

00-437-CD
MARY T. ELINSKY -vs- R. MATILDA SPACKMAN et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA CIVIL DIVISION No. 00 - - CD	
MARY T. ELINSKY, Plaintiff	vs. R. MATILDA SPACKMAN and THOMAS SPACKMAN, wife and husband, their heirs, executors, adminis- trators, successors, assigns and any other person or entity claim- ing title in or to the premises under them. Defendants
C O M P L A I N T	
NOTICE TO DEFENDANTS: <p>YOU are hereby notified that you are required to file an Answer to the within Complaint within twenty (20) days after service upon you or judgment may be entered against you.</p>	
JOHN R. RYAN, ESQUIRE ATTORNEY FOR PLAINTIFF	
COLAVECCHI & RYAN ATTORNEYS AT LAW 221 E. MARKET STREET (ACROSS FROM COURTHOUSE) P. O. BOX 131 CLEARFIELD, PA. 16830	

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 APR 13 2000
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 William A. Shaw
 Pronotary
 Sec atty Ryan
 atty Ryan
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 (Signature)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(61)
MARY T. ELINSKY,
Plaintiff

vs.

(62)
R. MATILDA SPACKMAN and
(63) THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

COMPLAINT

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

APR 2000

William A. Shaw
Prothonotary

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

MARY T. ELINSKY, :
Plaintiff. :
 :
vs. : No. 00 - - CD
 :
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

N O T I C E

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 CCURTHOUSE
Second and Market Streets
Clearfield, PA 16830

Phone 814/765-2641 Ext. 5982

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

MARY T. ELINSKY, :
Plaintiff :
 :
vs. : No. 00 - - CD
 :
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

C O M P L A I N T

1. Plaintiff is Mary T. Elinsky, an adult individual, residing at HCl Box 38, Curwensville, Pennsylvania, 16833.

2. Defendants are R. Matilda Spackman and Thomas Spackman, wife and husband, their heirs, executors, administrators, successors, assigns, and any other person or entity claiming title in or to the premises under them herein described.

3. It is believed and therefore averred that R. Matilda Spackman and Thomas Spackman are now deceased.

4. That the property involved in this action is described as follows:

ALL that certain tract of land situated in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania, having Clearfield County Assessment Map Number 123-0-J11-90, being bounded and described as follows:

Being known as Lots Number 64 and 65 of the Spackman Plan of Lots in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania and being part of the same premises conveyed to R. Matilda Spackman by deed of W.W. Betts dated July 26, 1880, recorded at Clearfield County in Deed Book 20, Page 224.

5. Plaintiff has acquired title to the premises described herein, through the above mentioned deeds and by more then twenty-one (21) years adverse possession of said property, through her predecessors in title. Said possession having been open, notorious and adverse to all interests which the Defendants enumerated herein may have to the premises.

6. Plaintiff, through her predecessors in title, made adverse entrance on the above-described property commencing on January 24, 1942 and said adverse possession has continued until the present time.

7. Plaintiffs' adverse possession of this property, through her predecessors in title, has been open, continuous, exclusive, and notorious in character and has continued for more than the statutory period of twenty-one (21) years, it having been adverse to all interests which the Defendants enumerated herein may have in the premises.

8. That this Action to Quiet Title is necessary in order to firmly vest title in the Plaintiff through the chain of deeds and by adverse possession, and also to clear any defects in title which may have arisen through tax sales.

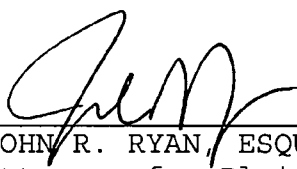
9. There are often unknown defects in tax sales which are not clearly apparent on the record. It is intended that any defects in title which may be present can be brought up at this time. It is the purpose of this action to give all parties the opportunity to present any claim they might have to the property.

WHEREFORE, Plaintiff brings this Action to Quiet Title and asks the Court to Decree as follows:

a. That the Plaintiff is seized of an indefeasible title as acquired through the deeds recited in Paragraphs 4 and also by adverse possession to the premises situated in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania, having Clearfield County Assessment Map Number 123-0-J11-90 .

b. Enter such judgment or other relief which may be necessary in establishing an indefeasible title in the Plaintiff.


c. Such other and further relief as the Court may deem proper.



