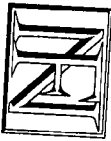


00-378-CD  
ALICE F. TATE -vs- THOMAS L. TATE



**FREDERICK M. NEISWENDER**  
ATTORNEY AND COUNSELLOR AT LAW  
501 EAST MARKET STREET • SUITE 3  
CLEARFIELD, PENNSYLVANIA 16830

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

(19) ALICE F. TATE,

Plaintiff,

vs.

(OS) THOMAS L. TATE,

Defendant.

No. 00 - 378 - C.D.

Type of case: Quiet Title Action

Type of pleading: Complaint

Filed on behalf of: Plaintiff,  
Alice F. Tate.

Counsel for Plaintiff:  
Frederick M. Neiswender, Esquire  
Supreme Court No. 74456  
501 East Market Street, Suite 3  
Clearfield, Pennsylvania 16830  
(814) 765-6500

FILED

MAR 27 2000

William A. Shaw  
Prothonotary

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

ALICE F. TATE,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	No. 00 - - C.D.
	:	
THOMAS L. TATE,	:	
	:	
Defendant.	:	

**NOTICE TO DEFEND**

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  
1 North Second Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

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

ALICE F. TATE,	:	
Plaintiff,	:	
	:	
vs.	:	No. 00 - - C.D.
	:	
THOMAS L. TATE,	:	
Defendant.	:	

**COMPLAINT**

AND NOW, comes the Plaintiff, ALICE F. TATE, by and through her attorney,  
FREDERICK M. NEISWENDER, ESQUIRE, and files this Complaint against the Defendant,  
THOMAS L. TATE, on a cause of action upon which the following is a statement:

1. Plaintiff, ALICE F. TATE, is an adult individual residing at P.O. Box 53, Karthaus, Clearfield County, Pennsylvania 16845.
2. Defendant, THOMAS L. TATE, is an adult individual residing at 201 Nero Court, Mt. Juliet, Tennessee 37122.
3. The premises subject to this action are known as Lot Number 5, Block A, Village of Karthaus, Clearfield County, Pennsylvania, and identified by Clearfield County Assessment No. 121-T4-607-30. They are more particularly described as follows:

**All** that certain lot or ground situate in the Village of Karthaus, Clearfield County, Pennsylvania, known and designated as Lot Number 5, Block A, in the plot of said Village, being sixty (60) feet front on Main Street by one hundred eighty (180) feet deep on an alley.

**Being** the same premises conveyed by deed of Thrift Consumer Discount Company, a Pennsylvania Corporation, to Alice F. Tate, dated June 27, 1988, and recorded July 14, 1988, in the Office of the Recorder of Clearfield County in Volume 1233, page 334.

4. Thrift Consumer Discount Company acquired this property at private tax sale by deed granted to them by the Tax Claim Bureau of Clearfield County, Pennsylvania, dated December 10, 1985, and recorded in the Office of the Recorder of Clearfield County in Volume 1054, page 478.

5. Plaintiff's counsel has examined records at the Clearfield County Tax Claim Bureau concerning the tax sale of the premises.

6. Those records do not establish with certainty that proper notice was given to all parties in interest prior to the sale of the premises for unpaid taxes.

7. Prior to the tax sale, Alice F. Tate, the Plaintiff, and Thomas L. Tate, the Defendant received good and marketable title to the premises from William Bamat and Barbara Bamat by deed dated November 16, 1981, and recorded in the Office of the Recorder of Clearfield County in Volume 824, page 107.

8. Plaintiff brings this Quiet Title Action to cure any defects that may exist in her title as a result of defects in the tax sale.

WHEREFORE, Plaintiff requests:

- a) That this Honorable Court decree that Plaintiff is the true, lawful and only owner of the premises described in Paragraph 3 above;
- b) That Defendant, within thirty (30) days of receipt of this Complaint, institute an action in ejectment against the Plaintiff and that if they fail to do so, the Defendant be perpetually enjoined from setting up any title or claim to the premises subject to this action, and from impeaching, denying or in any way attacking the Plaintiff's title to the premises subject to this action, from issuing or maintaining an ejectment from

said premises and from encumbering, mortgaging, leasing, conveying or otherwise attempting to transfer an interest in the premises or any part thereof; and

c) Such other relief as the Court may determine to be appropriate.

