

00-36-CD
SHIRLEY C. TURNER et al -vs- COMMONWEALTH OF PENNSYLVANIA, DEPT
OF TRANSPORTATION

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

1. SHIRLEY C. TURNER, Executrix of the Estate of Wilton R. Turner, a/k/a W.R. Turner, decd. Petitioner vs. 2. COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, Respondent

No. 00-36-CO

Type of Case: Civil

Type of Pleading: PETITION TO RECOGNIZE TRANSFER OF TITLE

Filed on behalf of: Petitioner

Counsel of Record for this Party: Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766

FILED

JAN 12 2000

William A. Shaw
Prothonotary

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

SHIRLEY C. TURNER, Executrix of	:	
the Estate of Wilton R. Turner,	:	
a/k/a W.R. Turner, deceased,	:	
Petitioner	:	
	:	
vs.	:	No.
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION	:	
Respondent	:	

PETITION TO RECOGNIZE TRANSFER OF TITLE
IN RE: MACK TT SERIAL NO. B61T35374, TITLE NO. E14736456

AND NOW, comes Petitioner Shirley C. Turner, Executrix of the Estate of Wilton R. Turner, Deceased, by her attorneys, Gates & Seaman, and requests this Honorable Court issue an Order authorizing the Commonwealth of Pennsylvania, Department of Transportation to recognize the transfer of title of the above noted equipment to W.R. Turner and avers the following:

1. That on or about November 19, 1973 Wilton R. Turner purchased from Frank J. Delarme, hereinafter referred to as Seller, the above noted equipment, Mack TT serial number B61T35374, for the sum of Two Thousand (\$2,000.00) Dollars, a photocopy of the canceled check for said purchase being attached hereto as Exhibit "A".

2. That at the time of said purchase in 1973, the Assignment of Certificate of Title on the original Certificate of Title for said equipment was properly completed by the Seller with his signature being notarized, a photocopy of the original

Certificate of Title being attached hereto as Exhibit "B".

3. That Wilton R. Turner did not forward the original Certificate of Title to the Commonwealth of Pennsylvania, Department of Transportation, to complete the transfer of the title to said equipment.

4. That Wilton R. Turner died testate on July 1, 1999 and his spouse, Shirley A. Turner, was appointed as Executrix of his Estate and Letters Testamentary were issued to her by the Register of Wills of Clearfield County.

5. That an Order must be issued directing the Commonwealth of Pennsylvania, Department of Transportation to recognize the assignment of the Certificate of Title for said equipment to W.R. Turner.

WHEREFORE, your Petitioner prays that this Honorable Court enter an Order directing the Commonwealth of Pennsylvania, Department of Transportation to recognize the assignment of the Certificate of title for the Mack TT Serial Number B61T35374, Title Number E14736456 from Frank J. Delarme to W.R. Turner and issue a new Certificate of Title to W.R. Turner.

Respectfully submitted,

GATES & SEAMAN



Laurance B. Seaman, Esquire

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
CERTIFICATE OF TITLE TO A MOTOR VEHICLE OR TRAILER

CONTROL NUMBER
10507232

56-024 **32

I, the Secretary of Transportation certify that an application has been made to me, pursuant to the Act of April 29, 1959, P. L. 58 as amended, for a Certificate of Title to the motor vehicle or trailer described hereon.

FRANK J DELARME
R D 1
GRAMPIAN

PA 16838



CODE LEGEND

A=ANTIQUE MOTOR VEHICLE
F=VEHICLE BROUGHT INTO PENNA.
FROM ANOTHER STATE OR
FOREIGN COUNTRY
X=VEHICLE WAS FORMERLY A TAXI
R=RECONSTRUCTED VEHICLE

E14736456 TITLE NUMBER		MACK MAKE OF VEHICLE	TT TYPE	B61T35374 MANUFACTURERS SERIAL NUMBER			
02-22-73 DATE OF ISSUE	\$535.00 REGISTRATION FEE	73,280 GROSS WEIGHT	'3 AXLES	SEATING CAPACITY	DUPLICATE	DATE ORIG. TITLED	CODES

And that the motor vehicle or trailer described hereon is subject to the following encumbrances.

FIRST ENCUMBRANCE
FAVOR OF: Barbara J. Jones
AMOUNT \$5,787.12

ENCUMBRANCE RELEASED 11/19/73
DATE

BROOKVILLE BK & TR CO
BROOKVILLE PA 15825

Brookville Bank & Trust Company
ENCUMBRANCE HOLDER

BY Barbara J. Jones Ass't Treas
AUTHORIZED REPRESENTATIVE

SECOND ENCUMBRANCE
FAVOR OF: Barbara J. Jones
AMOUNT

ENCUMBRANCE RELEASED 11/19/73
DATE

ENCUMBRANCE HOLDER

BY Barbara J. Jones
AUTHORIZED REPRESENTATIVE

I do further certify that I have used reasonable diligence in ascertaining whether or not the facts stated in said application for this Certificate of Title are true, and that I am satisfied that the applicant is the lawful owner of the motor vehicle or trailer described hereon, or is otherwise entitled to have the same registered in his name.

Wherefore, I certify that the above named applicant has been duly registered in the office of the Pennsylvania Department of Transportation as the lawful owner of the motor vehicle or trailer described hereon.

Witness my hand and seal of office.

Jacob S. Russell
Secretary of Transportation

KEEP IN A SAFE PLACE—ANY ALTERATION OR ERASURE VOIDS THIS TITLE

EXHIBIT "B"

IMPORTANT—FOLLOW THESE INSTRUCTIONS

1. PRINT IN INK OR TYPEWRITE ALL INFORMATION.
2. UPON TRANSFER OF OWNERSHIP OF THE MOTOR VEHICLE OR TRAILER DESCRIBED HEREIN, THE ASSIGNMENT (BLOCK A) OR THE ASSIGNMENT, AND REASSIGNMENT (BLOCK A & B) WITH THE PURCHASER'S APPLICATION (BLOCK C) MUST BE COMPLETED AND FORWARDED TO THE DEPARTMENT OF TRANSPORTATION, BUREAU OF MOTOR VEHICLES, WITHIN (15) DAYS.
- * 3. WHEN REASSIGNMENT (BLOCK B) IS BY REGISTERED PENNSYLVANIA DEALER NO FEE IS REQUIRED.
- △ 4. WHEN PURCHASER'S APPLICATION (BLOCK C) IS BY REGISTERED PENNSYLVANIA DEALER THE FEE IS \$0.50.
5. INDIVIDUAL OWNER MUST SIGN EXACTLY AS NAME APPEARS ON CERTIFICATE OF TITLE OR ASSIGNMENT. IN CASE OF JOINT OWNERSHIP COMPLETE SIGNATURES OF EACH OWNER REQUIRED. IF COMPANY OR CORPORATION, SIGN FIRM NAME PER AUTHORIZED REPRESENTATIVE.
6. REMIT REQUIRED FEE BY CHECK OR MONEY ORDER PAYABLE TO THE "PENNSYLVANIA DEPARTMENT OF TRANSPORTATION." DO NOT SEND CASH.

A. ASSIGNMENT OF CERTIFICATE OF TITLE NUMBER:

We, I, transfer ownership of this motor vehicle or trailer to:

W. R. TURNER

NAME OF PURCHASER

ADDRESS
Philipsburg PA
POST OFFICE STATE ZIP CODE
Registered Pennsylvania vehicle dealers must show their dealer identification number here:

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 S E 19th Day of July, 19⁷³
 A L
 MUNICIPALITY
 MY COMMISSION EXPIRES Jan 5th 19⁷⁶

SIGNATURE OF PERSON ADMINISTERING OATH
 Frank J. DePuma

B. REASSIGNMENT OF CERTIFICATE OF TITLE

We, I, transfer ownership of this motor vehicle or trailer to:

NO FEE

We, I, warrant this Certificate of Title, and state that at the time of delivery the same is subject to the following encumbrances or other legal claims:

AMOUNT \$	IF "NONE" SO STATE	
ENCUMBRANCE HOLDER		
ADDRESS		
POST OFFICE	STATE	ZIP CODE
SIGNATURE OF SELLER IN INK		
PRINT NAME EXACTLY AS IT APPEARS ABOVE DO NOT SIGN UNLESS PURCHASER'S NAME AND ADDRESS APPEAR ABOVE		

FEE \$2.00*

We, I, warrant this Certificate of Title, and state that at the time of delivery the same is subject to the following encumbrances or other legal claims:

AMOUNT \$	IF "NONE" SO STATE	
ENCUMBRANCE HOLDER		
ADDRESS		
POST OFFICE	STATE	ZIP CODE
SIGNATURE OF SELLER IN INK		
PRINT NAME EXACTLY AS IT APPEARS ABOVE DO NOT SIGN UNLESS PURCHASER'S NAME AND ADDRESS APPEAR ABOVE		

Fee \$2.00△

C. APPLICATION FOR CERTIFICATE OF TITLE BY PURCHASER

The undersigned hereby makes application for Certificate of Title to the motor vehicle or trailer described within this Certificate of Title, subject to the encumbrances and other legal claims set forth in the above assignment or reassignment.

Registered Pennsylvania vehicle dealers must show their dealer identification number here:

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 S E 19th Day of _____
 A L
 MUNICIPALITY
 MY COMMISSION EXPIRES _____ 19^{_____}

SIGNATURE OF PERSON ADMINISTERING OATH
 SIGNATURE OF PURCHASER IN INK

SIGNATURE MUST AGREE WITH ABOVE ASSIGNMENT OR REASSIGNMENT

Is this motor vehicle or trailer subject to any encumbrance other than as set forth above? If so complete the following:

AMOUNT \$	IF "NONE" SO STATE	
ENCUMBRANCE HOLDER		
ADDRESS		
POST OFFICE	STATE	ZIP CODE

(DEPARTMENT USE ONLY)

Title Number _____ R NR

D. APPLICATION FOR (CHECK ONE)

 NEW REGISTRATION PLATE TRANSFER OF REGISTRATION PLATE NUMBER _____ REISSUE AND TRANSFER OF REGISTRATION PLATE NUMBER _____

REISSUE REASON

(LOST, STOLEN, DEFACED)

1. New registration plate fee see face of title
2. Passenger and motorcycle 1/2 fee beginning Oct. 1, 1/4 fee beginning Jan. 1
3. Commercial, bus and trailer 1/2 fee beginning Dec. 1, 1/4 fee beginning Mar. 1
4. School bus 1/2 fee beginning Jan. 1, 1/4 fee beginning April 1
5. Transfer fee \$2.00 when vehicle is of like class, or \$2.00 plus difference in fee if class is higher.
6. Reissue fee \$1.00 except motorcycles, when the fee is \$0.50

SIGNATURE OF APPLICANT IN INK
APPLICANT HEREBY AVERS THAT HIS REGISTRATION PRIVILEGES ARE NOT SUSPENDED

V E R I F I C A T I O N

The undersigned verifies that she is the Petitioner named in the within action; and that the statements made in the annexed Petition are true and correct to the best of her knowledge, information and belief. The undersigned understands that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904, related to unsworn falsification to authority.



Shirley C. Turner, Executrix of
the Estate of Wilton R. Turner,
a/k/a W.R. Turner

Dated:



4 January 2000

PETITION TO RECOGNIZE TRANSFER
OF TITLE and ORDER

FILED

RECEIVED
MAY 12 2000
SHERIFF
William A. Shaw
Prothonotary
Pd \$10.00

LAW OFFICES
GATES & SEAMAN
2 NORTH FRONT STREET
P.O. BOX 846
CLEARFIELD, PA. 16830

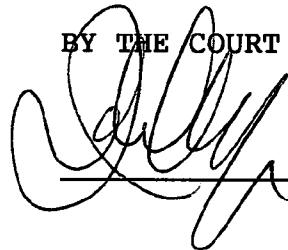
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

SHIRLEY C. TURNER, Executrix of :
the Estate of Wilton R. Turner, :
a/k/a W.R. Turner, deceased, :
Petitioner :
vs. : No. 00-36-CO
: :
COMMONWEALTH OF PENNSYLVANIA, :
DEPARTMENT OF TRANSPORTATION :
Respondent :
:

ORDER

AND NOW, this 14/15 day of January, 2000, upon
consideration of the foregoing Petition, IT IS ORDERED that the
prayer of Petitioner is hereby granted and the Commonwealth of
Pennsylvania, Department of Transportation be and is hereby
directed to recognize the assignment of the Certificate of title
for the Mack TT Serial Number B61T35374, Title Number E14736456
from Frank J. Delarme to W.R. Turner and to issue a new
Certificate of Title for the same to W.R. Turner.

BY THE COURT



FILED

JAN 14 2000

William A. Shaw
Prothonotary

FILED

JAN 14 2000
Older & Shaw
William A. Shaw
Prothonotary
Seaman
Clerk