consideration of the sum of **ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00)** in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the said Grantees, their heirs, and assigns, as Tenants by the Entireties,

ALL THAT CERTAIN piece, parcel and tract of land situate in the Township of Scott, County of Columbia, State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the southerly right-of-way of Pennsylvania State Highway Legislative Route No. 19091 leading from South Centre Township to Lightstreet Village, said point being 16.50 feet south of the center line of the macadam, said pin also being 25.00 feet distant on a course running North 73 degrees 58 minutes East from the northeast corner of lands now or late of James A. and Audrey R. Magee; **THENCE** running along the southerly right-of-way of Pennsylvania State Highway Legislative Route No. 19091, North 73 degrees 58 minutes East, 200.00 feet to an iron pin and lands now or late of Howard and Raymond Shaffer;

EXHIBIT

tabbies

A

THENCE running along lands now or late of said Shaffer, South 12 degrees 05 minutes East, 248.00 feet to an iron pin; THENCE running along same, South 76 degrees 45 minutes West, 199.56 feet to an iron pin; THENCE running along same, North 12 degrees 05 minutes West, 238.28 feet to the place of BEGINNING.

CONTAINING 1.114 acres of land. This description was prepared from a survey made by T. Bryce James, R.S., No. 4708-E, on December 30, 1965.

THIS DEED IS MADE UNDER AND SUBJECT to the following restrictions:

1. The premises shall be used for residential purposes only.
2. No permanent structure shall be erected within five feet of any boundary line of the within described premises.

BEING THE SAME PREMISES which Leroy O. Diehl, Jr. and Brenda L. Diehl, husband and wife, by Deed dated February 22, 1996, and recorded in Columbia County Record Book 617, Page 0444, granted and conveyed unto Craig E. Shaffer and Rosimaire R. Shaffer a/k/a Rosimaire R. Shaffer, his wife, Grantors herein.

TOGETHER with all and singular the buildings, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property claim and demand whatsoever of the Grantors, either in law or equity, of, in and to the same.

TO HAVE AND TO HOLD the said messuage or tenement and lot or piece of ground above described, hereditaments and premises hereby granted, bargained and sold or mentioned, or intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever.

AND the said Grantors will **SPECIALLY WARRANT** and forever defend the property hereby conveyed.

Sealed and delivered in
the presence of:

Craig E. Shaffer (SEAL)
CRAIG E. SHAFFER
Rosimarie R. Shaffer (SEAL)
ROSIMARIE R. SHAFFER
Rosimarie R. Shaffer (SEAL)
ROSIMARIE R. SHAFFER

I hereby certify that the precise residence of the Grantees herein is as follows:

674 Sawmill Rd.
Bloomsburg, PA 17815

Deoxy H. Tubick
ATTORNEY OR AGENT FOR GRANTEES

COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF COLUMBIA)

ON THIS, the 1st day of June, 2005, before me, a Notary Public, the undersigned officer, personally appeared **CRAIG E. SHAFFER**, known to me (or satisfactorily proven) to be the persons whose names is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY PUBLIC

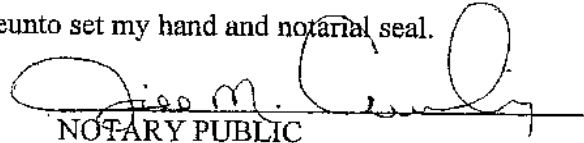
My Commission Expires:



COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF COLUMBIA)

ON THIS, the 1st day of June, 2005, before me, a Notary Public, the undersigned officer, personally appeared **ROSIMARIE R. SHAFFER A/K/A ROSIMAIRE R. SHAFFER**, known to me (or satisfactorily proven) to be the persons whose names is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.


NOTARY PUBLIC
My Commission Expires:

NOTARIAL SEAL
JILL M. CREVELING, NOTARY PUBLIC
TOWN OF BLOOMSBURG, COLUMBIA COUNTY
MY COMMISSION EXPIRES MAY 30, 2009

Prepared By:

**C. CLEVELAND HUMMEL, ESQUIRE
LAW OFFICES OF HUMMEL & LEWIS
3 EAST FIFTH STREET
BLOOMSBURG, PA 17815
PHONE: (570) 784-7666**

IN THE COURT OF COMMON PLEAS OF COLUMBIA COUNTY,
PENNSYLVANIA CIVIL ACTION

Washington Mutual Bank

vs.

Rosimarie Shaffer

JUV-CV-1245

AGREEMENT TO VOID SHERIFF SALE

WHEREAS, Craig E. Shaffer and Rosimarie R. Shaffer owned a property known as 674 Sawmill Road, Bloomsburg, PA 17815 which they obtained by deed from Leo Diehl Jr. and Brenda L. Diehl dated February 22nd 1996 and recorded in Columbia County record Book 617 page 444.

WHEREAS, Craig E. Shaffer and Rosimarie R. Shaffer created a Mortgage to PNC Mortgage Corporation of America in the amount of \$80,000.00 and recorded in Columbia County in Book 617 page 448 and Washington Mutual Bank, FA formerly known as PNC Mortgage Corporation of America obtained a Judgment in Foreclosure of this mortgage dated March 28th 2005 in the amount of \$44,185.13.

WHEREAS, the said Craig E. Shaffer and Rosimarie R. Shaffer by deed dated June 1, 2005 conveyed the property to Wayne A. Poe and Nikki L. Poe for a consideration of \$105,000.00. At said settlement adequate funds were dedicated from the sellers to pay the judgment in favor of Washington Mutual Bank, FA. Having not received the funds Washington Mutual Bank, FA caused a sheriff sale of the property to be held on June 8th, 2005. The successful bidder at the sheriff sale was Wayne Watkins and Scott Watkins.

WHEREAS, Fidelity National Title Insurance Company insured the title obtained by the said Wayne A. Poe and Nikki L. Poe.


And Now, this _____ day of _____, 2005 the said Craig E. Shaffer and Rosimarie R. Shaffer, husband and wife, and Wayne A. Poe and Nikki L. Poe, husband and wife, and William Watkins and Scott Watkins, and Washington Mutual Bank, FA and the Sheriff of Columbia County, which hereby stipulate and agree to the following:

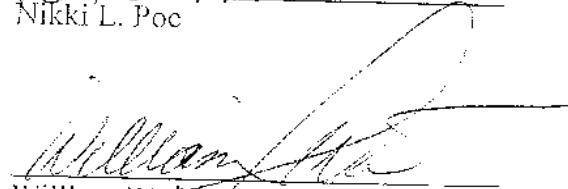
1. Fidelity National Title Insurance Company shall pay to William Watkins and Scott Watkins the sum of \$30,000.00 plus any moneys that they have deposited with the Sheriff's Office of Columbia County that are not returned to them. William Watkins and Scott Watkins hereby agree request a refund of any deposit made with the sheriff as a result of the June 8th sheriff sale. It is agreed that the sheriff shall retain sheriff's costs in the amount of \$2,926.48 and return all other funds to William Watkins and Scott Watkins.

