

00-276-CD
CHRISTOPHER P. BUNGO -vs- CARRIE COLE et al

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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FILED

APR 06 2000
01:50 PM
William A. Shaw
Prothonotary
Key

(4)

JAMES A. NADDEO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BUNGO, CHRISTOPHER P.

00-276-CD

VS

COLE, CARRIE, AN IND. HER

COMPLAINT

SHERIFF RETURNS

NOW MARCH 9, 2000 AT 9:46 AM EST SERVED THE WITHIN COMPLAINT ON MARY M. KISTLER, DEFENDANT AT RESIDENCE RD 1, GEARHARTVILLE, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO STEVE KISTLER, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: NEVLING/COUDRIET

NOW MARCH 9, 2000 AT 9:46 AM EST SERVED THE WITHIN COMPLAINT ON ROBERT S. KISTLER, DEFENDANT AT RESIDENCE RD 1 GEARHARTVILLE, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO STEVE KISTLER, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: NEVLING/COUDRIET

44.09 SHFF. HAWKINS PAID BY: ATTY.
20.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

13th DAY OF March 2000
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

SO ANSWERS,

Chester A. Hawkins
by Mary Ann Harris

CHESTER A. HAWKINS
SHERIFF

FILED

MAR 13 2000

William A. Shaw

Prothonotary WAS

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

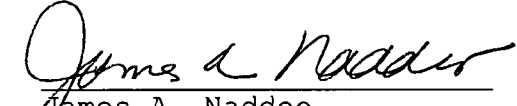
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CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a
certified copy of Plaintiff's Notice of Default in the above-
captioned action was served on the following persons and in the
following manner on the 6th day of April, 2000:

First-Class Mail, Postage Prepaid

Robert S. Kistler
Mary M. Kistler
R. D. 1, Gearhartville
Philipsburg, PA 16866


James A. Naddeo
Attorney for Plaintiff

①

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JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

FILED

MAR 02 2000

013381 G. H. Naddo
William A. Shaw

Prothonotary

pd \$90.00

acc. chg. service

23 CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

21 CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and 2 ROBERT S. KISTLER and
3 MARY M. KISTLER, husband and
wife,
Defendants.

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

William A. Shaw
Prothonotary

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

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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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURT HOUSE
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641

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

CHRISTOPHER P. BUNGO,	*	
an individual,	*	
Plaintiff,	*	
	*	
v.	*	No. 00 - - CD
	*	
CARRIE COLE, an individual,	*	
her heirs, executors,	*	
administrators and assigns,	*	
and ROBERT S. KISTLER and	*	
MARY M. KISTLER, husband and	*	
wife,	*	
Defendants.	*	

COMPLAINT

NOW COMES the Plaintiff, Christopher P. Bungo, and by his attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff, Christopher P. Bungo, is an adult individual who resides at 406 Curtin Street, Osceola Mills, Pennsylvania 16666.

2. That the Defendant, Carrie Cole, is an individual whose last known residence was Boggs Township, Clearfield County, Pennsylvania, but whose current address is unknown, and is believed by Plaintiff to be deceased, however, there is no estate on record for her in Clearfield County.

3. That the Defendants, Robert S. Kistler and Mary M. Kistler, are husband and wife, who currently reside at R. D. 1, Gearhartville, Philipsburg, Pennsylvania 16866.

4. That the parcels of land which are the subject of this action are located in Boggs Township, Clearfield County, Pennsylvania, and are more particularly bounded and described as follows:

THE FIRST THEREOF: BEGINNING at an iron pin bound at an old fence row on line of land owned by Christopher P. Bungo; thence along land of Bungo, North 88° 07' 30" East 429.96 feet to a point on the corner of a parcel of land containing 16.69 acres and also belonging to the said Christopher P. Bungo; thence along said land of Bungo, South 16° 07' 30" West 602.01 feet to a point on a Conrail right-of-way; thence along said right-of-way, North 73° 58' 00" West 406.06 feet to a point on land now or formerly of Lewis Maney; thence along land now or formerly of Maney North 19° 52' 30" East 471.50 feet to an iron pin and place of beginning. Being a parcel of land containing 5.17 acres. A survey of the premises herein described prepared by Henry Surveys is attached hereto as Exhibit "A".