JOHN R. RYAN, ESQUIRE
Attorney for Plaintiff

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.


MARY T. ELINSKY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 00 - 437 - CD

MARY T. ELINSKY,
Plaintiff

vs.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband,
their heirs, executors,
administrators, successors,
assigns and any other person or
entity claiming title in or to
the premises under them,

Defendants

ORDER DIRECTING COMPLAINT TO
BE SERVED BY ADVERTISEMENT ON
CERTAIN DEFENDANTS

COLAVECCHI & RYAN
ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

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EX

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

CIVIL DIVISION

No. 00 - 437 - CD

vs.

ORDER DIRECTING COMPLAINT TO
BE SERVED BY ADVERTISEMENT
ON CERTAIN DEFENDANTS

R. MATILDA SPACKMAN and
THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

APR 17 2013

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

vs.

R. MATILDA SPACKMAN and
THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

ORDER DIRECTING COMPLAINT TO
BE SERVED BY ADVERTISEMENT
ON CERTAIN DEFENDANTS

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
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LAW OFFICES OF
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221 E. MARKET ST.
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CLEARFIELD, PA

FILED

APR 17 2010

William A. Shaw
Prothonotary

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

MARY T. ELINSKY, :
Plaintiff :
vs. : No. 00 - 437 - CD
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

ORDER DIRECTING COMPLAINT TO BE SERVED
BY ADVERTISEMENT ON CERTAIN DEFENDANTS

AND NOW, this 14th day of April, 2000, the within
action being an Action to Quiet Title, and the Plaintiff having
stated and made an Affidavit about the addresses of all known
Defendants, and have further stated that they cannot locate the
heirs of R. Matilda Spackman and Thomas Spackman, her husband, and
wherein there may be parties who have an interest in this property
who are presently not of record and cannot be determined after due
investigation of the available records, their whereabouts are
likewise unknown.

THEREFORE, upon Motion of John R. Ryan, Esquire, Attorney for
Plaintiff, it is ORDERED AND DECREED that substitute service by

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RYAN & COLAVECCHI
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(ACROSS FROM
COURTHOUSE)
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CLEARFIELD, PA

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APR 17 2000

William A. Shaw
Prothonotary

publication be made by giving notice in the Clearfield Progress Newspaper one time and in the Clearfield Legal Journal one time so that this will be notice at large to any Defendants of whom the Plaintiffs may not have knowledge. This notice shall appear one time, stating that the said action has been filed and shall contain a description of the premises involved in the Action to Quiet Title, and a statement therein that if an Answer is not filed on or before a day certain which shall be at least twenty (20) days from the date of the last publication, a judgment will be entered against the above-named Defendants granting relief requested in the Prayer of the Complaint, and which shall be set forth in full in the advertisement of said Action.

If this Complaint is not pleaded to within twenty (20) days after the date of the last publication, the Plaintiff may obtain a preliminary order directed to the Defendants and if no exceptions are filed to the preliminary order, within thirty (30) days, final judgment in this Action to Quiet Title may be entered by the Plaintiff against the Defendants.

BY THE COURT,

JUDGE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 00 - 437 - CD

MARY T. ELINSKY,
Plaintiff

vs.

R. NATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband,
their heirs, executors,
administrators, successors,
assigns and any other person or
entity claiming title in or to
the premises under them,

Defendants

AFFIDAVIT UNDER Pa. R.C.P. 430
CONCERNING LOCATION OF
DEFENDANTS

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William A. Shaw
Prothonotary

One (1) Set to Mr. Shaw
WAS

COLAVECCHI & RYAN
ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

vs.

R. MATILDA SPACKMAN and
THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

AFFIDAVIT UNDER Pa. R.C.P.
430 CONCERNING LOCATION OF
DEFENDANTS

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
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Clearfield, PA 16830

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CLEARFIELD, PA

FILED

APR 14 2000

William A. Shaw
Prothonotary

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

MARY T. ELINSKY, :
Plaintiff :
 :
vs. : No. 00 - 437 - CD
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R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

AFFIDAVIT UNDER Pa. R.C.P. 430
CONCERNING LOCATION OF DEFENDANTS

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF CLEARFIELD :

Before me, the undersigned, personally appeared Affiant, who,
being duly sworn according to law, deposes and says that he has
made the following attempts in an effort to determine the potential
Defendants and their location:

1. A search of all of the Deed Book Indexes of Clearfield
County that would appear to have any relevance to this action.

2. A check of all of the Tax Assessment Records of Clearfield County that would appear to have any relevance to this action.