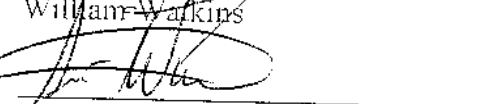
2. Fidelity National Title Insurance Company as the title insurer of Wayne A. Poe and Nikki L. Poe agrees to make full payment for all amounts due on the judgment and mortgage referenced above in favor of Washington Mutual Bank, FA.
3. Craig E. Shaffer and Rosimarie R. Shaffer have received consideration for the sale of their property as a result of the settlement with Wayne A. Poe and Nikki L. Poe held June 3, 2005.
4. Upon satisfaction of all the above conditions the sheriff sale shall be deemed void and the entire matter settled and ended and the property to be deemed vested in the sale Wayne A. Poe and Nikki L. Poe as if the sheriff sale never took place.
5. This stipulation contains the entire agreement between the Parties.

WITNESS our hand and seal this 21 day of September 2005.

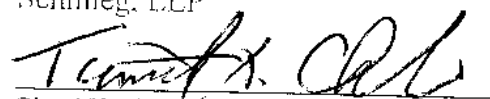

Wayne A. Poe


Nikki L. Poe


William Watkins


Scott Watkins

Washington Mutual Bank, FA by
Attorney Phelan, Hallinan, &
Schmieg, LLP


Sheriff of Columbia County

07/01/05 09:07 FAX 8109253722

FIDELITY NAT'L

002

2. Fidelity National Title Insurance Company as the title insurer of Wayne A. Poe and Nikki L. Poe agrees to make full payment for all amounts due on the judgment and mortgage referenced above in favor of Washington Mutual Bank, FA.
3. Craig E. Shaffer and Rosimarie R. Shaffer have received consideration for the sale of their property as a result of the settlement with Wayne A. Poe and Nikki L. Poe held June 3, 2005.
4. Upon satisfaction of all the above conditions the sheriff sale shall be deemed void and the entire matter settled and ended and the property to be deemed vested in the sale Wayne A. Poe and Nikki L. Poe as if the sheriff sale never took place.
5. This stipulation contains the entire agreement between the Parties.

WITNESS our hand and seal this _____ day of _____ 2005.

Wayne A. Poe

Nikki L. Poe

Craig E. Shaffer

Craig E. Shaffer

Rosimarie R. Shaffer

William Watkins

Scott Watkins

4. Upon satisfaction of all the above conditions the sheriff shall be deemed void and the entire matter settled and ended and the property to be deemed vested in the sale Wayne A. Poe and Nikki L. Poe as if the sheriff sale never took place.
5. This stipulation contains the entire agreement between the Parties.

WITNESS our hand and seal this ____ day of ____ 2005.

Wayne A. Poe

Nikki L. Poe

Craig E. Shaffer

X *Rosmarie R. Shaffer*

Rosmarie R. Shaffer

William Watkins

Scott Watkins

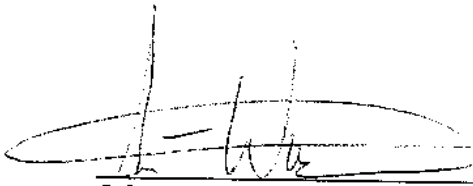


Washington Mutual Bank, FA by
Attorney Phelan, Hallinan, &
Schmieg, LLP Michele M Bradford, Esquire

Sheriff of Columbia County

VERIFICATION

I verify that the statements made in the foregoing Petition are true and correct to the best of my own personal knowledge, information and belief. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.


SCOTT WATKINS

Date: 10-18-05

PHELAN HALLINAN & SCHMIEG, LLP

Suite 1400
1617 JFK Boulevard
Philadelphia, PA 19103-1814
215-563-7000
Fax: 215-563-3459
Email: michele.bradford@fedphe.com

Michele M. Bradford, Esquire

Representing Lenders in
Pennsylvania and New Jersey*

September 1, 2005

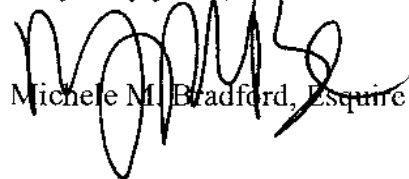
Elwood R. Harding, Jr., Esquire
38 West Third Street
Bloomsburg, PA 17815

RE: Claims for Sheriff's Sale Proceeds

Dear Mr. Harding,

Kindly be advised that I was informed by my local counsel, Mike Dennehy, of your suggestion that my office file Statements of Claims for Sheriff's sale proceeds prior to the Sheriff issuing a schedule of distribution, to avoid the necessity of exceptions to distribution. My office will gladly do so, as it is a more efficient procedure. If you should have any concerns with respect to this, or any other matter, please do not hesitate to contact me.

Very truly yours,



Michele M. Bradford, Esquire

MMB/kah

cc: Sheriff Timothy T. Chamberlain
Chris Papakonstantinou

- SHERIFF'S SALE -

Distribution Sheet

Washington Mutual Bank, F.A. vs. Rosimarie R. Shaffer and Craig E. Shaffer

NO. 1245-2004 JD DATE OF SALE: June 8, 2005

NO. 34-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) June 8, 2005 and (time) 10:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to William Watkins & Scott Watkins for the price or sum of \$94,012.47 (Ninety Four Thousand Twelve and 47/100) Dollars. William Watkins & Scott Watkins being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

| | | |
|----------------------------------|---------------------|---------------------|
| Bid Price | \$ <u>89,000.00</u> | |
| Poundage | <u>1,780.00</u> | |
| Transfer Taxes | <u>2,982.46</u> | |
| Total Needed to Purchase | | \$ <u>94,012.47</u> |
| Amount Paid Down | | <u>9,400.00</u> |
| Balance Needed to Purchase | | <u>84,612.47</u> |

EXPENSES:

| | | |
|--|------------------------|--------------------|
| Columbia County Sheriff - Costs..... | \$ <u>378.50</u> | |
| Poundage | <u>1,780.00</u> | \$ <u>2,158.50</u> |
| Newspaper | | <u>703.64</u> |
| Printing | | <u>-0-</u> |
| Solicitor | | <u>75.00</u> |
| Columbia County Prothonotary | | <u>10.00</u> |
| Columbia County Recorder of Deeds - | Deed copy work | <u>41.50</u> |
| | Realty transfer taxes | <u>1,491.23</u> |
| | State stamps | <u>1,491.23</u> |
| Tax Collector (H. James Hock) | | <u>547.09</u> |
| Columbia County Tax Assessment Office..... | | <u>5.00</u> |
| State Treasurer | | <u>120.00</u> |
| Other: <u>Web Posting</u> | | <u>150.00</u> |
| <u>Lien Search Certificate</u> | | <u>250.00</u> |
| <u>Notary</u> | | <u>12.00</u> |
| | TOTAL EXPENSES: | \$ <u>7,055.19</u> |

| | | |
|------------------------------------|---------------------|------------------|
| Total Needed to Purchase | \$ <u>94,012.47</u> | |
| Less Expenses | <u>7,055.19</u> | |
| Net to First Lien Holder | | <u>44,736.13</u> |
| Plus Deposit | | <u>1,350.00</u> |
| Total to First Lien Holder | \$ <u>46,086.13</u> | |
| Domestic Relations | | <u>94.75</u> |
| So answers Defendants (Shaffer) | | <u>40,776.40</u> |

Sheriff's Office, Bloomsburg, Pa. }

June 17, 2005

So answers

Timothy T. Chamberlain
Timothy T. Chamberlain

Sheriff

*RECORD OWNER AND
LIEN CERTIFICATE*

Commonwealth Land Title Insurance Company

Premier Real Estate Settlement Services, Inc.

