

00-379-4D
ORAN W. BLOOM, JR. et al -vs- LELAND D. BALL et al

CLERAFFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

(1)

cc
Oleg A. Kubista
Shaw
notary
PD
890 OC
ICC atty Kubista

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals, *

Plaintiffs, *

v. *

No. 2000-379 -CD
CIVIL ACTION

LELAND D. BALL, an individual, his
heirs, executors and assigns, JOHN H. *
BALL, his heirs, executors and assigns, *
BERYL E. GAULT, an individual, his heirs*
executors and assigns. *

Defendants. *

COMPLAINT IN
QUIET TITLE

Filed on behalf of
Plaintiffs

Counsel of Record for
this party:

Kimberly M. Kubista
PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED

MAR 27 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals, *

Plaintiffs, *

v. *

No. 2000- -CD
CIVIL ACTION

LELAND D. BALL, an individual, his
heirs, executors and assigns; JOHN H.
BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns. *

Defendants. *

COMPLAINT

NOW COME the Plaintiffs, by and through their
attorneys, Belin & Kubista, and set forth the following action in
quiet title, and in support thereof, allege as follows:

1. That the Plaintiffs are Oran W. Bloom, Jr. and
Marian J. Bloom, individuals who reside at H.C. 1, Box 93,
Madera, Pennsylvania 16661.

2. That the Defendants are Leland D. Ball, an
individual, his heirs, executors and assigns, whose last known
address is unknown; John H. Ball, an individual, his heirs,
executors and assigns, whose last known address is unknown;
Beryl E. Gault, an individual, his heirs, executors and assigns,
whose last known address is unknown.

4. Plaintiffs are the owners of certain premises
which are the subject of this quiet title action situate in
Jordan Township, Clearfield County, Pennsylvania, and are more
particularly described as follows:

ALL that certain piece of ground situate in the Village of
McCartney, Township of Jordan and County of Clearfield,

State of Pennsylvania, bounded and described as follows:

BEGINNING at a corner on Railroad Street, fronting Pat Alley, eighty (80) feet, thence South thirty-six (36°) degrees, forty-seven (47') minutes East ninety (90) feet; thence to Wood Alley ninety (90) feet, bounding along Lot No. 37 to Wood Alley, ninety (90) feet; thence to place of beginning. BEING Lot No. 40 in plot of Village of McCartney, marked on original draft and known as Lot No. 40 in plot of said Village and a portion of tract warranted in name of John Dunwoodie.

EXCEPTING AND RESERVING therefrom all the coal in and under said premises, with the usual mining privileges to mine and remove the same without being liable for any damages for doing so.

BEARING Clearfield County Assessment No. 120-I14-474-20 and being assessed as a lot.

4. That Plaintiffs acquired title to the subject premises by virtue of a deed from The Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee, as the property of Leland D. Ball, dated December 15, 1992, recorded to Clearfield County Deed and Record Book 1505, page 97.

5. That Defendant Leland D. Ball failed to pay real estate taxes on the subject premises for the years 1989 through 1992, and the premises were exposed to public sale by the Treasurer of Clearfield County on September 15, 1992.

6. That Leland D. Ball acquired title to the subject premises by virtue of a deed from The Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee as the property of the John H. Ball heirs, dated February 1, 1978, recorded to Clearfield County Deed and Record Book 755, page 439.

7. That a purpose of this quiet title action is to extinguish any equity of redemption which Defendant Leland D.

Ball, his heirs, executors, administrators and assigns, may have in and to the subject premises by virtue of the above referenced tax sale.

8. That Defendant John H. Ball or his heirs, executors and assigns, failed to pay taxes on the subject premises for the years 1973 through 1975 and the same were exposed to public tax sale on September 12, 1977.

9. That there is no deed of record into John H. Ball, although the assessment docket index indicates that the subject premises were sold to John H. Ball in 1938. There is no estate filed of record in Clearfield County for John H. Ball.

10. That a purpose of this quiet title action is to extinguish any equity of redemption which Defendant John H. Ball, his heirs, executors, administrators and assigns, may have in and to the subject premises by virtue of the above referenced tax sale.

11. That Beryl E. Gault acquired title to the subject premises by virtue of a deed from Joseph Gazda and Julia Gazda, husband and wife, dated April 27, 1944, recorded to Clearfield County Deed Book 377, page 147.

12. That Joseph Gazda and Julia Gazda, husband and wife, acquired title to the subject premises by virtue of a deed from Sylvia Sassey, also known as Sylvia Saucez and Katie Sassey, also known as Katie Saucez, husband and wife, dated April 4, 1925, recorded to Clearfield County Deed Book 274, page 173.

13. That there is no deed of record out of Beryl E.

Gault.

14. That the final purpose of this quiet title action is to extinguish any interest which Beryl E. Gault, his heirs, executors and assigns, may have retained in and to the subject premises.

15. That Plaintiffs and their predecessors in title have exercised open, continuous, exclusive, adverse and notorious possession and control over the subject premises for a period in excess of twenty-one (21) years.

16. That the Plaintiffs and Defendants are the only possible persons who have an interest in the subject property.

WHEREFORE, Plaintiffs request:

(a) that by decree of Your Honorable Court it may be declared that title to the premises set forth in Paragraph 3 hereof is in the Plaintiffs and that they shall be allowed to enjoy said property in peace; and

(b) that the Defendants, within twenty (20) days from the receipt of the Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants be perpetually enjoined from setting up any title to said property; from impeaching, denying or in any way attacking the Plaintiffs' 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.

BELIN & KUBISTA

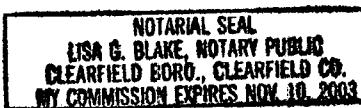
By Kimberly M. Kubista
Kimberly M. Kubista
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)
) ss.
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared ORAN W. BLOOM, JR. and MARIAN J. BLOOM, known to me (or satisfactorily proven) who, being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

Oran W. Bloom, Jr.
ORAN W. BLOOM, JR.
Marian J. Bloom
MARIAN J. BLOOM

SWORN AND SUBSCRIBED before me this 27th day of
March, 2000.



Lisa G. Blake
notary public

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CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1

15 NORTH FRONT STREET

ATTORNEYS AT LAW

BELIN & KUBISTA

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MAR 20 1988

W.C. A. Shaw
Notary

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals, *

Plaintiffs, *

v. *

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CIVIL ACTION

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heirs, executors and assigns; JOHN H.
BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns. *

Defendants. *

AFFIDAVIT

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. 52782

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

(814) 765-8972

FILED

MAR 30 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals,

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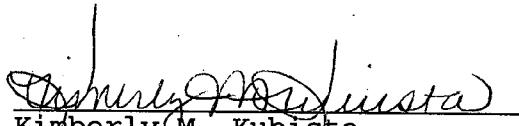
Defendants.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

KIMBERLY M. KUBISTA, being duly sworn according to
law, deposes and states that she is the attorney for the
Plaintiffs in the above-captioned case and that the last known
and current addresses of the above Defendants are unknown.

She further avers that she attempted to locate said
Defendants by checking the local telephone directories, estate
files for Clearfield County and all other available listings,
but as a result of the search, no information outside the
existing records set forth in the quiet title action was
attainable.


Kimberly M. Kubista
Attorney for Plaintiffs

Subscribed and sworn to before me this 30th day of
March, 2000.


Lisa G. Blaie
notary public

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(3)

CLEARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED
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MAR 30 2000
WILLIAM A. BROWN
CLERK OF COURT
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J. E. B.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
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v. *

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BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns.

Defendants. *

MOTION AND ORDER
FOR PUBLICATION

Filed on behalf of
Plaintiff

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. 52782

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

(814) 765-8972

FILED

MAR 30 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
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BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns. *

Defendants. *

MOTION FOR PUBLICATION

AND NOW, to wit: March 30, 2000, an affidavit having
been executed and filed on behalf of the Plaintiffs that the
Defendants whereabouts are unknown, the Plaintiffs, by their
attorney, Kimberly M. Kubista, move the Court for leave to serve
the complaint on Defendants by publication one (1) time in *The
Progress*, and by publication one (1) time in the Clearfield
County Legal Journal.


Kimberly M. Kubista
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals,

Plaintiffs,

v.

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LELAND D. BALL, an individual, his
heirs, executors and assigns; JOHN H. *
BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns.

Defendants.

ORDER FOR PUBLICATION

AND NOW, to wit: April 3, 2000, upon
consideration of the foregoing Motion, the Plaintiffs are
granted leave to make service of the Complaint on all Defendants
by general publication one (1) time in *The Progress* and one (1)
time in the Clearfield County Legal Journal, the last insertion
to appear not less than thirty (30) days prior to May 8,
2000, the date set for hearing of said Complaint in Courtroom
No. 1 of the Clearfield County Courthouse, Clearfield,
Pennsylvania at 11:30 A M.

BY THE COURT:

Judge

FILED

APR 03 2000

William A. Shaw
Prothonotary

FILED

APR 03 2000
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William A. Shaw
Prothonotary
Fee

CLARFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BEILIN & KUBISTA
5

FILED
013:25pm
FEB 4 1981

William A. Shaw
Shaw
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM, *
individuals, *

Plaintiffs, *

v. *

No. 00-379-CD
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heirs, executors and assigns; JOHN H. *
BALL, his heirs, executors and assigns; *
BERYL E. GAULT, an individual, his heirs*
executors and assigns. *

Defendants. *

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiffs

Counsel of Record for
this party:

Kimberly M. Kubista
PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED

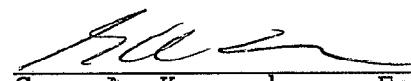
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William A. Shaw
Prothonotary

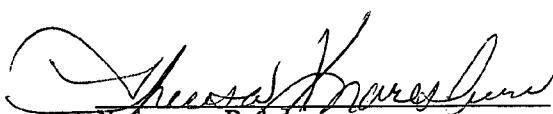
PROOF OF PUBLICATION

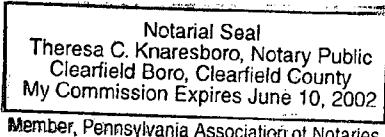
STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD :

On this 17th day of April, 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 April 14, 2000, Vol 12, No. 15. 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.


Theresa C. Knaresboro
Notary Public
My Commission Expires



Belin & Kubista
15 North Front Street
Clearfield, PA 16830

GAULT, an individual, his heirs, executors and assigns, Defendants.

NO. 00-379-~~CD~~

QUIET TITLE ACTION

TO: LELAND D. BALL, an individual, his heirs, executors and assigns; JOHN H. BALL, his heirs, executors and assigns; BERYL E. GAULT, an individual, his heirs, executors and assigns, Defendants.

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 do not 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. 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 Courthouse, Clearfield, PA 16830 (814) 765-2641, Ext. 50-51.

You are hereby notified that an Action to Quiet Title to the following premises situate in Jordan Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly bounded and described as follows:

ALL that certain piece of ground situate in the Village of McCartney, Township of Jordan and County of Clearfield, State of Pennsylvania, bounded and described as follows:

BEGINNING at a corner on Railroad Street, fronting Pat Alley, eighty (80) feet, thence South thirty-six (36) degrees, forty-seven (47) minutes East ninety (90) feet; thence to Wood Alley ninety (90) feet, bounding along Lot No. 37 to Wood Alley, ninety (90) feet; thence to place of beginning. BEING Lot No. 40 in plot of Village of McCartney, marked on original draft and known as Lot No. 40 in plot of said Village and a portion of tract warranted in name of John Dunwoodie.

EXCEPTING AND RESERVING therefrom all the coal in and under said premises, with the usual mining privileges to mine and remove the same without being liable for any damages for doing so.

BEARING Clearfield County Assessment No. 120-I14-474-20 and being assessed as a lot.

That a purpose of this quiet title action is to extinguish any equity of redemption which Defendant Leland D. Ball, his heirs, executors, administrators and assigns, may have in and to the subject premises by virtue of the tax sale.

That a purpose of this quiet title action is to extinguish any equity of redemption

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

ORAN W. BLOOM, JR., and MARIAN J. BLOOM, individuals, Plaintiffs, v. LELAND D. BALL, an individual, his heirs, executors and assigns; JOHN H. BALL, his heirs, executors and assigns; BERYL E.

which Defendant John H. Ball, his heirs executors, administrators and assigns, may have in and to the subject premises by virtue of the above referenced tax sale.

That the final purpose of this quiet title action is to extinguish any interest which Beryl E. Gault, his heirs, executors and assigns, may have retained in and to the subject premises.

WHEREUPON, said Court ordered that notice of said action and the facts thereto be served on the Defendants LELAND D. BALL, an individual, his heirs, executors and assigns; JOHN H. BALL, his heirs, executors and assigns; BERYL E. GAULT, an individual, his heirs, executors and assigns by the Plaintiffs by advertisement requiring Defendants above named, their heirs, executors and assigns, 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 Plaintiffs before the Court at a hearing to be held on May 8, 2000, at 1:30 p.m. at the Clearfield County Courthouse, Courtroom No. 1, Clearfield, Pennsylvania.

BELIN & KUBISTA, 15 North Front Street, Clearfield, Pennsylvania, Attorneys for Plaintiffs.

NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY
CIVIL DIVISION
ORAN W. BLOOM, JR. and MAR-
IAN J. BLOOM, individuals, Plaintiffs

v.
LELAND D. BALL, an individual,

his heirs, executors and assigns;
JOHN H. BALL, his heirs, execu-
tors and assigns; BERYL E.
GAULT, an individual, his heirs,
executors and assigns, Defendants.

No. 00-379-CD

ACTION IN QUIET TITLE

TO: LELAND D. BALL, an individ-
ual, his heirs, executors and as-
signs; JOHN H. BALL, his heirs,
executors and assigns; BERYL E.
GAULT, an individual, his heirs,
executors and assigns, Defendants.

NOTICE--If you wish to defend,
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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
relief requested by the Plaintiffs. You
may lose money or property or
other rights important to you. 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 Courthouse, Clearfield,
Pennsylvania (814) 765-2641.

You are hereby notified that an
Action in Quiet Title to the following
premises situate in Jordan Town-
ship, Clearfield County, Pennsylva-
nia, has been filed against you. Said
premises are more particularly
bounded and described as follows:

ALL that certain piece of ground
situate in the Village of McCartney,
Township of Jordan and County of
Clearfield, State of Pennsylvania,
bounded and described as follows:
BEGINNING at a corner on Rail-
road Street, fronting Pat Alley,
eighty (80) feet, thence South
thirty-six (36°) degrees, forty-sev-
en (47') minutes East ninety (90)
feet; thence to Wood Alley ninety
(90) feet, bounding along Lot No.
37 to Wood Alley, ninety (90) feet;
thence to place of beginning.
BEING Lot No. 40 in plot of Village
of McCartney, marked on original
draft and known as Lot No. 40 in
plot of said village and a portion of
tract warranted in name of John
Dunwoodie.

EXCEPTING AND RESERVING
therefrom all the coal in and under
said premises, with the usual min-
ing privileges to mine and remove
the same without being liable for
any damages for doing so.

BEARING Clearfield County As-
sessment No. 120-114-474-20
and being assessed as a lot.

That a purpose of this quiet title
action is to extinguish any equity of
redemption which Defendant Le-
land D. Ball, his heirs, executors,
administrators and assigns may
have in and to the subject premises
by virtue of the tax sale.

That a purpose of this quiet title
action is to extinguish any equity of
redemption which Defendant John
H. Ball, his heirs, executors, admin-
istrators and assigns, may have in
and to the subject premises by
virtue of the above referenced tax
sale.

That the final purpose of this quiet
title action is to extinguish any interest
which Beryl E. Gault, his heirs,
executors and assigns, may have
retained in and to the subject premises.

WHEREUPON said Court or-
dered that notice of said action and
the facts thereto be served on the
Defendants, LELAND D. BALL, an
individual, his heirs, executors and
assigns; JOHN H. Ball, his heirs,
executors and assigns; BERYL E.
GAULT, an individual, his heirs,
executors and assigns by the Plaintiffs
by advertisement, requiring
Defendants above named, their
heirs, executors and assigns to an-
swer the said Complaint within
twenty (20) days from the date of
this publication. For failure to com-
ply, a judgment will be taken by ap-
plication of the Plaintiffs before the
Court at a hearing to be held on May
8, 2000, at 1:30 p.m. at the Clear-
field County Courthouse, court-
room No. 1, Clearfield, Pennsylva-
nia.

BELIN & KUBISTA, Attorneys at
Law, 15 North Front Street, Clear-
field, Pennsylvania, Attorneys for
Plaintiff.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 12th 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 April 6, 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

Notarial Seal
Ann K. Law, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Sept. 16, 2000

General Instruction

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**nday, April 10th, 2000
itter for Adults**

*Wednesdays, Fridays)
days, Thursdays)*

3.28-11d-c-(15)

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BELLIN & KUBISTA

CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1

15 NORTH FRONT STREET

ATTORNEYS AT LAW

6/10/1971
0/130/71
William & Shaw
Prothonotary

1 cent to Atty

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM,*
individuals,

Plaintiffs,

v.

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BERYL E. GAULT, an individual, his heirs
executors and assigns.

Defendants.

* * *
No. 00-379-CD
CIVIL ACTION

MOTION AND ORDER

Filed on behalf of
Plaintiffs

Counsel of Record for
this party:

Kimberly M. Kubista
PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED

MAY 08 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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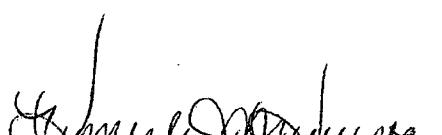
Defendants.

MOTION

AND NOW, this 8th day of May, 2000, an affidavit having been executed and
filed on behalf of the Plaintiffs that the Complaint with Notice to Defend was served on all
Defendants by publication, and none of the defendants having answered, the Plaintiffs, by their
attorney, Kimberly M. Kubista, hereby moves the Court to enter judgment in favor of the
Plaintiffs and against the Defendants.

BELIN & KUBISTA

By:


Kimberly M. Kubista
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM,*
individuals,

*

*

Plaintiffs,

*

*

v.

No. 00-379-CD
CIVIL ACTION

LELAND D. BALL, an individual, his
heirs, executors and assigns; JOHN H.
BALL, his heirs, executors and assigns;
BERYL E. GAULT, an individual, his heirs
executors and assigns.

*

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Defendants.

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ORDER

AND NOW, this 8 day of May, 2000, an Affidavit of Service of the
Complaint with Notice to Defend having been filed stating that the complaint was served on all
Defendants by publication, and no response to pleading having been filed by said Defendants,
the Court, upon motion of Kimberly M. Kubista, Attorney for Plaintiffs, hereby ORDERS that
title to said premises is in the Plaintiffs and that they be allowed to enjoy said property in peace.
Said property is situate in Jordan Township, Clearfield County, Pennsylvania, being more fully
described as follows:

ALL that certain piece of ground situate in the Village of McCartney, Township of Jordan
and County of Clearfield, State of Pennsylvania, bounded and described as follows:

BEGINNING at a corner on Railroad Street, fronting Pat Alley, eighty (80) feet,
thence South thirty-six (36°) degrees, forty-seven (47') minutes East ninety (90)
feet; thence to Wood Alley ninety (90) feet, bounding along Lot No. 37 to Wood
Alley, ninety (90) feet; thence to place of beginning. BEING Lot No. 40 in plot of
Village of McCartney, marked on original draft and known as Lot No. 40 in plot
of said Village and a portion of tract warranted in name of John Dunwoodie.

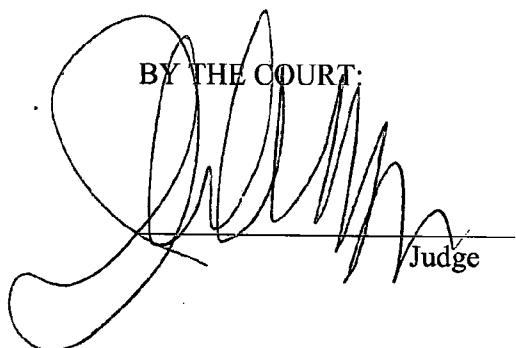
EXCEPTING AND RESERVING therefrom all the coal in and under said
premises, with the usual mining privileges to mine and remove the same without

being liable for any damages for doing so.

BEARING Clearfield County Assessment No. 120-I14-474-20 and being assessed as a lot.

It is FURTHER ORDERED that the Defendants are forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest of claim of the Plaintiffs set forth in their Complaint, unless the Defendants take such action as the Order directs within Thirty (30) days thereafter. If such action is not taken within the thirty-day period, the Prothonotary on Praecept of the Plaintiffs shall enter final judgment. Defendants shall file an Answer within thirty days of the date hereof or judgment will be entered in accordance with this Order.

BY THE COURT:



Judge

FILED

MAY 08 2000

William A. Shaw
Prothonotary

1 CENT TO FILE

7
CLEARFIELD, PENNSYLVANIA 16830
P. O. Box 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED

JUN 07 2000
120710 CC
William A. Shaw
Prothonotary
FEB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM,
individuals,

Plaintiffs,

v.

LELAND D. BALL, an individual, his
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BERYL E. GAULT, an individual, his heirs
executors and assigns.

Defendants.

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No. 00-379-CD
CIVIL ACTION

PRAECLPICE FOR
FINAL JUDGMENT

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

Kimberly M. Kubista
Attorney-at-Law
Pa. I.D. 52782

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUN 07 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ORAN W. BLOOM, JR. and MARIAN J. BLOOM,
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BALL, his heirs, executors and assigns;
BERYL E. GAULT, an individual, his heirs
executors and assigns.

Defendants.

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PRAECIPE FOR FINAL JUDGMENT

TO: WILLIAM SHAW, PROTHONOTARY

Dear Sir:

Please enter final judgment against the Defendants in the above-captioned
case for failure to comply with the Order of Court directing Defendants to file objections
within thirty (30) days from the entry of Order of judgment in favor of Plaintiffs.

BELIN & KUBISTA

By: 
Kimberly M. Kubista
Attorney for Plaintiffs