THE SECOND THEREOF: BEGINNING at a stake on line of the right-of-way of Route 322 and on line of lands of the General Refractories Company; thence North by lands of the General Refractories Company one hundred thirty-three (133) feet to stake on the railroad right-of-way line; thence by lands of the railroad right-of-way East four hundred eighty (480) feet to a stake on railroad right-of-way and line of reserved right-of-way of Johns; thence by the reserved right-of-way line South one hundred twenty-three (123) feet to stake on line of reserved right-of-way of Johns and on line of Route 322 right-of-way; thence by right-of-way of Route 322 West five hundred twenty (520) feet to stake and place of beginning. Containing 1.47 acres, more or less.

5. That by deed dated September 4, 1880 and recorded in Clearfield County Deed Book 16, page 319, Miles B. Smeal acquired all right, title and interest in and to the property

set forth in Paragraph 4 hereof which is the subject of this action.

6. That by deed dated November, 1912 and recorded in Clearfield County Deed Book 197, page 221, J. W. Gearhart, Administrator C.T.A. of the Estate of Miles B. Smeal, pursuant to Order of Court, conveyed to Jesse Smeal the property set forth in Paragraph 4 hereof which is the subject of this action.

7. That by quit-claim deed dated March 5, 1913 and recorded in Clearfield County Deed Book 197, page 487, Edythe Eckley and George W. Eckley, her husband, Tillie Shimmel and George M. Shimmel and J. B. Swoope, guardian of Myrtle Smeal Cowher, minor child of Miles B. Smeal, deceased, being the devisees under the Last Will and Testament of Miles B. Smeal and the only heirs at law of Mary Emmeline Smeal, deceased, conveyed to Jesse Smeal all of their right, title and interest in and to the property set forth in Paragraph 4 hereof which is the subject of this action.

8. That Jesse Smeal was deceased on June 5, 1915 leaving to survive him as his heirs at law his children Mertie B. Kyler, Edgar Smeal, Leonard Smeal and Ella Maud Flegal, and by his Will recorded in Will Book I, page 385 direct that his property be distributed in accordance with the intestate laws.

9. That by deed dated August 26, 1916 and recorded in Clearfield County Deed Book 214, page 141, Edgar Smeal and

Fannie Smeal, his wife, conveyed to Leonard Smeal an undivided one-fourth (1/4) interest in the property set forth in Paragraph 4 hereof which is the subject of this action.

10. That by deed dated October 12, 1918 and recorded in Clearfield County Deed Book 232, page 62, Mertie B. Kyler and Ellery Kyler, her husband; Leonard Smeal and Pearl M. Smeal, his wife; and Ella Maud Flegal and H. C. Flegal, her husband, conveyed to John F. Cole the property set forth in Paragraph 4 hereof which is the subject of this action.

11. That by deed dated June 19, 1922 and recorded in Clearfield County Deed Book 257, page 483, John F. Cole and Carrie Cole, his wife, conveyed to Howard B. Hartswick the property set forth in Paragraph 4 hereof which is the subject of this action.

12. That by deed dated June 19, 1922 and recorded in Clearfield County Deed Book 257, page 485, Howard B. Hartswick and Jennie B. Hartswick, his wife, conveyed to John F. Cole and Carrie Cole, his wife, the property set forth in Paragraph 4 hereof which is the subject of this action.

13. That by deed dated November 27, 1936 and recorded in Clearfield County Deed Book 316, page 231, John F. Cole conveyed to Guy Knepp and Ada Cole Knepp, his wife, the property set forth in Paragraph 4 hereof which is the subject of this action.

14. That by deed dated May, 1945 and recorded in Clearfield County Deed Book 368, page 419, Guy Knepp being deceased, Ada Cole Knepp conveyed to George D. Johns and Alice K. Johns, his wife, the property set forth in Paragraph 4 hereof which is the subject of this action.

15. That by deed dated June 13, 1969 and recorded in Clearfield County Deed Book 549, page 49, George D. Johns being deceased, Alice K. Johns conveyed to Marie K. Kistler, 72 acres including the property set forth as the First Thereof in Paragraph 4 hereof which is the subject of this action.

16. That by deed dated May 23, 1975 and recorded in Clearfield County Deed Book 764, page 514, Marie K. Kistler conveyed to Robert S. Kistler and Mary Margaret Kistler, his wife, 23 acres including the property set forth as The First Thereof in Paragraph 4 hereof which is the subject of this action.