Elwood R. Harding, Jr., Agent

No. 2005-010

ATTACHED TO AND FORMING A PART OF RECORD OWNER AND LIEN

CERTIFICATE NO. 2005 - 010

Subject to the encumbrance and claims as follows:

TAXES: Account No. 31-04-052-01

Lienable Water and Sewer Rents – Paid

Mechanics and Municipal Claims – Paid

Mortgages: 1) Craig E. Shaffer and Rosimarie R. Shaffer to PNC Mortgage Corp.
Dated 2-22-98
Recorded in Columbia County Record Book 617, page 448
\$ 80,000.00

Washington Mutual Bank, F.A. vs. Craig E. Shaffer and Rosimarie R. Shaffer
Complaint in Mortgage Foreclosure filed on Nov. 5, 2004 to #1245-CV- 2004.
Female Defendant served by Sheriff on Dec. 10, 2004
Complaint Re-instated 1-26-05
Male Defendant served by Sheriff- handed to Mother on 2-4-05
Judgment in Mortgage Foreclosure filed 3-28-05
Writ of Execution # 34 ED- 2005 filed 3-28-05
Male Defendant served by Sheriff by handing to mother on 3-31-05
Female Defendant served by Sheriff on 3-31-05

Bankruptcies: None of record in Columbia County

Exceptions:

NOTE: The status or validity of title to the subject premises may be affected by matters disclosed by survey, rights of parties in possession and other items not found of record and not certified hereon. Therefore, the Applicant is cautioned against using this Certificate as a basis for consummating a real estate transaction, until this Certificate is converted into a Title Binder or Commitment at which time additional exceptions and settlement requirements will be added.

Settlement or removal of items and exceptions will not be made on this Certificate. This Certificate may be converted into a report for title insurance at any time. If the conversion is made within six months from the date hereof, credit will be allowed against the fee previously paid.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Record Owner and Lien Certificate

Order No. 2005 -010

Effective Date: June 8, 2005

Based upon the examination of evidence in the appropriate public records, Company certifies that the premises endorsed hereon are subject to the liens, encumbrances and exceptions to title hereinafter set forth. This Certificate does not constitute title insurance; liability hereunder is assumed by the Company solely in its capacity as a abstractor for its negligence, mistakes or omissions in a sum not exceeding Two Thousand Dollars unless otherwise endorsed hereon.

.....

Legal Description – See attached Exhibit A

Record Owner: Craig E. Shaffer and Rosimarie R. Shaffer

Title to the said premises is vested in Craig E. Shaffer and Rosimarie R. Shaffer

ALL THAT CERTAIN piece, parcel and tract of land situate in the Township of Scott,
County of Columbia, State of Pennsylvania, bounded and described as follows:
BEGINNING at a point on the Southerly right-of-way of Pennsylvania State Highway
Legislative Route No. 19091 leading from South Centre Township to Lightstreet Village, said
point being 16.50 feet South of the center line of the macadam, said pin also being 25.00 feet
distant on a course running North 73 degrees 58 minutes East from the Northeast corner of
lands now or late of James A. and Audrey R. Magee, thence running along the Southerly
right-of-way of Pennsylvania State Highway Legislative Route No. 19091, North 73 degrees
58 minutes East, 200.00 feet to an iron pin and lands now or late of Howard and Raymond
Shaffer; thence running along lands now or late of said Shaffer, South 12 degrees 05 minutes
East, 248.00 feet to an iron pin; thence running along same, South 76 degrees 45 minutes
West, 199.56 feet to an iron pin; thence running along same, North 12 degrees 05 minutes
West, 238.28 feet to the place of beginning.
CONTAINING 1.114 acres of land. This description was prepared from a survey made by T.
Bryce James, R.S., No. 4708-E, on December 30, 1965
Tax Parcel #31-04-052-01
PREMISES BEING: 674 SAW MILL ROAD, A/K/A RD#5 BOX 134, BLOOMSBURG, PA
17815
TITLE TO SAID PREMISES IS VESTED IN Craig E. Shaffer and Rosimarie R. Shaffer, his
wife by Deed from Leroy O. Diehl, Jr. and Brenda L. Diehl, his wife dated 2/22/1996 and
recorded 2/23/1996 in Record Book 617, Page 444.

IN THE COURT OF COMMON PLEAS
OF THE 26TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COLUMBIA COUNTY BRANCH
CIVIL DIVISION
NO: 1245 CV 2004

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

Vs.

ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER

ORDER OF COURT

AND NOW, this 14 day of July 2005, upon consideration of the Plaintiff's
Exceptions to Sheriff's Sale Distribution, it is hereby directed that ~~pre-hearing~~/hearing
shall be held on the 30th day of August 2005, at 9:00 A. M., in Courtroom
#1, Columbia County Courthouse, Bloomsburg, Pennsylvania.

The Plaintiff on all parties shall make Service of the Exceptions and this Order
involved in this matter.

BY THE COURT:



FILED
PROTHONOTARY
JUL 19 P 3:43
CLERK OF COURTS OFFICE
COUNTY OF COLUMBIA PA

Item 4 If Restricted Delivery is desired.
Print your name and address on the reverse
so that we can return the card to you.
Attach this card to the back of the mailpiece,
or on the front if space permits.

Article Addressed to:

INTERNAL REVENUE SERVICE
TECHNICAL SUPPORT GROUP
WILLIAM GREEN FEDERAL BUILDING
600 ARCH STREET ROOM 3259
PHILADELPHIA, PA 19106

☒ Restricted Delivery
B. Received by (Printed Name)
DAVID R. ELLER
C. Date of Delivery
APR 01 2005
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below:

1. Article Addressed to:

COMMONWEALTH OF PA
DEPT. OF REVENUE: SHERIFF SALE
BUREAU OF COMPLIANCE
CLEARANCE SUPPORT SECTION
DEPARTMENT 281230
HARRISBURG, PA 17128-1230

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number
(Transfer from service label) 7003 0500 0001 9056 0774

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-14

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Commonwealth of PA
PO Box 2675
Harrisburg, PA 17105

2. Article Number
(Transfer from service label)

7003 0500 0001 9056 0781

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature *David R. Eller* ☒ Agent ☐ Address
B. Received by (Printed Name) *DAVID R. ELLER* C. Date of Delivery *APR 01 2005*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

OFFICE OF F.A.I.R.
DEPARTMENT OF PUBLIC WELFARE
PO BOX 8016
HARRISBURG, PA 17105

2. Article Number
(Transfer from service label)

7003 0500 0001 9056 0750

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature *David R. Eller* ☒ Agent ☐ Address
B. Received by (Printed Name) *DAVID R. ELLER* C. Date of Delivery *APR 01 2005*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

U. S. SMALL BUSINESS ADMINISTRATION
PHILADELPHIA DISTRICT OFFICE
ROBERT N. C. NIX FEDERAL BUILDING
900 MARKET STREET- 5TH FLOOR
PHILADELPHIA, PA 19107

2. Article Number
(Transfer from service label)

7003 0500 0001 9056 0743

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature *David R. Eller* ☒ Agent ☐ Address
B. Received by (Printed Name) *DAVID R. ELLER* C. Date of Delivery *APR 01 2005*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

☒ Restricted Delivery
B. Received by (Printed Name)
DAVID R. ELLER
C. Date of Delivery
APR 01 2005
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number
(Transfer from service label) 7003 0500 0001 9056 0743

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-14

PHELAN HALLINAN & SCHMIEG, LLP

BY: MICHELE M. BRADFORD, ESQUIRE

Identification No. 69849

One Penn Center At Suburban Station

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A.,
S/B/M To Washington Mutual Home Loans, Inc.,
F/K/A PNC Mortgage Corp. of America

Plaintiff

vs.