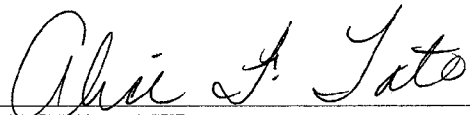
Respectfully submitted,

Dated: March 24, 2000

Frederick M. Neiswender  
Frederick M. Neiswender, Esquire  
Counsel for Plaintiff

ALICE F. TATE hereby states that she is the Plaintiff in this action and that the statements of fact made in the foregoing Complaint are true and correct upon personal knowledge. The undersigned understands that the statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

DATE: 3-24-00

  
\_\_\_\_\_  
ALICE F. TATE



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

ALICE F. TATE,

Plaintiff,

vs.

THOMAS L. TATE,

Defendant.

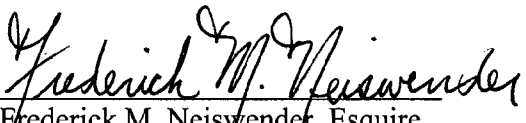
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No. 00 - - C.D.

**CERTIFICATE OF SERVICE**

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Complaint was made upon Thomas L. Tate on March 27, 2000, by registered mail, postage pre-paid, a true copy to the following address:

Thomas L. Tate  
201 Nero Court  
Mt. Juliet, Tennessee 37122

  
Frederick M. Neiswender, Esquire  
Counsel for Plaintiff  
501 East Market Street, Suite 3  
Clearfield, Pennsylvania 16830

FILED

MAR 27 2000

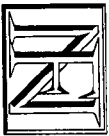
William A. Shaw

Prothonotary

Atty New Windsor

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**FREDERICK M. NEISWENDER**  
ATTORNEY AND COUNSELLOR AT LAW

501 EAST MARKET STREET • SUITE 3  
CLEARFIELD, PENNSYLVANIA 16830

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Defendant.

(814) 765-6500

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL ACTION – LAW)

ALICE F. TATE,

Plaintiff,

vs.

THOMAS L. TATE,

Defendant.

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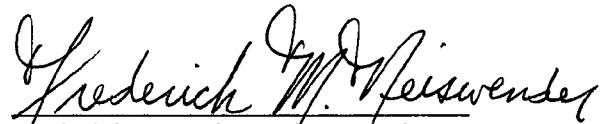
No. 00 - 378 - C.D.

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Please mark the above captioned matter SETTLED and DISCONTINUED.

Date: 5/4/2000



Frederick M. Neiswender, Esquire

Attorney for Plaintiff

Supreme Court No. 74456

501 East Market Street, Suite 3

Clearfield, Pennsylvania 16830

(814) 765-6500

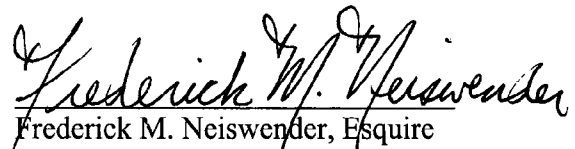
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL ACTION – LAW)

ALICE F. TATE,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	No. 00 - 378 - C.D.
	:	
THOMAS L. TATE,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

I, Frederick M. Neiswender, Esquire, hereby certify that service of the foregoing Praecipe To Discontinue was made on May 5, 2000, by mailing, first class, postage prepaid, a true copy to the following persons, at the following addresses:

Mr. Thomas L. Tate  
201 Nero Court  
Mt. Juliet, Tennessee 37122

  
Frederick M. Neiswender, Esquire  
Counsel for Plaintiff  
501 East Market Street, Suite 3  
Clearfield, Pennsylvania 16830

FILED

MAY 08 2000

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William A. Shaw

Prothonotary

2 cert to ATT

Cert. Disc. to

Atty Newwender

Copy to CA

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

COPY

ALICE F. TATE

Plaintiff(s)

vs.

No. 00-378-CD

THOMAS L. TATE

Defendant(s)

CERTIFICATE OF DISCONTINUANCE

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

I, WILLIAM A. SHAW, Prothonotary of the Court of Common Pleas in and  
for the County and Commonwealth aforesaid do hereby certify that the above  
case was this day, the 9th of May A.D. 2000, marked:

SETTLED AND DISCONTINUED.

Record costs in the sum of \$90.00 have been paid in full by

Frederick M. Neiswender, Esquire

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this  
Court at Clearfield, Clearfield County, Pennsylvania this 9th day of  
May A.D. 2000.

\_\_\_\_\_  
Prothonotary