17. That the property conveyed to Robert S. Kistler and Mary Margaret Kistler was sold at tax sale on September 8, 1986 as the property of Robert S. Kistler and Mary M. Kistler to Dr. David K. Olson.

18. That by deed dated November 3, 1986 and recorded in Clearfield County Deed and Record Book 1119, page 461 the property was conveyed by The Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee, to Dr. David K. Olson.

19. That by deed dated November 26, 1990 and recorded in Clearfield County Deed and Record Book 1499, page 249 Dr. David Olsen and Lois Jeanne Olsen, husband and wife, conveyed to the Plaintiff herein the property which is identified as The First Thereof set forth in Paragraph 4 hereof which is the subject of this action.

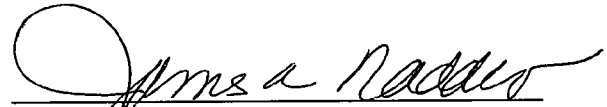
20. That by deed dated May 28, 1959 and recorded in Clearfield County Deed Book 475, page 16 George D. Johns and Alice K. Johns conveyed to Dorce G. Williams and Jephtha B. Millinder, as tenants in common, 1.47 acres, more or less, the property set forth as The Second Thereof in Paragraph 4 hereof which is the subject of this action.

21. That by deed dated June 15, 1979 and recorded in Clearfield County Deed and Record Book 785, page 339 Dorce G. Williams and Lucy Williams, his wife, and Jephtha B. Millinder, single, conveyed to Dorce G. Williams and Lucy Williams the property set forth as The Second Thereof in Paragraph 4 hereof which is the subject of this action.

22. That by deed dated December 1, 1999 and recorded in the Office of the Register and Recorder for Clearfield County as Instrument No. 199919760 Clearfield Bank and Trust Company, Executor of the Estate of Dorce G. Williams, a/k/a Dorce Williams, Deceased, conveyed to Christopher P. Bungo the property set forth as The Second Thereof in Paragraph 4 hereof

hereof is in the Plaintiff and that he shall be allowed to enjoy said property in peace; and

B. that the Defendants, their heirs, executors, administrators and assigns, within twenty (20) days from the receipt of this complaint, institute an action of ejectment against the Plaintiff and that otherwise the Defendants, their heirs, executors, administrators and assigns, be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attacking the Plaintiff's title to said property, from issuing or maintaining an ejectment of said premises and from encumbering, mortgaging or conveying the said premises or any part thereof.

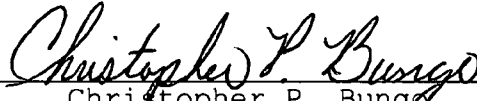

James A. Naddeo
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

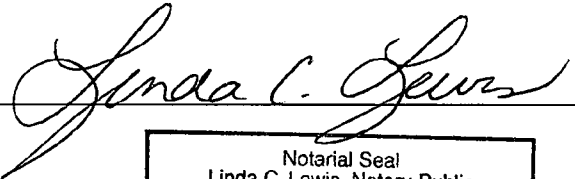
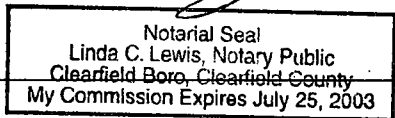
ss.

COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared CHRISTOPHER P. BUNGO, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.


Christopher P. Bungo

SWORN and SUBSCRIBED before me this 1st day of March, 2000.

which is the subject of this action. The said Lucy Williams having predeceased her husband on April 21, 1991.

23. That the purpose of this Quiet Title Action is to extinguish any equity which the Defendant, Carrie Cole, her heirs, executors, administrators and assigns may have in the property set forth in Paragraph 4 hereof by virtue of the fact that Carrie Cole did not enter into or sign the deed for the conveyance set forth in Paragraph 13 hereof, and to extinguish any equity which the Defendants, Robert S. Kistler and Mary M. Kistler, may have in the property set forth in Paragraph 4 hereof by virtue of the tax sale.

24. That the Plaintiff herein, during his lifetime and his predecessors in title, have exercised dominion, possession and control of the premises more particularly set forth in Paragraph 4 hereof for a period of in excess of twenty-one (21) years.