3. A check of the Sheriff's Deed Book, and all Estate Records that would appear to have any relevance to this action.

4. A check of the Voters' Registration List.

5. Telephone calls to various individuals who could be located asking them about their knowledge of other parties and whether they knew their address.

6. A check of various telephone books in Clearfield County to see if any of the parties are listed, and calls having been made to parties whose names sounded similar to inquire as to whether they were related to the Defendants in the chain of title.

7. A check with the postal authorities to inquire as to whether there was a listing of potential Defendants.

8. A verification with relatives, neighbors, friends and employers of the Defendants where they could be located.

9. Checking of the motor vehicle records where applicable.

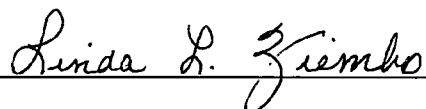
10. All of the above has been done in accordance with R.C.P. Rule 430 which covers service pursuant to special order of Court.

11. All of the efforts were made in good faith and a real attempt having been made to uncover any Defendants who may have an interest in the above-described Action to Quiet Title.



JOHN R. RYAN, ESQUIRE

Sworn to and subscribed before me
this 13 day of April, 2000.



NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires, December 17, 2001

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 437 - CD

MARY T. ELINSKY,

Plaintiff

VS.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband, their
heirs, executors, administrators,
successors, assigns and any other
person or entity claiming title
in or to the premises under them,
~~Defendants.~~

AFFIDAVIT OF SERVICE

COLAVECCHI & RYAN
ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

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William A. Shaw
Prothonotary
No c/c E 226

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

Vs.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband,
their heirs, executors,
administrators, successors,
assigns and any other person
or entity claiming title in or
to the premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

AFFIDAVIT OF SERVICE

Filed on Behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

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RYAN & COLAVECCHI
221 E. MARKET ST.
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CLEARFIELD, PA

FILED

MAY 10 2000

William A. Shaw
Prothonotary

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

MARY T. ELINSKY, :
Plaintiff : No. 00 - 437 - CD
Vs. :
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, :
successors, assigns and any other :
person or entity claiming title :
in or to the premises under them, :
Defendants:

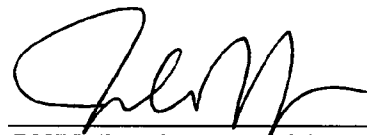
AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS.
:

Personally appeared before me, Notary Public, in and for the County and State aforesaid, JOHN R. RYAN, ESQUIRE, Attorney for Mary T. Elinsky, Plaintiff, who, being duly sworn according to law, deposes and says that Service of the foregoing Complaint to Quiet Title in the above-captioned Action, together with endorsed Notice to plead within twenty (20) days, was made personally, where possible, and by publication as follows:

1. Service by publication was made in The Progress, a daily newspaper published at Clearfield, Pennsylvania, on April 20, 2000. This Service is attested to by a Proof of Publication attached to this Affidavit and made a part hereof.

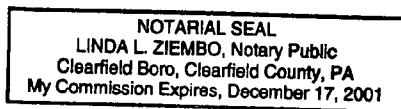
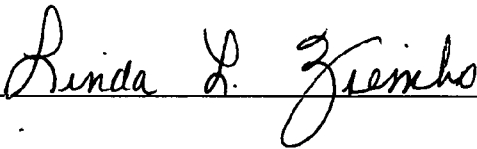
2. That Service has been made on the above-named Defendants, both personally, where possible, and by publication, and the above-named Defendants, and their heirs, devisees, administrators, executors, and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, have not filed any Answer to the Complaint.



JOHN R. RYAN, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before me

this 10 day of May, 2000.



NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA
CIVIL DIVISION
MARY T. ELINSKY, Plaintiff
vs.

R. MATILDA SPACKMAN and
THOMAS SPACKMAN, wife and
husband, their heirs, executors,
administrators, successors, as-
signs and any other person or entity
claiming title in or to the premises
under the above-captioned case.