Rosimarie R. Shaffer
Craig E. Shaffer

Defendant

: COURT OF COMMON PLEAS

:

:

: CIVIL DIVISION

:

: Columbia County

:

:

:

: No. 2004-CV-1245

:

FILE COPY

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing Exceptions to Sheriff's Sale

were served by regular mail on:

Rosimarie R. Shaffer
674 Saw Mill Road, A/K/A RD #5 Box 134
Bloomsburg, PA 17815

William and Scott Watkins
48 Vista Road
Berwick, PA 18603

Craig E. Shaffer
3410 Shaffer Road
Bloomsburg, PA 17815

Domestic Relations of Columbia County
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815

Office of the Sheriff
Columbia County Courthouse
35 W. Main Street
Bloomsburg, PA 17815

Respectfully submitted,

PHELAN HALLINAN AND SCHMIEG, LLP

By: 

Michele M. Bradford, Esq.
Attorney for Plaintiff

Date: June 23, 2005

IN THE COURT OF COMMON PLEAS COLUMBIA, PENNSYLVANIA

| | | |
|--|---|-----------------------|
| Washington Mutual Bank, F.A., | : | COURT OF COMMON PLEAS |
| S/D/M To Washington Mutual Home Loans, Inc., | : | |
| B/K/A PNC Mortgage Corp. of America | : | |
| | : | CIVIL DIVISION |
| Plaintiff | : | |
| | : | Columbia County |
| vs. | : | |
| | : | |
| Raymond K. Shaffer | : | |
| Craig E. Shaffer | : | No. 2004-CV-1245 |
| Defendant | : | |

ORDER

AND NOW, this day of , 2005, upon consideration of
Plaintiff's Exceptions to Sheriff's Sale Distribution Pursuant to Pa.R.C.P., 3136(d), it is
Thereby:

ORDERED and DECREED that said Exceptions are granted and that the Sheriff is
hereby directed to issue a revised Schedule of Distribution providing for the balance of the
proceeds realized from the sale be paid first for the taxes and costs as outlined in the proposed
Schedule of Distribution, then distribute the sum of \$51,270.41 to the executing Plaintiff by and
through its attorney, Phelan, Hallinan and Schmieg, LLP

J.

PHILAN HALLINAN AT _ SCHMIEG, LLP

By: MICHELE M. BRADFORD, ESQ.

Aity. I.D. No. 69849

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19102-1799

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A.,
S/B/M To Washington Mutual Home Loans, Inc.,
F/K/A PNC Mortgage Corp. of America

Plaintiff

vs.

Rosmarie R. Shaffer

Craig E. Shaffer

Defendant

: COURT OF COMMON PLEAS

:

:

: CIVIL DIVISION

:

: Columbia County

:

:

:

: No. 2004-CV-1245

:

EXCEPTIONS TO SHERIFF'S SALE DISTRIBUTION
PURSUANT TO PA.R.C.P., RULE 3136(d)

And now comes Plaintiff, Washington Mutual Bank, F.A., S/B/M To Washington Mutual Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, by and through its counsel, Phelan Hallinan & Schmieg, LLP, and prays that this Honorable Court grant Plaintiff's Exceptions to Sheriff's Sale Distribution of Proceeds for the following reasons:

1. The Plaintiff is Washington Mutual Bank, F.A., S/B/M To Washington Mutual Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, the holder of that certain Mortgage dated February 22, 1996 and recorded February 23, 1996 in Mortgage Book 617 Page 448.
2. The underlying loan became delinquent and Plaintiff initiated foreclosure proceedings on November 5, 2004. Attached hereto, made a part hereof and marked as Exhibit "A" is a true and correct copy of the Complaint in mortgage foreclosure.
3. On June 8, 2005, the premises located at 674 Saw Mill Road, A/K/A RD #5 Box 134, Bloomsburg, PA 17815 was sold at judicial sale pursuant to Writ of Execution issued out of the captioned case. Attached hereto, made a part hereof, and marked as Exhibit "B" is a true and correct copy of the Praecipe for Judgment and Writ of

Execution.

4. At the judicial sale, the property was struck down to third party bidders, William and Scott Watkins for the amount of \$89,000.00.
5. On or about June 17, 2005, in accordance with Pa.R.C.P. 3136(d), the Sheriff issued a proposed Schedule of Distribution, which distribution listed the Plaintiff as receiving \$44,736.13. Attached hereto, made a part hereof and marked as Exhibit "C" is a true and correct copy of the Sheriff's proposed Schedule of Distribution.
6. The Sheriff's proposed Schedule of Distribution fails to reference the proper amount to be paid to the executing Plaintiff.
7. Plaintiff believes and therefore avers, that it is entitled to proceeds in the amount of \$51,270.41, as it has expended additional sums to pay real estate taxes and other costs collectable under the Note and Mortgage relative to the mortgaged property. The Superior Court of Pennsylvania held in the case of Extraco Mortgage v. Williams 2002 WL 1737474 (Pa. Super 2002), that payments for taxes, insurance, and other costs relate back to the date of the Mortgage for priority and that those amounts can be collected in distribution of third party sale proceeds even if they were not claimed in the mortgage foreclosure Complaint or included in the judgment amount.
8. Plaintiff is entitled to be paid these additional sums from distribution of the sale proceeds in this matter. The amounts due Plaintiff are as follows:

| | |
|--------------------------|--------------------|
| Principal Balance | \$39,592.60 |
| Interest to June 8, 2005 | \$3,328.44 |
| Escrow | \$4,524.95 |
| Late Charges | \$339.72 |
| Other Fee | \$108.80 |
| Property Preservation | \$10.90 |
| Fees and Costs | <u>\$3,365.00</u> |
| Total | \$51,270.41 |

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order directing distribution to the executing Plaintiff in the amount of \$51,270.41.

Respectfully submitted,

PHELAN HALLINAN AND SCHMIEG, LLP

Date: June 23, 2005

By: 

Michele M. Bradford, Esq.
Attorney for Plaintiff

EXHIBIT A

FEDERMAN PHELAN, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON
MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

Plaintiff

COLUMBIA COUNTY

v.

ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER
674 SAW MILL ROAD
A/K/A, RD #5 BOX 134
BLOOMSBURG, PA 17815

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.

Notice to Defend:
North Penn Legal Services
168 East 5th Street
Bloomsburg, PA 17815
570-784-8760

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A.,
S/T/M TO WASHINGTON MUTUAL HOME LOANS, INC.,
E/K/A PNC MORTGAGE CORP. OF AMERICA
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

ROSIMARIE R. SHAFFER
CRAIG F. SHAFFER
674 SAW MILL ROAD
A/K/A, RD #5 BOX 134
BLOOMSBURG, PA 17815

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

3. On 02/22/1996 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of COLUMBIA County, in Mortgage Book: 617, Page: 448.

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 06/01/2004 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 | \$39,592.60 |
| Interest | 1,554.76 |
| 05/01/2004 through 11/04/2004 (Per Diem \$8.27) | |
| Attorney's Fees | 1,225.00 |
| Cumulative Late Charges 02/22/1996 to 11/04/2004 | 113.24 |
| Cost of Suit and Title Search | \$ 550.00 |
| Subtotal | \$ 43,035.60 |
| Escrow | |
| Credit | 0.00 |
| Deficit | 0.00 |
| Subtotal | \$ 0.00 |
| TOTAL | \$ 43,035.60 |

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 43,035.60, together with interest from 11/04/2004 at the rate of \$8.27 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.