25. That the Defendants set forth in Paragraphs 2 and 3 hereof, their heirs, executors, administrators and assigns are the only persons known to Plaintiff who may have any interest in said property.

WHEREFORE, Plaintiff requests:

A. that by decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 4

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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William A. Shaw

Prothonotary

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William A. Shaw
Prothonotary

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

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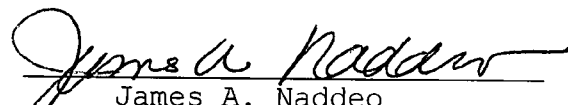
No. 00 - 276 - CD

MOTION FOR SPECIAL ORDER DIRECTING
SERVICE BY PUBLICATION

NOW COMES the Plaintiff in the above-captioned matter
and sets forth the following:

1. The Movant is the Plaintiff in the above-captioned matter.
2. The Movant filed a Quiet Title Action on or about March 2, 2000.
3. The Movant desires to have your Honorable Court enter an Order pursuant to Pa. R.C.P. No. 430.
4. In support of this request, Movant incorporates the attached affidavit.

WHEREFORE, Movant respectfully requests your Honorable Court to grant the relief sought in this Motion.


James A. Naddeo
Attorney for Plaintiff

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
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and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

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No. 00 - 276 - CD

AFFIDAVIT PURSUANT TO PA. R.C.P. 430

1. Counsel for Movant has been unable to determine the whereabouts of the Defendant, Carrie Cole.

2. Movant and Counsel for Movant have made the following attempts to locate the Defendant, Carrie Cole:

A. Telephone directory assistance for Clearfield, Philipsburg, DuBois, and Pittsburgh Pennsylvania, and surrounding areas.

B. Local tax records.

C. Internet.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are

made subject to the penalties of Pa. C.S. Section 4904 relating to
unsworn falsifications to authorities.


James A. Naddeo

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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JAMES A. NADDEO
Prothonotary

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William A. Shaw
Prothonotary

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

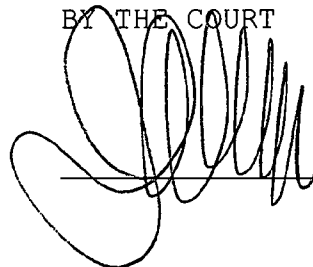
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No. 00 - 276 - CD

ORDER GRANTING MOTION FOR SPECIAL ORDER
DIRECTING SERVICE BY PUBLICATION

AND NOW, this 6th day of March, 2000, upon
consideration of the Plaintiff's Motion for a Special Order
Directing Service by way of Publication upon the Defendant,
Carrie Cole, and it appearing to the Court that Plaintiff has
made a good faith effort to locate and serve Defendant, Carrie
Cole, it is hereby ORDERED that the Motion is granted and that
service upon the Defendant, Carrie Cole, is to be made by way of
publication by advertising the Notice required by Pa. R.C.P. No.
430 once in the Clearfield County Law Journal and once in a
newspaper of general circulation within the County.

BY THE COURT



JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELT, D, PENNSYLVANIA 16830

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William A. Shaw

Prothonotary

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William A. Shaw
Prothonotary

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

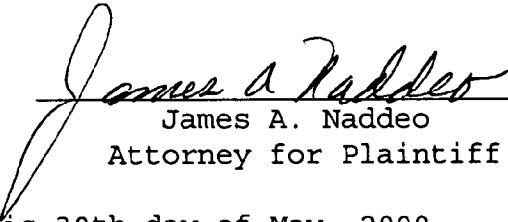
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AFFIDAVIT


James A. Naddeo, Esquire, being duly sworn according to law, deposes and says that he is attorney for Plaintiff and makes this affidavit on behalf of the Plaintiff, being authorized to do so; that a complaint in this action to quiet title, containing a notice to defend within twenty days of service, was duly served on the Defendant, Carrie Cole, by publication in the Progress on March 13, 2000 and the Clearfield County Legal Journal for week of May 5, 2000, proofs of publications are attached hereto; and that to date the Defendant, Carrie Cole, has not filed an answer in the action.