NO. 237-CD
ACTION FOR EJECTMENT
TO THE ABOVE-NAMED DEFEN-
DANTS

TAKEN NOTICE THAT ON April 19,
2000 the above-named Plaintiff
filed her Complaint averring that
Mary T. Elinsky is the owner of all
that certain piece or parcel of land
situated and being in the Village of
Glen Richey, Lawrence Township,
Clearfield County, Pennsylvania,
being bounded and described as
follows:

Being known as Lots Number 64
and 65 of the Spackman Plan of
Lots in the Village of Glen Richey,
Lawrence Township, Clearfield
County, Pennsylvania and being
part of the same premises con-
veyed to R. Matilda Spackman by
deed of W.W. Betts dated July 26,
1880, recorded at Clearfield
County in Deed Book 20, Page
224.

WHEREUPON, said court or-
dered that notice of the above facts
be served by the Plaintiff on the De-
fendants, personally where known,
and by advertisement where they
cannot be located, or their identity
cannot be ascertained, requiring
them to answer said Complaint
within twenty (20) days after the
date of the last publication. The last
date of publication of this notice is
April 20, 2000. An Answer must be
filed to the Complaint in this Action
by no later than May 10, 2000. Fail-
ure to file an Answer by May 10,
2000, will result in default judg-
ment being taken against the De-
fendants. Further, that title will be
confirmed in the Plaintiffs free of
any claims by Defendants.

NOTICE

You have been sued in Court. If
you wish to defend against the
claims set forth as above, you must
take action within twenty (20) days
after the Complaint has been filed
and this Notice has been posted in
the newspaper, by entering a writ-
ten appearance personally or by at-
torney and filing in writing with the
Court your defenses or objections
to all 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 re-
quested by the Plaintiff. You may
lose money or property or other
rights important to you.

LAW OFFICE
COLAVECCHI & COLA-
VECCHI, P.C.
221 E. MARKET STREET
(ACROSS FROM THE
COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA 16830
YOU SHOULD TAKE THIS PA-
PER OR A COPY OF 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, 2nd & Market Streets,
Clearfield, PA 16830, Phone
(814) 765-2841 Ext. 5082
COLAVECCHI RYAN & COLA-
VECCHI, Attorneys for Plaintiff,
221 East Market Street, P.O. Box
131, Clearfield, PA 16830
4-20-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

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 April 20, 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

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 437 - CD

MARY T. ELINSKY,

Plaintiff

vs.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband,
their heirs, executors,
administrators, successors,
assigns and any other person or
entity claiming title in or to
premises under them, Defendants

AFFIDAVIT OF SERVICE

COLAVECCHI & RYAN

ATTORNEYS AT LAW
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FILED

MAY 18 2000
5/10:15/10
William A. Shaw
Prothonotary

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

Vs.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband,
their heirs, executors,
administrators, successors,
assigns and any other person
or entity claiming title in or
to the premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

AFFIDAVIT OF SERVICE

Filed on Behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

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MAY 18 2000

William A. Shaw
Prothonotary

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

MARY T. ELINSKY,

Plaintiff : No. 00 - 437 - CD

Vs. :

R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, :
successors, assigns and any other :
person or entity claiming title :
in or to the premises under them, :

Defendants:

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, Notary Public, in and for the County and State aforesaid, JOHN R. RYAN, ESQUIRE, Attorney for Mary T. Elinsky, Plaintiff, who, being duly sworn according to law, deposes and says that Service of the foregoing Complaint to Quiet Title in the above-captioned Action, together with endorsed Notice to plead within twenty (20) days, was made personally, where possible, and by publication as follows:

1. Service by publication was made in the Clearfield County Legal Journal, a weekly newspaper published at Clearfield, Pennsylvania, the week of April 28, 2000. This Service is attested to by a Proof of Publication attached to this Affidavit and made a part hereof.

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

MARY T. ELINSKY, :
Plaintiff : No. 00 - 437 - CD
Vs. :
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, :
successors, assigns and any other :
person or entity claiming title :
in or to the premises under them, :
Defendants:

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS.