FEDERMAN PHELAN, LLP

By: 

/s/ Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE

FRANCIS S. HALLINAN, ESQUIRE

Attorneys for Plaintiff

ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND SITUATE IN THE
TOWNSHIP OF SCOTT, COUNTY OF COLUMBIA, STATE OF PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF
PENNSYLVANIA STATE HIGHWAY LEGISLATIVE ROUTE NO. 19091 LEADING
FROM SOUTH CENTRE TOWNSHIP TO LIGHTSTREET VILLAGE, SAID POINT
BEING 16.50 FEET SOUTH OF THE CENTER LINE OF THE MACADAM, SAID
PIN ALSO BEING 25.00 FEET DISTANT ON A COURSE RUNNING NORTH 73
DEGREES 58 MINUTES EAST FROM THE NORTHEAST CORNER OF LANDS NOW OR
LATE OF JAMES A. AND ADDREY R. MAGER; THENCE RUNNING ALONG THE
SOUTHERLY RIGHT-OF-WAY OF PENNSYLVANIA STATE HIGHWAY LEGISLATIVE
ROUTE NO. 19091, NORTH 73 DEGREES 58 MINUTES EAST, 200.00 FEET TO
AN IRON PIN AND LANDS NOW OR LATE OF HOWARD AND RAYMOND SHAFFER;
THENCE RUNNING ALONG LANDS NOW OR LATE OF SAID SHAFFER, SOUTH 12
DEGREES 05 MINUTES EAST, 248.00 FEET TO AN IRON PIN; THENCE
RUNNING ALONG SAME, SOUTH 76 DEGREES 45 MINUTES WEST, 199.56 FEET
TO AN IRON PIN; THENCE RUNNING ALONG SAME, NORTH 12 DEGREES 05
MINUTES WEST, 238.28 FEET TO THE PLACE OF BEGINNING. THIS
DESCRIPTION WAS PREPARED FROM A SURVEY MADE BY T. BRYCE JAMES,
R.S., NO. 4708-E, ON DECEMBER 30, 1965.

BEING THE SAME PROPERTY CONVEYED TO CRAIG E. SHAFFER AND
ROSIMARIE R. SHAFFER, HUSBAND AND WIFE BY DEED FROM LEROY O.
DIEHL, JR. AND BRENDA L. DIEHL, HUSBAND AND WIFE RECORDED
02/23/1996 IN DEED BOOK 617 PAGE 444, IN THE OFFICE OF THE
RECORDER OF DEEDS OF COLUMBIA COUNTY, PENNSYLVANIA.

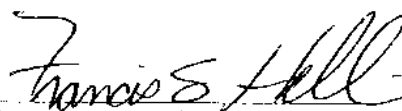
TAX ID# 31-04-052-01

PREMISES BEING: 674 SAW MILL ROAD, A/K/A RD #5 BOX 134.

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. § 4904 relating to unsworn falsifications to authorities.


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE 11-4-04

EXHIBIT B

PHILAN HALLINAN & SCHMIEG
Phelan Hallinan & Schmieg, L.L.P.
By: **DANIEL G. SCHMIEG**
Identification No. 62205
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
8120 NATIONS WAY, BLDG 100
JACKSONVILLE, FL 32256

Plaintiff,

v.

ROSIMARIE R. SHAFFER
674 SAW MILL ROAD, A/K/A RD #5 BOX 134
BLOOMSBURG, PA 17815

CRAIG E. SHAFFER
3410 SHARRER ROAD
BLOOMSBURG, PA 17015

Defendant(s).

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

TO THE PROTHONOTARY:

Kindly assess damages in favor of the Plaintiff and against **ROSIMARIE R. SHAFFER and CRAIG E. SHAFFER**, Defendants, for foreclosure and sale of the mortgaged as follows:

| | |
|-------------------------------|--------------------|
| As set forth in the Complaint | \$43,035.60 |
| Interest - 11/5/04 TO 3/24/05 | \$1,149.53 |
| TOTAL | \$44,185.13 |

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, a copy of which is attached.

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED
DATE: 3-28-2005

PROTHONOTARY

**ATTORNEY FILE COPY
PLEASE RETURN**

2005 MAR 29 A 10:46

FILED
PROTHONOTARY

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

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

Plaintiff

vs.

ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER

Defendant(s)

: COURT OF COMMON PLEAS
: COLUMBIA COUNTY, PA
:
: NO: 2004-CV-1245
: *2005-ED-34*
: PRAECIPE FOR WRIT OF EXECUTION
: (MORTGAGE FORECLOSURE)
:
:
:

ATTORNEY FILE COPY
PLEASE RETURN

TO THE OFFICE OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

\$44,185.13

Interest from 3/25/05

Arrears date

(per item - \$7.26)

\$_____ and Costs

Tool

D. Schmiege
DANIEL G. SCHMIEGE, ESQUIRE
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Attorney for Plaintiff

Note: Please attach description of property.

EXHIBIT C

SHERIFF'S SALE

Distribution Sheet

Washington Mutual Bank, F.A. vs. Rosimarie R. Shaffer and Craig E. Shaffer

NO. 1245-2004 JD DATE OF SALE: June 8, 2005

NO. 34-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) June 8, 2005 and (time) 10:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to William Watkins & Scott Watkins for the price or sum of \$94,012.47 (Ninety Four Thousand Twelve and 47/100) Dollars. William Watkins & Scott Watkins being the highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

| | | | |
|---|----|------------------|--------------------|
| Bid Price | \$ | <u>89,000.00</u> | |
| Poundage | | <u>1,780.00</u> | |
| Transfer Taxes | | <u>2,982.46</u> | |
| Total Needed to Purchase | \$ | | <u>94,012.47</u> |
| Amount Paid Down | | | <u>9,400.00</u> |
| Balance Needed to Purchase | | | <u>84,612.47</u> |
| EXPENSES: | | | |
| Columbia County Sheriff - Costs | \$ | <u>378.50</u> | |
| Poundage | | <u>1,780.00</u> | \$ <u>2,158.50</u> |
| Newspaper | | | <u>703.64</u> |
| Printing | | | <u>-0-</u> |
| Solicitor | | | <u>75.00</u> |
| Columbia County Prothonotary | | | <u>10.00</u> |
| Columbia County Recorder of Deeds - | | | |
| Deed copy work | | | <u>41.50</u> |
| Realty transfer taxes | | | <u>1,491.23</u> |
| State stamps | | | <u>1,491.23</u> |
| Tax Collector (H. James Hock) | | | <u>547.09</u> |
| Columbia County Tax Assessment Office | | | <u>5.00</u> |
| State Treasurer | | | <u>120.00</u> |
| Other: Web Posting | | | <u>150.00</u> |
| Lien Search Certificate | | | <u>250.00</u> |
| Notary | | | <u>12.00</u> |
| TOTAL EXPENSES: | \$ | | <u>7,055.19</u> |

| | | |
|----------------------------|----|------------------|
| Total Needed to Purchase | \$ | <u>94,012.47</u> |
| Less Expenses | | <u>7,055.19</u> |
| Net to First Lien Holder | | <u>44,736.13</u> |
| Plus Deposit | | <u>1,350.00</u> |
| Total to First Lien Holder | \$ | <u>46,086.13</u> |
| Domestic Relations | | <u>94.75</u> |
| Defendants (Shaffer) | | <u>40,776.40</u> |

Sheriff's Office, Bloomsburg, Pa. }

June 17, 2005

So answers

Timothy T. Chamberlain
Timothy T. Chamberlain

Sheriff

VERIFICATION

I, Michele M. Bradford, Esquire, hereby state that I am the attorney for the Plaintiff herein and am authorized to make this verification. I hereby verify that the information contained in Plaintiff's Exceptions to Sheriff's Sale Distribution Pursuant to Pa.R.C.P., 3136(d) is true and correct to the best of my knowledge, information and belief. I am aware that this verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

PHILAN HALLINAN AND SCHMIEG, LLP

By: 

Michele M. Bradford, Esq.
Attorney for Plaintiff

Date: June 23, 2005

IN THE COURT OF COMMON PLEAS COLUMBIA, PENNSYLVANIA

| | | |
|--|---|-----------------------|
| Washington Mutual Bank, F.A., | : | COURT OF COMMON PLEAS |
| S/B/M To Washington Mutual Home Loans, Inc., | : | |
| F/K/A PNC Mortgage Corp. of America | : | |
| | : | CIVIL DIVISION |
| Plaintiff | : | |
| | : | Columbia County |
| vs. | : | |
| | : | |
| Rosimarie R. Shaffer | : | |
| Craig E. Shaffer | : | No. 2004-CV-1245 |
| Defendant | : | |

ORDER

AND NOW, this day of , 2005, upon consideration of
Plaintiff's Exceptions to Sheriff's Sale Distribution Pursuant to Pa.R.C.P., 3136(d), it is
hereby:

ORDERED and DECREED that said Exceptions are granted and that the Sheriff is
hereby directed to issue a revised Schedule of Distribution providing for the balance of the
proceeds realized from the sale be paid first for the taxes and costs as outlined in the proposed
Schedule of Distribution, then distribute the sum of \$51,270.41 to the executing Plaintiff by and
through its attorney, Phelan, Hallinan and Schmieg, LLP

J.

PHELAN HALLINAN AND SCHMIEG, LLP

By: MICHELE M. BRADFORD, ESQ.

Atty. I.D. No. 69849

One Penn Center Plaza, Suite 1400

Philadelphia, PA 19102-1799

(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A.,
S/B/M To Washington Mutual Home Loans, Inc.,
F/K/A PNC Mortgage Corp. of America

Plaintiff

vs.

Rosimarie R. Shaffer
Craig E. Shaffer

Defendant

: COURT OF COMMON PLEAS

:

:

:

: CIVIL DIVISION

:

: Columbia County

:

:

:

: No. 2004-CV-1245

:

EXCEPTIONS TO SHERIFF'S SALE DISTRIBUTION
PURSUANT TO P.A.R.C.P., RULE 3136(d)

And now comes Plaintiff, Washington Mutual Bank, F.A., S/B/M To Washington Mutual Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, by and through its counsel, Phelan Hallinan & Schmieg, LLP, and prays that this Honorable Court grant Plaintiff's Exceptions to Sheriff's Sale Distribution of Proceeds for the following reasons:

1. The Plaintiff is Washington Mutual Bank, F.A., S/B/M To Washington Mutual Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, the holder of that certain Mortgage dated February 22, 1996 and recorded February 23, 1996 in Mortgage Book 617 Page 448.
2. The underlying loan became delinquent and Plaintiff initiated foreclosure proceedings on November 5, 2004. Attached hereto, made a part hereof and marked as Exhibit "A" is a true and correct copy of the Complaint in mortgage foreclosure.
3. On June 8, 2005, the premises located at 674 Saw Mill Road, A/K/A RD #5 Box 134, Bloomsburg, PA 17815 was sold at judicial sale pursuant to Writ of Execution issued out of the captioned case. Attached hereto, made a part hereof, and marked as Exhibit "B" is a true and correct copy of the Praecipe for Judgment and Writ of

2005 JUN 24 A 11:17

CLERK OF COURT

Execution.

4. At the judicial sale, the property was struck down to third party bidders, William and Scott Watkins for the amount of \$89,000.00.
5. On or about June 17, 2005, in accordance with Pa.R.C.P. 3136(d), the Sheriff issued a proposed Schedule of Distribution, which distribution listed the Plaintiff as receiving \$44,736.13. Attached hereto, made a part hereof and marked as Exhibit "C" is a true and correct copy of the Sheriff's proposed Schedule of Distribution.
6. The Sheriff's proposed Schedule of Distribution fails to reference the proper amount to be paid to the executing Plaintiff.
7. Plaintiff believes and therefore avers, that it is entitled to proceeds in the amount of \$51,270.41, as it has expended additional sums to pay real estate taxes and other costs collectable under the Note and Mortgage relative to the mortgaged property. The Superior Court of Pennsylvania held in the case of Extraco Mortgage v. Williams 2002 WL 1737474 (Pa. Super 2002), that payments for taxes, insurance, and other costs relate back to the date of the Mortgage for priority and that those amounts can be collected in distribution of third party sale proceeds even if they were not claimed in the mortgage foreclosure Complaint or included in the judgment amount.
8. Plaintiff is entitled to be paid these additional sums from distribution of the sale proceeds in this matter. The amounts due Plaintiff are as follows:

| | |
|--------------------------|--------------------|
| Principal Balance | \$39,592.60 |
| Interest to June 8, 2005 | \$3,328.44 |
| Escrow | \$4,524.95 |
| Late Charges | \$339.72 |
| Other Fee | \$108.80 |
| Property Preservation | \$10.90 |
| Fees and Costs | <u>\$3,365.00</u> |
| Total | \$51,270.41 |

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order directing distribution to the executing Plaintiff in the amount of \$51,270.41.

Respectfully submitted,

PHELAN HALLINAN AND SCHMIEG, LLP

Date: June 23, 2005

By: 

Michele M. Bradford, Esq.
Attorney for Plaintiff

EXHIBIT A

FEDERMAN PHELAN, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON
MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO.

Plaintiff

COLUMBIA COUNTY

v.

ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER
674 SAW MILL ROAD
A/K/A, RD #5 BOX 134
BLOOMSBURG, PA 17815

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.

Notice to Defend:
North Penn Legal Services
168 East 5th Street
Bloomsburg, PA 17815
570-784-8760

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF
THE DEBT OR ANY PORTION THEREOF. IF
DEFENDANT(S) DO SO IN WRITING WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
OBTAIN AND PROVIDE DEFENDANT(S) WITH
WRITTEN VERIFICATION THEREOF;
OTHERWISE, THE DEBT WILL BE ASSUMED TO
BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS
PLEADING, COUNSEL FOR PLAINTIFF WILL
SEND DEFENDANT(S) THE NAME AND ADDRESS
OF THE ORIGINAL CREDITOR, IF DIFFERENT
FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT
UNTIL THE END OF THE THIRTY (30) DAY
PERIOD FOLLOWING FIRST CONTACT WITH
YOU BEFORE SUING YOU TO COLLECT THIS
DEBT. EVEN THOUGH THE LAW PROVIDES
THAT YOUR ANSWER TO THIS COMPLAINT IS
TO BE FILED IN THIS ACTION WITHIN TWENTY
(20) DAYS, YOU MAY OBTAIN AN EXTENSION OF
THAT TIME. FURTHERMORE, NO REQUEST
WILL BE MADE TO THE COURT FOR A
JUDGMENT UNTIL THE EXPIRATION OF THIRTY
(30) DAYS AFTER YOU HAVE RECEIVED THIS
COMPLAINT. HOWEVER, IF YOU REQUEST
PROOF OF THE DEBT OR THE NAME AND
ADDRESS OF THE ORIGINAL CREDITOR WITHIN
THE THIRTY (30) DAY PERIOD THAT BEGINS
UPON YOUR RECEIPT OF THIS COMPLAINT,
THE LAW REQUIRES US TO CEASE OUR
EFFORTS (THROUGH LITIGATION OR
OTHERWISE) TO COLLECT THE DEBT UNTIL
WE MAIL THE REQUESTED INFORMATION TO
YOU. YOU SHOULD CONSULT AN ATTORNEY
FOR ADVICE CONCERNING YOUR RIGHTS AND
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
8120 NATIONS WAY
BUILDING 100
JACKSONVILLE, FL 32256

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

ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER
674 SAW MILL ROAD
A/K/A, RD #5 BOX 134
BLOOMSBURG, PA 17815

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

3. On 02/22/1996 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of COLUMBIA County, in Mortgage Book: 617, Page: 448.
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 06/01/2004 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 | \$39,592.60 |
| Interest | 1,554.76 |
| 05/01/2004 through 11/04/2004 (Per Diem \$8.27) | |
| Attorney's Fees | 1,225.00 |
| Cumulative Late Charges | 113.24 |
| 02/22/1996 to 11/04/2004 | |
| Cost of Suit and Title Search | \$ 550.00 |
| Subtotal | \$ 43,035.60 |
| Escrow | |
| Credit | 0.00 |
| Deficit | 0.00 |
| Subtotal | \$ 0.00 |
| TOTAL | \$ 43,035.60 |

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 43,035.60, together with interest from 11/04/2004 at the rate of \$8.27 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.

FEDERMAN PHELAN, LLP

By:

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

Attorneys for Plaintiff

ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND SITUATE IN THE
TOWNSHIP OF SCOTT, COUNTY OF COLUMBIA, STATE OF PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF
PENNSYLVANIA STATE HIGHWAY LEGISLATIVE ROUTE NO. 19091 LEADING
FROM SOUTH CENTRE TOWNSHIP TO LIGHTSTREET VILLAGE, SAID POINT
BEING 16.50 FEET SOUTH OF THE CENTER LINE OF THE MACADAM, SAID
PIN ALSO BEING 25.00 FEET DISTANT ON A COURSE RUNNING NORTH 73
DEGREES 58 MINUTES EAST FROM THE NORTHEAST CORNER OF LANDS NOW OR
LATE OF JAMES A. AND ADDREY R. MAGEE; THENCE RUNNING ALONG THE
SOUTHERLY RIGHT-OF-WAY OF PENNSYLVANIA STATE HIGHWAY LEGISLATIVE
ROUTE NO. 19091, NORTH 73 DEGREES 58 MINUTES EAST, 200.00 FEET TO
AN IRON PIN AND LANDS NOW OR LATE OF HOWARD AND RAYMOND SHAFER;
THENCE RUNNING ALONG LANDS NOW OR LATE OF SAID SHAFER, SOUTH 12
DEGREES 05 MINUTES EAST, 248.00 FEET TO AN IRON PIN; THENCE
RUNNING ALONG SAME, SOUTH 76 DEGREES 45 MINUTES WEST, 199.56 FEET
TO AN IRON PIN; THENCE RUNNING ALONG SAME, NORTH 12 DEGREES 05
MINUTES WEST, 238.28 FEET TO THE PLACE OF BEGINNING. THIS
DESCRIPTION WAS PREPARED FROM A SURVEY MADE BY T. BRYCE JAMES,
R.S., NO. 4706-E, ON DECEMBER 30, 1965.

BEING THE SAME PROPERTY CONVEYED TO CRAIG E. SHAFER AND
ROSIMARIE R. SHAFER, HUSBAND AND WIFE BY DEED FROM LEROY O.
DIEHL, JR. AND BRENDA L. DIEHL, HUSBAND AND WIFE RECORDED
02/23/1996 IN DEED BOOK 617 PAGE 444, IN THE OFFICE OF THE
RECORDER OF DEEDS OF COLUMBIA COUNTY, PENNSYLVANIA.

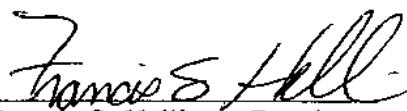
TAX ID# 31-04-052-01

PREMISES BEING: 674 SAW MILL ROAD, A/K/A RD #5 BOX 134.

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: 11-4-04

EXHIBIT B

PHELAN HALLINAN & SCHMIEG

Phelan Hallinan & Schmieg, L.L.P.

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO

WASHINGTON MUTUAL HOME LOANS, INC.,

F/K/A PNC MORTGAGE CORP. OF AMERICA

8120 NATIONS WAY, BLDG 100

JACKSONVILLE, FL 32256

Plaintiff,

v.

ROSIMARIE R. SHAFFER

674 SAW MILL ROAD, A/K/A RD #5 BOX 134

BLOOMSBURG, PA 17815

CRAIG E. SHAFFER

3410 SHARRER ROAD

BLOOMSBURG, PA 17015

Defendant(s).

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

TO THE PROTHONOTARY:

Kindly assess damages in favor of the Plaintiff and against **ROSIMARIE R. SHAFFER and CRAIG E. SHAFFER**, Defendants, for foreclosure and sale of the mortgaged as follows:

| | |
|-------------------------------|--------------------|
| As set forth in the Complaint | \$43,035.60 |
| Interest -11/5/04 TO 3/24/05 | \$1,149.53 |
| TOTAL | \$44,185.13 |

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, a copy of which is attached.

D. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

**COLUMBIA COUNTY
COURT OF COMMON PLEAS**

CIVIL DIVISION

NO. 2004-CV-1245

**ATTORNEY FILE COPY
PLEASE RETURN**

2005 MAR 28 A 10:46

**FILED
PROTHONOTARY**

**ATTORNEY FILE COPY
PLEASE RETURN**

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

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

Plaintiff

vs.

**ROSIMARIE R. SHAFFER
CRAIG E. SHAFFER**

Defendant(s)

**: COURT OF COMMON PLEAS
: COLUMBIA COUNTY, PA
:
: NO: 2004-CV-1245
: *2005-ED-34*
: PRAECIPE FOR WRIT OF EXECUTION
: (MORTGAGE FORECLOSURE)
:
:
:**

**ATTORNEY FILE COPY
PLEASE RETURN**

TO THE OFFICE OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

\$44,185.13

Interest from 3/25/05
to sale date
(per diem - \$7.26)

\$_____ and Costs

Total

**ATTORNEY FILE COPY
PLEASE RETURN**

D. Schmiege
**DANIEL G. SCHMIEG, ESQUIRE
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Attorney for Plaintiff**

Note: Please attach description of property.