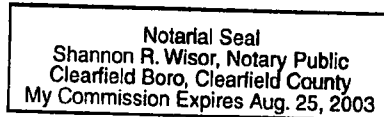
Affiant further notes that a complaint in this action to quiet title, containing a notice to defend within twenty days of service, was duly served on the Defendants, Robert S. Kistler and Mary M. Kistler, by the Sheriff of Clearfield County on March 9,

2000 and that a Notice of intention to enter default judgment was mailed to the Defendants, Robert S. Kistler and Mary M. Kistler, on April 6, 2000, a copy of which notice is attached hereto; and that to date the Defendants, Robert S. Kistler and Mary M. Kistler, have not filed an answer in the action.


James A. Naddeo
Attorney for Plaintiff

Sworn and subscribed before me this 30th day of May, 2000.


Shannon R. Wisor



PROOF OF PUBLICATION


STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

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:

On this 8th day of May, AD 2000, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro, who being duly sworn according to law, proposes and says that he is the editor of the Clearfield County Legal Journal, the official Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of May 5, 2000, Vol 12, No. 18. And that all of the allegations of this statement as to the time place, and character of the publication are true.


Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.


Notary Public
My Commission Expires

Notarial Seal
Theresa C. Knaresboro, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 10, 2002
Member, Pennsylvania Association of Notaries

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

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

CHRISTOPHER P. BUNGO, an individual, Plaintiff, vs. CARRIE COLE, an individual, her heirs, executors, administrators and assigns, and ROBERT S. KISTLER and MARY M. KISTLER, husband and wife, Defendants.

No. 00-276-CD

ACTION TO QUIET TITLE

TO: CARRIE COLE, an individual, her heirs, executors, administrators and assigns, and successors in interest.

NOTICE - If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiffs. 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.

Court Administrator, Clearfield County Court House, Second and Market Streets, Clearfield, Pennsylvania 16830. (814) 765-2641, Ex. 5982.

You are hereby notified that an Action to Quiet Title to the following parcels of land situate in Boggs Township, Clearfield County, Pennsylvania, has been filed against you. Said parcels being more

particularly bounded and described as follows:

THE FIRST THEREOF: BEGINNING at an iron pin bound at an old fence row on line of land owned by Christopher P. Bungo; thence along land of Bungo, North 88 degrees 07' 30" East 429.96 feet to a point on the corner of a parcel of land containing 16.69 acres and also belonging to the said Christopher P. Bungo; thence along said land of Bungo, South 16 degrees 07' 30" West 602.01 feet to a point on a Conrail right-of-way; thence along said right-of-way, North 73 degrees 58' 00" West 406.06 feet to a point on land now or formerly of Lewis Maney; thence along land now or formerly of Maney North 19 degrees 52' 30" East 471.50 feet to an iron pin and place of beginning. Being a parcel of land containing 5.17 acres. A survey of the premises herein described prepared by Henry Surveys is attached to the original complaint as Exhibit "A".

THE SECOND THEREOF: BEGINNING at a stake on line of the right-of-way of Route 322 and on line of lands of the General Refractories Company; thence North by lands of the General Refractories Company one hundred thirty-three (133) feet to stake of the railroad right-of-way line; thence by lands of the railroad right-of-way East four hundred eighty (480) feet to a stake on railroad right-of-way and line of reserved right-of-way of Johns; thence by the reserved right-of-way line South one hundred twenty-three (123) feet to stake on line of reserved right-of-way of Johns and on line of Route 322 right-of-way; thence by right-of-way of Route 322 West five hundred twenty (520) feet to stake and place of beginning. Containing 1.47 acres, more or less.

The purpose of this Quiet Title Action is to extinguish any equity which the Defendant above named, their heirs, executors, administrators, assigns and successors in interest may have in the property which is set forth in this action.

WHEREUPON, said Court ordered that notice of the said Action and the facts thereto be served on the Defendant, Carrie Cole, an individual, her heirs, executors, administrators, assigns and successors in interest, to answer the said Complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff before the Court.