Personally appeared before me, Notary Public, in and for the County and State aforesaid, JOHN R. RYAN, ESQUIRE, Attorney for Mary T. Elinsky, Plaintiff, who, being duly sworn according to law, deposes and says that Service of the foregoing Complaint to Quiet Title in the above-captioned Action, together with endorsed Notice to plead within twenty (20) days, was made personally, where possible, and by publication as follows:

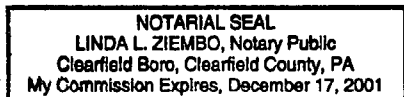
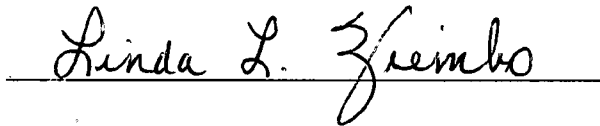
1. Service by publication was made in the Clearfield County Legal Journal, a weekly newspaper published at Clearfield, Pennsylvania, the week of April 28, 2000. This Service is attested to by a Proof of Publication attached to this Affidavit and made a part hereof.

2. That Service has been made on the above-named Defendants, both personally, where possible, and by publication, and the above-named Defendants, and their heirs, devisees, administrators, executors, and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, have not filed any Answer to the Complaint.



JOHN R. RYAN ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before me
this 18 day of May, 2000.



PROOF OF PUBLICATION

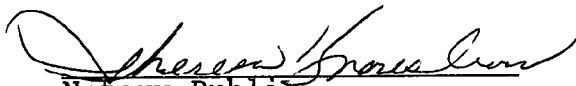
STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

:
:
:

On this 1st 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 April 28, 2000, Vol 12, No. 17. 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

Colavecchi & Ryan
221 East Market Street
Clearfield, PA 16830

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

MARY T. ELINSKY, Plaintiff vs. R. MATILDA SPACKMAN and THOMAS SPACKMAN, wife and husband, their heirs, executors, administrators, successors, assigns and any other person or entity claiming title in or to the premises under them, Defendants,

No. 00-437-CD

ACTION TO QUIET TITLE

TO: THE ABOVE-NAMED DEFENDANTS: TAKE NOTICE THAT ON April 13, 2000, the above-named Plaintiff filed her Complaint averring that Mary T. Elinsky, is the owner of all that certain piece or parcel of land situated and being in Village of Glen Richey, Lawrence Township Clearfield County, Pennsylvania, bounded and described as follows:

Being known as Lots Number 64 and 65 of the Spackman Plan of Lots in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania and being part of the same premises conveyed to R. Matilda Spackman by deed of W. W. Betts dated July 26, 1880, recorded at Clearfield County in Deed Book 20, Page 224.

WHEREUPON, said Court ordered that notice of the above facts be served by the Plaintiff on the Defendants, personally where known, and by advertisement where they cannot be located, or their identity cannot be ascertained, requiring them to answer said Complaint within twenty (20) days after the date of publication. The last date of publication of this notice is April 28, 2000. An Answer must be filed to the Complaint in this Action by no later than May 18, 2000. Failure to file an Answer by May 18, 2000, will result in default judgment being taken against the Defendants. Further, that title will be confirmed in the Plaintiff free of any claims by Defendants.

NOTICE - You have been sued in Court. If you wish to defend against the claims set forth as above, you must take action within twenty (20) days after the Complaint has been filed and this Notice has been posted in the newspaper, by entering a written appearance personally or

by attorney and filing in writing with the court your defenses or objections to all 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 OR A COPY OF 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 COURTHOUSE, 2nd & Market Streets, Clearfield, PA 16830 Phone (814) 765-2641 Ext. 5982.

COLAVECCHI & RYAN, 221 East Market Street, P.O. Box 131, Clearfield, PA 16830.

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 437 - CD

MARY T. ELINSKY,

Plaintiff

VS.

R. MATILDA SPACKMAN and THOMAS
SPACKMAN, wife and husband, their
heirs, executors, administrators,
successors, assigns and any
other person or entity claiming
title in or to the premises
under them,

Defendants

ORDER

FILED

MAY 15 2006
01:34 PM
VICTORIA A. SHAW
CLERK OF COURT
Ryan
9/10

COLAVECCHI & RYAN

ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA. 16830

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3 CONT TO ATT.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY T. ELINSKY,
Plaintiff

CIVIL DIVISION

No. 00 - 437 - CD

vs.