**FILED
PROTHONOTARY
2005 MAR 28 A 10:47**

EXHIBIT C

SHERIFF'S SALE

Distribution Sheet

Washington Mutual Bank, F.A. vs. Rosmarie R. Shaffer and Craig E. Shaffer
 NO. 1245-2004 JD DATE OF SALE: June 8, 2005
 NO. 34-2005 ED

I HEREBY CERTIFY AND RETURN, That in obedience to and by virtue of the within writ, to me directed, I seized and took into execution the within described real estate, and after having given due legal and timely notice of the time and place of sale, by advertisements in divers public newspapers and by handbills set up in the most public places in my bailiwick, I did on (date) June 8, 2005 and (time) 10:00 am, of said day at the Court House, in the Town of Bloomsburg, Pennsylvania, expose said premises to sale at public vendue or outcry, when and where I sold the same to William Watkins & Scott Watkins for the price or sum of \$94,012.47 (Ninety Four Thousand Twelve and 47/100) Dollars. William Watkins & Scott Watkins being the

highest and best bidder, and that the highest and best price bidden for the same; which I have applied as follows:

| | | |
|----------------------------------|--------------|--------------|
| Bid Price | \$ 89,000.00 | |
| Poundage | 1,780.00 | |
| Transfer Taxes | 2,982.46 | |
| Total Needed to Purchase | | \$ 94,012.47 |
| Amount Paid Down | | 9,400.00 |
| Balance Needed to Purchase | | 84,612.47 |

EXPENSES:

| | | |
|--|-------------|-------------|
| Columbia County Sheriff - Costs | \$ 378.50 | |
| Poundage | 1,780.00 | \$ 2,158.50 |
| Newspaper | | 703.64 |
| Printing | | -0- |
| Solicitor | | 75.00 |
| Columbia County Prothonotary | | 10.00 |
| Columbia County Recorder of Deeds - Deed copy work | | 41.50 |
| Realty transfer taxes | | 1,491.23 |
| State stamps | | 1,491.23 |
| Tax Collector (H. James Hock) | | 547.09 |
| Columbia County Tax Assessment Office | | 5.00 |
| State Treasurer | | 120.00 |
| Other: Web Posting | | 150.00 |
| Lien Search Certificate | | 250.00 |
| Notary | | 12.00 |
| TOTAL EXPENSES: | \$ 7,055.19 | |

| | |
|----------------------------|--------------|
| Total Needed to Purchase | \$ 94,012.47 |
| Less Expenses | 7,055.19 |
| Net to First Lien Holder | 44,736.13 |
| Plus Deposit | 1,350.00 |
| Total to First Lien Holder | \$ 46,086.13 |
| Domestic Relations | 94.75 |
| Defendants (Shaffer) | 40,776.40 |

VERIFICATION

I, Michele M. Bradford, Esquire, hereby state that I am the attorney for the Plaintiff herein and am authorized to make this verification. I hereby verify that the information contained in Plaintiff's Exceptions to Sheriff's Sale Distribution Pursuant to Pa.R.C.P., 3136(d) is true and correct to the best of my knowledge, information and belief. I am aware that this verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Respectfully submitted,

PHILAN HALLINAN AND SCHMIEG, LLP

By: 

Michele M. Bradford, Esq.
Attorney for Plaintiff

Date: June 23, 2005

PHELAN HALLINAN & SCHMIEG, LLP
BY: MICHELE M. BRADFORD, ESQUIRE
Identification No. 69849
One Penn Center At Suburban Station
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

| | | |
|--|---|-----------------------|
| Washington Mutual Bank, F.A., | : | COURT OF COMMON PLEAS |
| S/B/M To Washington Mutual Home Loans, Inc., | : | |
| F/K/A PNC Mortgage Corp. of America | : | |
| | : | CIVIL DIVISION |
| Plaintiff | : | |
| | : | Columbia County |
| vs. | : | |
| | : | |
| Rosimarie R. Shaffer | : | |
| Craig E. Shaffer | : | No. 2004-CV-1245 |
| Defendant | : | |

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing Exceptions to Sheriff's Sale
were served by regular mail on:

Rosimarie R. Shaffer
674 Saw Mill Road, A/K/A RD #5 Box 134
Bloomsburg, PA 17815

William and Scott Watkins
48 Vista Road
Berwick, PA 18603

Craig E. Shaffer
3410 Shaffer Road
Bloomsburg, PA 17815

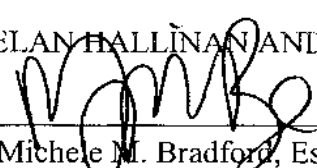
Domestic Relations of Columbia County
Columbia County Courthouse
P.O. Box 380
Bloomsburg, PA 17815

Office of the Sheriff
Columbia County Courthouse
35 W. Main Street
Bloomsburg, PA 17815

Respectfully submitted,

PHELAN HALLINAN AND SCHMIEG, LLP

Date: June 23, 2005

By: 
Michele M. Bradford, Esq.
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS COLUMBIA, PENNSYLVANIA

| | | |
|-------------------------------------|---|-----------------------|
| Central Bank, F.A., | : | COURT OF COMMON PLEAS |
| Washington Mutual Home Loans, Inc., | : | |
| Mortgage Corp. of America | : | |
| | : | CIVIL DIVISION |
| Plaintiff | : | |
| | : | Columbia County |
| vs. | : | |
| | : | |
| Shaffer | : | |
| Defendant | : | No. 2004-CV-1245 |
| | : | |

ORDER

NOW, this day of , 2005, upon consideration of
Exceptions to Sheriff's Sale Distribution Pursuant to Pa.R.C.P., 3136(d), it is

ORDERED and DECREED that said Exceptions are granted and that the Sheriff is
ordered to issue a revised Schedule of Distribution providing for the balance of the
proceeds realized from the sale be paid first for the taxes and costs as outlined in the proposed
Schedule of Distribution, then distribute the sum of \$51,270.41 to the executing Plaintiff by and
through attorney, Phelan, Hallinan and Schmieg, LLP

J.

| | |
|---|------------------------|
| PHILLINAN AND SCHMIEG, LLP E. M. BRADFORD, ESQ. 9849 Plaza, Suite 1400 PA 19102-1799 _____ | ATTORNEY FOR PLAINTIFF |
|---|------------------------|

| | |
|---|---|
| Washington Mutual Bank, F.A., Washington Mutual Home Loans, Inc., PNC Mortgage Corp. of America Plaintiff vs. Shaffer Defendant | : COURT OF COMMON PLEAS : : : CIVIL DIVISION : : Columbia County : : : : No. 2004-CV-1245 : |
|---|---|

EXCEPTIONS TO SHERIFF'S SALE DISTRIBUTION
PURSUANT TO P.A.R.C.P., RULE 3136(d)

and now comes Plaintiff, Washington Mutual Bank, F.A., S/B/M To Washington Mutual
 Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, by and through its counsel, Phelan
 Hallinan and Schmieg, LLP, and prays that this Honorable Court grant Plaintiff's Exceptions to
 Sheriff's Sale Distribution of Proceeds for the following reasons:

The Plaintiff is Washington Mutual Bank, F.A., S/B/M To Washington Mutual
 Home Loans, Inc., F/K/A PNC Mortgage Corp. of America, the holder of that
 certain Mortgage dated February 22, 1996 and recorded February 23, 1996 in
 Mortgage Book 617 Page 448.

The underlying loan became delinquent and Plaintiff initiated foreclosure
 proceedings on November 5, 2004. Attached hereto, made a part hereof and marked
 as Exhibit "A" is a true and correct copy of the Complaint in mortgage foreclosure.

On June 8, 2005, the premises located at 674 Saw Mill Road, A/K/A RD #5 Box
 134, Bloomsburg, PA 17815 was sold at judicial sale pursuant to Writ of Execution
 issued out of the captioned case. Attached hereto, made a part hereof, and marked as
 Exhibit "B" is a true and correct copy of the Praecipe for Judgment and Writ of