NOTICE - If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiffs. You may lose money or property or other

First Publication

PUTT, MILDRED E., Dec'd
Late of Clearfield
Executor: **CLOYD H. PUTT, JR.**
Attorney: **PETER F. SMITH**
P.O. Box 130
Clearfield, PA 16830

NUDGE, PETER, Dec'd
Late of Chester Hill Borough
Executor: **MAXWELL V. NUDGE**
Attorney: **MIKESELL & MIKESELL**
115 East Locust Street
Clearfield, PA 16830

VEYDT, LOUIS JR., Dec'd
Late of DuBois
Executor: **DAVID EARL VEYDT**
a/k/a **DAVID E. VEYDT**
Attorney: **DAVID J. HOPKINS**
900 Beaver Drive
DuBois, PA 15801

PATTON, THOMAS I., Dec'd
Late of Sandy Township
Executor: **ROBERT T. PATTON**
Attorney: **GLEASON, CHERRY**
& **CHERRY**
P.O. Box 505
DuBois, PA 15801

GUZZARDO, BRUNETTE PATTERSON, Dec'd
a/k/a **LUCY BRUNETTE GUZZARDO**
Late of Sandy Township
Executrix: **PATRICIA G. WILLIAMS**
Attorney: **ROBERT H. BASCOM, JR.**
1315 S. Allen Street
State College, PA 16801

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Act of Assembly No. 295, approved December 16, 1982, as amended, of the filing in the office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, PA, on the 13th day of April, 2000 a Certificate for the conduction of a business in Clearfield County, PA, under the assumed or fictitious name, style or designation of **RUSSELL CONTRACTING** with its principal place of business at R.D. 1 Box 333-A, Grampian, PA 16838. The names and addresses of the persons having an interest in said business are: William J. Russell, R.D. 1, Box 333-A, Grampian, PA 16838.

BLAKLEY, JONES & MOHNEY, 90
Beaver Drive, Box 6, DuBois, PA 15801.

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Act of Assembly No. 295, approved December 16, 1982, as amended, of the filing in the office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, PA, on the 14th day of April, 2000 a Certificate for the conduction of a business in Clearfield County, PA, under the assumed or fictitious name, style or designation of **FABIAN'S FURRY FRIENDS** with its principal place of business at 225 East Sherman Avenue, DuBois, PA 15801. The names and addresses of the persons having an interest in said business are: Fabian L. Bogle, 225 East Sherman Avenue, DuBois, PA 15801.

BLAKLEY, JONES & MOHNEY, 90
Beaver Drive, Box 6, DuBois, PA 15801.

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of the Act of Assembly No. 295, Public Law 1309, of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg Pennsylvania on the 6th day of March, 2000, an amendment of a certificate for the conduct of a business under the assumed or fictitious name, style, or designation of **MORRONI FLORAL SHOPPE**, with its principal place of business at Route 253/453, Smithmill, PA 16680. The name and address of the party having an interest in said business is Vicky L. Reams at RD 1 Box 112, Houtzdale, PA 16651.

MASON LAW OFFICE, 409 N. Front
St., P.O. Box 28, Philipsburg, PA 16866.

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.

Court Administrator, Clearfield County
Court House, Second and Market Streets,
Clearfield, Pennsylvania 16830. (814) 765-
2641, Ex. 5982.

James A. Nadddeo, Esquire, 211½ East
Locust Street, P.O. Box 552, Clearfield,
Pennsylvania 16830, Attorney for Plaintiff.

NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA CIVIL
DIVISION — CHRISTOPHER P.
BUNGO, an individual, Plaintiff, v.
CARRIE COLE, an individual, her
heirs, executors, administrators
and assigns, and ROBERT S. KIS-
TLER and MARY M. KISTLER, hus-
band and wife, Defendants.

No. 00-276-CD

TO: CARRIE COLE an individual,
her heirs, executors, administrator,
assigns, and successors in inter-
est.

NOTICE — If you wish to defend,
you must enter a written appear-
ance personally or by attorney and
file your defenses or objections in
writing with the court. You are
warned that if you fail to do so the
case may proceed without you and
a judgment may be entered against
you without further notice for the re-
lief requested by the plaintiff. You
may lose money or property or
other rights important to you.

YOU SHOULD TAKE THIS NO-
TICE TO YOUR LAWYER AT
ONCE. IF YOU DO NOT HAVE A
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ONE, GO TO OR TELEPHONE
THE OFFICE SET FORTH BELOW
TO FIND OUT WHERE YOU CAN
GET LEGAL HELP.

Court Administrator, Clearfield
County Court House, Clearfield,
Pennsylvania, (814) 765-2641,
Ex. 5982.

You are hereby notified that an
Action to Quiet Title to the following
parcels of land situate in Boggs
Township, Clearfield County,
Pennsylvania, has been filed
against you. Said parcels being
more particularly bounded and de-
scribed as follows:

THE FIRST THEREOF: BEGIN-
NING at an iron pin bound

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 24th day of April, A.D. 2000,
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Margaret E. Krebs, who being duly sworn
according to law, deposes and says that she is the President of The
Progressive Publishing Company, Inc., and Associate Publisher of The
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of March 13, 2000

And that the affiant is not interested in the subject matter of the notice or
advertising, and that all of the allegations of this statement as to the time,
place, and character of publication are true.

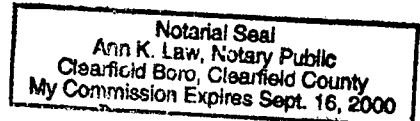
Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Ann K. Law

Notary Public Clearfield, Pa.

My Commission Expires
September 16, 2000



thence along line of land owned by Christopher P. Bungo, thence along land of Bungo, north 88° 07' 30" East 429.96 feet to a point on the corner of a parcel of land containing 16.69 acres and also belonging to the said Christopher P. Bungo; thence along said land of Bungo, South 16° 07' 30" West 602.01 feet to a point on a Conrail right-of-way; thence along said right-of-way, North 73° 58' 00" West 406.06 feet to a point on land now or formerly of Lewis Maney; thence along land now or formerly of Maney North 19° 52' 30" East 471.50 feet to an iron pin and place of beginning. Being a parcel of land containing 5.17 acres. A survey of the premises herein described prepared by Henry Surveys is attached to the original complaint as Exhibit "A"

THE SECOND THEREOF: BEGINNING at a stake on line of the right-of-way of Route 322 and on line of lands of the General Refractories Company; thence North by lands of the General Refractories Company one hundred thirty-three (133) feet to stake on the railroad right-of-way line; thence by lands of the railroad right-of-way East four hundred eighty (480) feet to a stake on railroad right-of-way and line of reserved right-of-way of

Johns; thence by the reserved right-of-way line South one hundred twenty-three (123) feet to stake on line of reserved right-of-way of Johns and on the line of Route 322 right-of-way; thence by right-of-way of Route 322 West five hundred twenty (520) feet to stake and place of beginning. Containing 1.47 acres, more or less.

The purpose of this Quiet Title Action is to extinguish any equity which the Defendant above named, her heirs, executors, administrators, assigns and successors in interest may have in the property which is set forth in this action.

WHEREUPON, said Court ordered that notice of the said Action and the facts thereto be served on the Defendant, Carrie Cole, an individual, her heirs, executors, administrators, assigns and successors in interest, to answer the said Complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff before the Court.

NOTICE --- If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE 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.

Court Administrator, Clearfield County Court House, Clearfield, Pennsylvania, (814) 765-2641, Ex. 5982.

James A. Naddeo, Esquire, 211 1/2 East Locust Street, P.O. Box 552, Clearfield, Pennsylvania 16830, Attorney for Plaintiff.

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

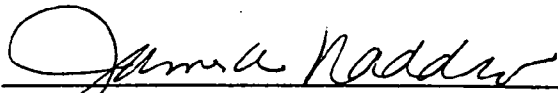
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To: Mary M. Kistler
Date of Notice: April 6, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Court Administrator
Clearfield County Court House
Market and Second Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 5988


James A. Naddeo
211½ E. Locust Street, Box 552
Clearfield, PA 16830
(814) 765-1601

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

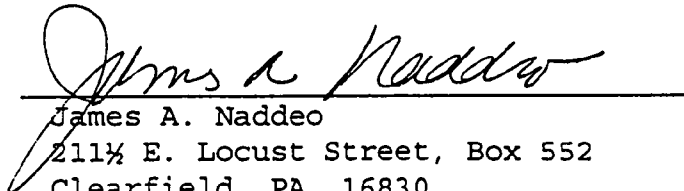
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To: Robert S. Kistler
Date of Notice: April 6, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

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James A. Naddeo
211½ E. Locust Street, Box 552
Clearfield, PA 16830
(814) 765-1601

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED

WILLIAM A. SHAW
PROXIMATE
01/13/2000

William A. Shaw
Prothonotary

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

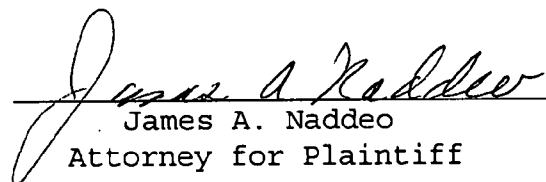
v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

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MOTION FOR DEFAULT JUDGMENT

AND NOW, this 1st day of June, 2000, an Affidavit having been executed and filed on behalf of the Plaintiff that the Complaint with Notice to Defend had been served on the Defendants as stated in the Affidavit; and more than twenty (20) days have expired since the date of service and the Defendants not having answered, the Plaintiff, by his attorney, James A. Naddeo, Esquire, moves the Court to enter judgment in favor of the Plaintiff and against the Defendants and to grant Plaintiff the relief prayed for in his Complaint in accordance with Pennsylvania Rules of Civil Procedure No. 1066.


James A. Naddeo
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
PO. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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William A. Shaw
Prothonotary
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* Filed on behalf of:
* Plaintiff
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* Counsel of Record for
* this party:
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* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

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

CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

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ORDER

AND NOW, this 15th day of June, 2000, it appearing that a Complaint to Quiet Title in the above stated Action was served on the Defendants and by Affidavit of James A. Naddeo, Esquire, Attorney for Plaintiff, no answer has been filed in said action on behalf of said Defendants and on motion of James A. Naddeo, Esquire, Attorney for Plaintiff, it is hereby ORDERED and DIRECTED that Plaintiff be allowed to enjoy said property in peace and that the said Defendants, Carrie Cole, Robert S. Kistler and Mary M. Kistler, be forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in his Complaint in and to all those certain pieces or parcel of land located in Boggs Township, Clearfield County, Pennsylvania, and more particularly bounded and described as follows:

THE FIRST THEREOF: BEGINNING at an iron pin bound at an old fence row on line of land owned by Christopher P. Bungo; thence along land of Bungo, North 88° 07' 30" East 429.96 feet to a point on the corner of a parcel of land containing 16.69 acres and also belonging to the said Christopher P. Bungo; thence along said land of Bungo, South 16° 07' 30" West 602.01 feet to a point on a Conrail right-of-way; thence along said right-of-way, North 73° 58' 00" West 406.06 feet to a point on land now or formerly of Lewis Maney; thence along land now or formerly of Maney North 19° 52' 30" East 471.50 feet to an iron pin and place of beginning. Being a parcel of land containing 5.17 acres.

THE SECOND THEREOF: BEGINNING at a stake on line of the right-of-way of Route 322 and on line of lands of the General Refractories Company; thence North by lands of the General Refractories Company one hundred thirty-three (133) feet to stake on the railroad right-of-way line; thence by lands of the railroad right-of-way East four hundred eighty (480) feet to a stake on railroad right-of-way and line of reserved right-of-way of Johns; thence by the reserved right-of-way line South one hundred twenty-three (123) feet to stake on line of reserved right-of-way of Johns and on line of Route 322 right-of-way; thence by right-of-way of Route 322 West five hundred twenty (520) feet to stake and place of beginning. Containing 1.47 acres, more or less.

Said ORDER shall be final and absolute unless the Defendants shall file exceptions thereto within thirty (30) days thereafter. If such action is not taken within the thirty (30) day period, the Prothonotary, on Praecipe of the Plaintiff, shall enter final judgment.

BY THE COURT



JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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3/10-43401
NOTED BY
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William A. Shaw
Prothonotary

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

(23) CHRISTOPHER P. BUNGO,
an individual,
Plaintiff,

v.

(21) CARRIE COLE, an individual,
her heirs, executors,
administrators and assigns,
(65) and ROBERT S. KISTLER and
MARY M. KISTLER, husband and
wife,
Defendants.

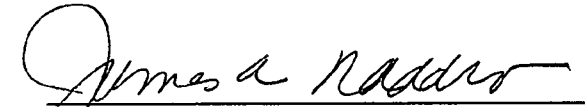
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No. 00 - 276 - CD

PRAECIPE FOR FINAL JUDGMENT

TO THE PROTHONOTARY:

Please enter final judgment against the Defendants in
the above-captioned action for failure to respond to the Order of
Court dated June 1, 2000.


James A. Naddeo
Attorney for Plaintiff

Dated: July 6, 2000