ORDER

R. MATILDA SPACKMAN and
THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

MAY 19 2000

William A. Shaw
Prothonotary

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

MARY T. ELINSKY, :
Plaintiff :
vs. : No. 00 - 437 - CD
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

O R D E R

AND NOW, this 18th day of May, 2000, it
appearing that service of the Complaint to Quiet Title in the
above-stated Action was served on certain defendants, and any heirs
or persons claiming under them, and any other person, persons,
firms, partnerships or corporate entities who might claim any type
of title to the premises described in the original Complaint and
also described in this Order, and Service having been made
personally, where possible, and by advertisement, and proven by
Notice in the record and by Affidavit of JOHN R. RYAN, ESQUIRE,
Attorney for Plaintiff. No Answer has been filed in said Action,

and on Motion by JOHN R. RYAN, ESQUIRE, Attorney for Plaintiff,
it is hereby ORDERED AND DECREED:

1. That all of the above-named Defendants, and any heirs or persons claiming under them, and any other person, persons, firms, partnerships or corporate entities who might claim any title to the premises, are forever barred from asserting any right, lien or interest, inconsistent with the interest or claim of the Plaintiff as set forth in their Complaint, in and to the following-described piece or parcel of land situated in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania, bounded and described as follows:

Being known as Lots Number 64 and 65 of the Spackman Plan of Lots in the Village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania and being part of the same premises conveyed to R. Matilda Spackman by deed of W.W. Betts dated July 26, 1880, recorded at Clearfield County in Deed Book 20, Page 224.

Said Order to be FINAL and ABSOLUTE unless the Defendants named above, shall file exceptions thereto within thirty (30) days from the date of this Order.

2. That if the above-named Defendants have not filed exceptions within said thirty (30) day period, Prothonotary shall enter Final Judgment upon Praecipe of the Plaintiff.

3. That the rights of the Plaintiff to the respective premises are superior to the rights of the Defendants, named in Paragraph 1 and any other heirs or persons claiming under them and any persons claiming title or who might claim any title to the above-described premises.

4. That the said Plaintiff has an indefeasible title to the property which has Tax Assessment Map Number 123-J11-90. Said title to be indefeasible as against all of the above-named Defendants.

5. That the Defendants above-named, and any heirs or persons claiming under them, and any person claiming title, or who might claim any title to the premises above-described, are enjoined from setting up any title to the above-described premises of the Plaintiff described in said Complaint, and also described in this Order, from impeaching, denying or in any way attacking the title of the Plaintiff to the said described premises.

6. That these proceedings or an authenticated copy thereof shall at all times thereafter be taken as evidence of the facts declared and established thereby.

7. That a Certified Copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT:

JUDGE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

61 MARY T. ELINSKY,
Plaintiff

vs.

82 R. MATILDA SPACKMAN and
92 THOMAS SPACKMAN, wife and
husband, their heirs,
executors, administrators,
successors, assigns and
any other person or entity
claiming title in or to the
premises under them,
Defendants

CIVIL DIVISION

No. 00 - 437 - CD

PRAECIPE FOR JUDGMENT

Filed on behalf of:

Plaintiff, MARY T. ELINSKY

Counsel of Record for
Said Party:

JOHN R. RYAN, ESQUIRE
PA I.D. 38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

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LAW OFFICES OF
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221 E. MARKET ST.
(ACROSS FROM
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P. O. BOX 131
CLEARFIELD, PA

FILED

JUN 21 2000

William A. Shaw
Prothonotary


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

MARY T. ELINSKY, :
Plaintiff :
 :
vs. : No. 00 - - CD
 :
R. MATILDA SPACKMAN and THOMAS :
SPACKMAN, wife and husband, their :
heirs, executors, administrators, : ACTION TO QUIET TITLE
successors, assigns and any other :
person or entity claiming title in :
or to the premises under them, :
Defendants :

PRAECIPE FOR JUDGMENT

TO: WILLIAM SHAW, PROTHONOTARY

No appearance having been filed by any of the above Defendants, and notice having been given to them, enter judgment against all of the above named Defendants as authorized by Order of Court dated May 18, 2000, and certify a copy of this Court Order to the office of the Recorder of Deeds for Clearfield County, Pennsylvania.


JOHN R. RYAN, ESQUIRE
Attorney for Plaintiff

6/20/00
DATE

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA