

00-679-CD  
COOPER TOWNSHIP MUNICIPAL AUTHORITY -vs- GEORGE KULBAGO

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

 COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

 GEORGE KULBAGO,

Condemnee

No. 00-679-CJ

**FILED**

JUN 07 2000

William A. Shaw  
Prothonotary

**DECLARATION OF TAKING**

The Cooper Township Municipal Authority, pursuant to the Eminent Domain Code 26 P.S. 1-101 et seq. ("Code"), hereby declares:

1. The Condemnor is the Cooper Township Municipal Authority, whose address is P.O. Box 446, Winburne, Clearfield County, Pennsylvania.
2. The condemnation is authorized by 26 P.S. 1-101 et seq.
3. Pursuant to Resolution approved February 8, 2000, the Cooper Township Municipal Authority hereby appropriates and condemns real estate designated in the Resolution, a copy of which is attached as Exhibit "A". The Condemnee is George Kulbago.
4. The purpose of the condemnation is to secure land for a waste water treatment system as described more fully in the Act 537 Plan approved March 31, 1997, prepared by Hess and Fisher and intended to be recorded.
5. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, described in Clearfield County

Record Book No. 522, Page No. 707, more particularly shown in the description attached as Exhibit "B".

6. The nature of title acquired is a permanent easement.
7. The plan showing the condemned property may be inspected at the Office of the Condemnor.
8. Pursuant to 26 P.S. 1-403, the Condemnor files its bond herewith, conditioned for the payment to the Condemnees of damages for taking when the same shall have been ascertained.
9. A conformed copy of this declaration of taking, together with the information and notice will be served upon the condemnees in this proceeding. Proof of such service will be filed.

**WHEREFORE**, the Cooper Township Municipal Authority declares the within premises condemned and appropriated for the public purpose mentioned.

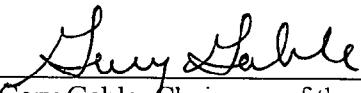
Date: 5/31/00



\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

**VERIFICATION**

I hereby verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of 18 P.S. Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Gary Gable, Chairman of the Cooper  
Township Municipal Authority

**RESOLUTION**

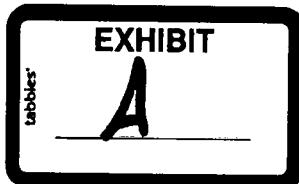
**A RESOLUTION OF THE COOPER TOWNSHIP MUNICIPAL AUTHORITY FOR THE CONDEMNATION OF THE FOLLOWING PROPERTIES IN COOPER TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA FOR THE WASTEWATER TREATMENT SYSTEM.**

**BE IT RESOLVED**, that the solicitor be authorized to bring condemnation proceedings against *George Kulbago* for certain property located in Cooper Township, Clearfield County, Pennsylvania, more particularly described in Clearfield County Record Book 522, page 707 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of *George Kulbago* conditioned for the payment to the said *George Kulbago* of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring condemnation proceedings against *Ronald and Stephanie Lynch* for certain property located in Cooper Township, Clearfield County, Pennsylvania, more particularly described in Clearfield County Record Book 717, page 163 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of *Ronald and Stephanie Lynch* conditioned for the payment to the said *Ronald and Stephanie Lynch* of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring condemnation proceedings against *Brian Homman and Sharleen Homman*, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania, more particularly described in Clearfield County Record Book 802, page 345 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of *Brian Homman and Sharleen Homman*, his wife, conditioned for the payment to the said *Brian Homman and Sharleen Homman*, his wife, of damages for taking when damages have been ascertained.

**BE IT RESOLVED**, that the solicitor be authorized to bring condemnation proceedings against *Carl Martin and Denise Martin*, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania, more particularly described in Clearfield County Record Book 1546, page 471 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of *Carl Martin and Denise Martin*, his wife, conditioned for the payment to the said *Carl Martin and Denise Martin*, his wife, of damages for taking when damages have been ascertained.



**BE IT RESOLVED**, that the solicitor be authorized to bring condemnation proceedings against *Donald Carlson and Theresa Carlson*, his wife, for certain property located in Cooper Township, Clearfield County, Pennsylvania, more particularly described in Clearfield County Record Book 419, page 256 for purposes of constructing a wastewater treatment system. **BE IT FURTHER RESOLVED**, that the Chairman be authorized to make, execute and deliver Bond to the Commonwealth of Pennsylvania for the use and benefit of *Donald Carlson and Theresa Carlson*, his wife, conditioned for the payment to the said *Donald Carlson and Theresa Carlson*, his wife, of damages for taking when damages have been ascertained.

RESOLVED this 8th day of February, 2000, by the board of the Cooper Township Municipal Authority in lawful session assembled.

ATTEST:

  
Secretary

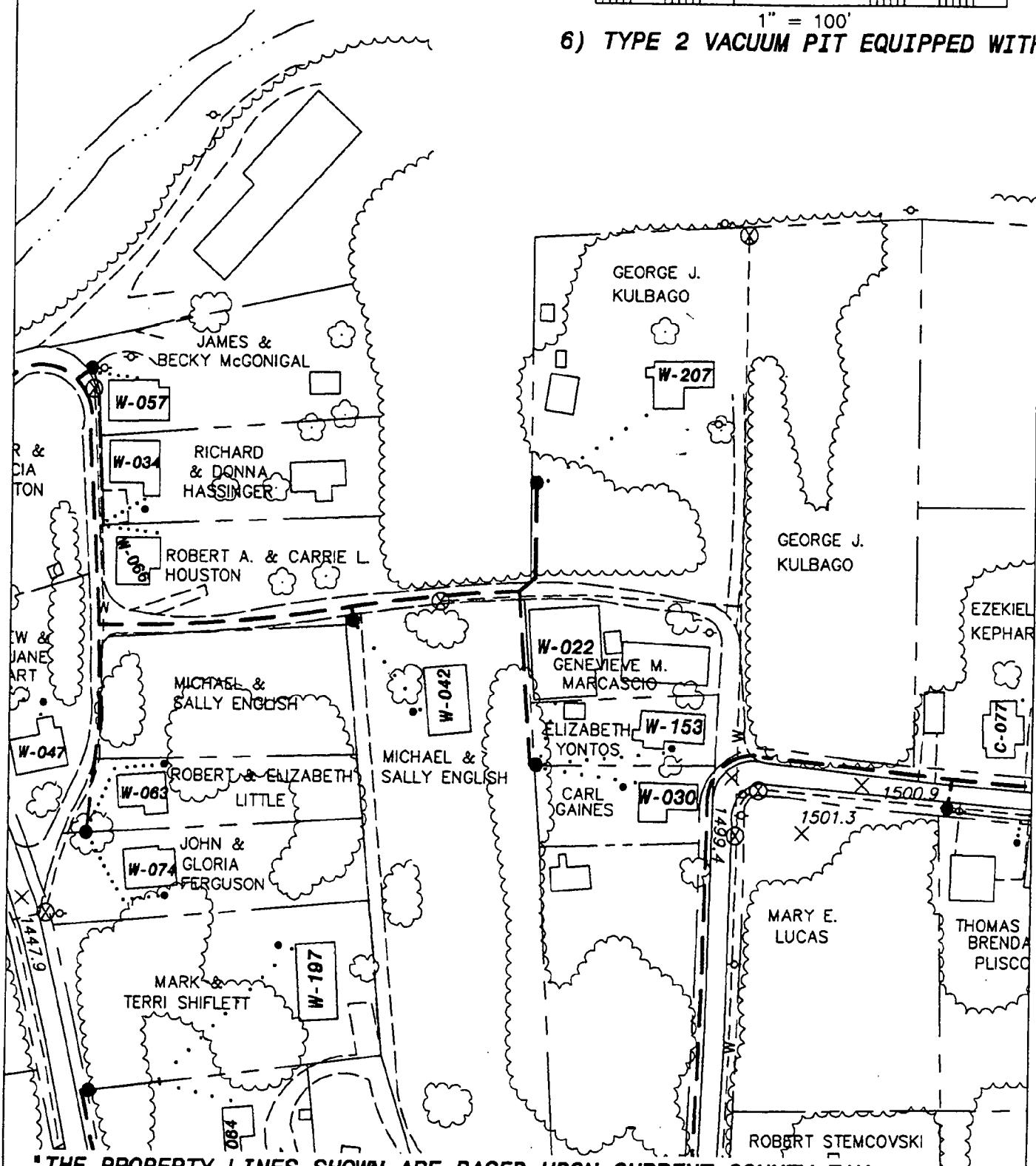
Cooper Township Municipal Authority

  
Chairman

SEAL

5) ALL VACUUM PITS WILL BE EQUIPPED  
AS TYPE 2 VACUUM PIT (SEE SHEET 34)

1" = 100'  
6) TYPE 2 VACUUM PIT EQUIPPED WITH



THE PROPERTY LINES SHOWN ARE BASED UPON CURRENT COUNTY TAX ASSESSMENT MAPS. SOME PROPERTY LINES HAVE BEEN ADJUSTED TO CONFORM WITH OBSERVED APPARENT PROPERTY BOUNDARY POSSESSION EVIDENCE (TREELINES, SHRUBS, LAWNS, ROADS, ETC.) THE PROPERTY LINES HAVE NOT BEEN DETERMINED BY A FIELD SURVEY.

EXHIBIT

B

W-218

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :

Condemnor :

vs. :

No. :

GEORGE KULBAGO, :

Condemnee :

ORDER

AND NOW this 7 day of June, 2000, upon review of the

Plaintiff's Petition and Bond, the said Bond is hereby approved.

BY THE COURT:

J.

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :  
: :  
Condemnor :  
: :  
vs. : No.  
: :  
GEORGE KULBAGO, :  
: :  
Condemnee :  
:

**BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that the Declaration of Taking having  
been filed the 7th day of July, 2000, by the Cooper Township Municipal  
Authority, ("obligor") a body politic and corporate organized and existing under the laws of the  
Commonwealth of Pennsylvania ("obligee") for the use and benefit of the owners of the property  
condemned as hereinafter noted, and other proper parties in interest, for such amount of damage  
as the owner of the property and other parties in interest shall be entitled to receive after the same  
shall have been agreed upon or assessed in the manner prescribed by law, by reason of the  
condemnation by obligor of certain land located in Cooper Township, Clearfield County,  
Pennsylvania, and described as follows: [PROPERTY SHOWN IN THE ATTACHED PLAN,]  
to which payment well and truly to be made, the obligor does bind itself and its successors, and  
assigns, firmly by these presents.

**WHEREAS**, the obligor has condemned the said property and cannot agree with the  
owner of said land upon the just compensation to be paid for the damages sustained by said  
owner as a result of the condemnation:

**NOW THE CONDITION** of this bond is such that if the obligor shall pay or cause to be paid such amount of damages as the said owner of the property and other parties in interest shall be entitled to receive by reason of such condemnation, after the same shall have been agreed upon or assessed in the manner provided by law, then this obligation shall be void; otherwise, to be and remain in full force and effect.

**SEALED** with the corporate seal and duly executed this 2<sup>nd</sup> day of June, 2000.

Attest:

Cooper Township Municipal Authority

Roy Larson  
Secretary

By: George Schubel  
Chairman

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :  
: Condemnor :  
: vs. : No.  
: :  
GEORGE KULBAGO, :  
: :  
: Condemnee :  
:

**NOTICE OF CONDEMNATION**

In accordance with Section 405 of the Eminent Domain Code of 1964, 26 P.S. § 1-405,  
Cooper Township Municipal Authority notifies you that:

1. A declaration of taking, a copy of which is attached as Exhibit "A," was filed on JUNE 7, 2000, in the Court of Common Pleas of Clearfield County at the above-named term and number.
2. Your property has been condemned for waste water treatment system purposes.

Identification of your property appears on Exhibit "B" of the declaration of taking.

3. If you wish to challenge the power or right of Cooper Township Municipal Authority to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor, or the declaration of taking, you are required to file preliminary objections within 30 days after being served with this notice.

Date: 6/7/00

  
\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

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

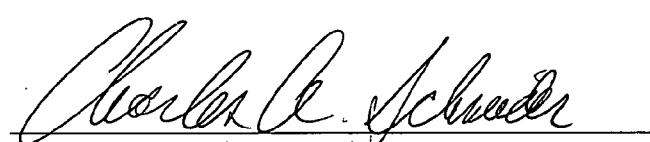
COOPER TOWNSHIP MUNICIPAL AUTHORITY, :  
Condemnor :  
vs. : No. 00-679-CJ  
GEORGE KULBAGO, :  
Condemnee :  
:

**NOTICE OF FILING OF DECLARATION OF TAKING**

The Cooper Township Municipal Authority states that:

A Declaration of Taking was filed this 7th day of JUNE, 2000, at the  
above Court term and number, by which the following property was condemned in whole or in  
part for a waste water treatment system on the land of George Kulbago, described in Record  
Book No. 522, Page No. 707.

Date: 6/2/00

  
\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

FILED

1 CC Atty  
Atty fee \$8.00

William A. Shaw  
Notary Public

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,

Condemnee

**MEMORANDUM OF FILING OF NOTICE**

To the Prothonotary:

Notice of the above-captioned condemnation is recorded in the Department of Records of Clearfield County at Instrument Number 200007973.

Date: 6/19/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

FILED  
07/04/00  
JUN 23 2000  
W: E  
KJD

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,  
Condemnee

**ORDER**

AND NOW, this 5<sup>th</sup> day of October, 2000, upon the Petition of George Kulbago, the Court appoints J. Richard Mattern, II, Esquire  
Samuel Yost, and Evo Facchine as  
viewers on the foregoing Petition and further Orders that the viewers perform their duties in accordance with the law and Act of Assembly in such case made and provided.

BY THE COURT:

  
John K. Reilly, Jr.  
JUDGE

FILED

500 OCT 05 2000  
2003-5511CC-atty  
William A. Shaw  
Prothonotary Schneider

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :  
: Condemnor :  
: vs. : No. 00-679-CD :  
: :  
GEORGE KULBAGO, :  
: Condemnee :  
: :

**PETITION FOR THE APPOINTMENT OF A BOARD OF VIEWERS**

The Petition of **Cooper Township Municipal Authority** ("Condemnor"), by its undersigned counsel, respectfully represents:

1. The Condemnor is Cooper Township Municipal Authority, whose address is Box 446, Winburne, Pennsylvania.
2. On June 7, 2000, Condemnor filed a declaration of taking in this proceeding. A copy of the declaration of taking is attached as Exhibit "A." No preliminary objections to the declaration of taking have been filed.
3. The name and address of the Condemnee known by Condemnor to have an interest in the condemned property is:  
George Kulbago, P.O. Box 203, Winburne, PA 16879
4. A description of the condemned property is fully set forth in the Resolution, approved on February 8, 2000, a copy of which is included in the declaration of taking.

**FILED**  
OCT 05 2000  
11:24 AM  
William A. Shaw  
Prothonotary  
No. 1/C

WHEREFORE, Condemnor Cooper Township Municipal Authority respectfully requests that your Honorable Court appoint three viewers to assess the damages to which the condemnees are entitled, and to assess the benefits, if any, arising from the above-mentioned condemnation.

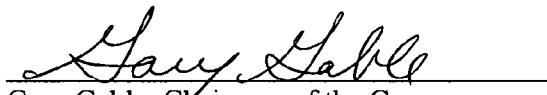
Respectfully submitted,

Date: 10/3/08

  
Charles A. Schneider  
Attorney ID #06780  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

**VERIFICATION**

I hereby verify that the facts set forth in this pleading are true and correct to the best of my knowledge, information and belief. I understand that any false statements herein are made subject to the penalties of 18 P.S. Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Gary Gable, Chairman of the Cooper  
Township Municipal Authority

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :

Condemnor :

vs. :

No. 00-679-CO

GEORGE KULBAGO, :

Condemnee :

**NOTICE OF CONDEMNATION**

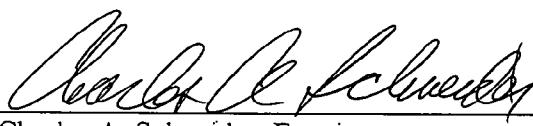
In accordance with Section 405 of the Eminent Domain Code of 1964, 26 P.S. § 1-405,  
Cooper Township Municipal Authority notifies you that:

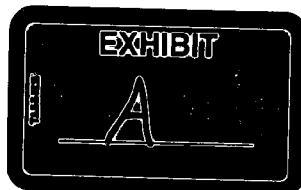
1. A declaration of taking, a copy of which is attached as Exhibit "A," was filed on June 7, 2000, in the Court of Common Pleas of Clearfield County at the above-named term and number.
2. Your property has been condemned for waste water treatment system purposes.

Identification of your property appears on Exhibit "B" of the declaration of taking.

3. If you wish to challenge the power or right of Cooper Township Municipal Authority to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor, or the declaration of taking, you are required to file preliminary objections within 30 days after being served with this notice.

Date: 6/7/00

  
\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255



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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-QD

GEORGE KULBAGO,

Condemnee

**NOTICE OF FILING OF DECLARATION OF TAKING**

The Cooper Township Municipal Authority states that:

A Declaration of Taking was filed this 7<sup>th</sup> day of JUNE, 2000, at the above Court term and number; by which the following property was condemned in whole or in part for a waste water treatment system on the land of George Kulbago, described in Record Book No. 522, Page No. 707.

Date: 6/2/00

  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, PA 16801  
(814) 237-6255

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
**200007973**  
RECORDED ON  
**JUN 07, 2000**  
**2:26:59 PM**

RECORDING FEES -	\$13.00
RECORDER	\$1.00
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER	\$1.00
IMPROVEMENT FUND	
STATE WRIT TAX	\$0.50
TOTAL	\$15.50

*P. Schneider*

RECEIVED  
CLEARFIELD COUNTY  
RECORDERS OFFICE  
I HEREBY CERTIFY THIS TO BE A TRUE  
AND ACCURATE COPY OF THE ORIGINAL  
STATEMENT FILED IN THIS CASE  
JUN 07 2000

PROTHONOTARY  
PROTHONOTARY

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY, :

Condemnor :

vs. :

No. 00-679-CD

GEORGE KULBAGO, :

Condemnee :

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I am serving the foregoing document upon the person and in the manner indicated below, which service satisfied the requirements of Pa. R.C.P. 440.

SERVICE BY CERTIFIED MAIL ADDRESSED AS FOLLOWS:

George Kulbago  
P.O. Box 203  
Winburne, PA 16879

Date: 6/19/00

  
\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,

Condemnee

I hereby certify this to be a true copy of the original  
and attorney of record in this case.

JUN 07 2000

Attest:

William L. Hess  
Prothonotary

DECLARATION OF TAKING

The Cooper Township Municipal Authority, pursuant to the Eminent Domain Code 26

P.S. 1-101 et seq. ("Code"), hereby declares:

1. The Condemnor is the Cooper Township Municipal Authority, whose address is P.O. Box 446, Winburne, Clearfield County, Pennsylvania.
2. The condemnation is authorized by 26 P.S. 1-101 et seq.
3. Pursuant to Resolution approved February 8, 2000, the Cooper Township Municipal Authority hereby appropriates and condemns real estate designated in the Resolution, a copy of which is attached as Exhibit "A". The Condemnee is George Kulbago.
4. The purpose of the condemnation is to secure land for a waste water treatment system as described more fully in the Act 537 Plan approved March 31, 1997, prepared by Hess and Fisher and intended to be recorded.
5. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, described in Clearfield County

EXHIBIT

A

tabbles

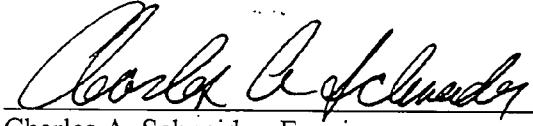
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6. The nature of title acquired is a permanent easement.
7. The plan showing the condemned property may be inspected at the Office of the Condemnor.
8. Pursuant to 26 P.S. 1-403, the Condemnor files its bond herewith, conditioned for the payment to the Condemnees of damages for taking when the same shall have been ascertained.
9. A conformed copy of this declaration of taking, together with the information and notice will be served upon the condemnees in this proceeding. Proof of such service will be filed.

**WHEREFORE**, the Cooper Township Municipal Authority declares the within premises condemned and appropriated for the public purpose mentioned.

Date:

6/31/00

  
\_\_\_\_\_  
Charles A. Schneider, Esquire  
Attorney for Cooper Township Municipal Authority  
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1315 South Allen Street, Suite 302  
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Gary Gable, Chairman of the Cooper  
Township Municipal Authority

RESOLUTION

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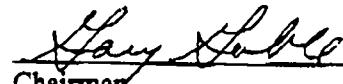
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RESOLVED this 8th day of February, 2000, by the board of the Cooper Township Municipal Authority in lawful session assembled.

ATTEST:

Cooper Township Municipal Authority

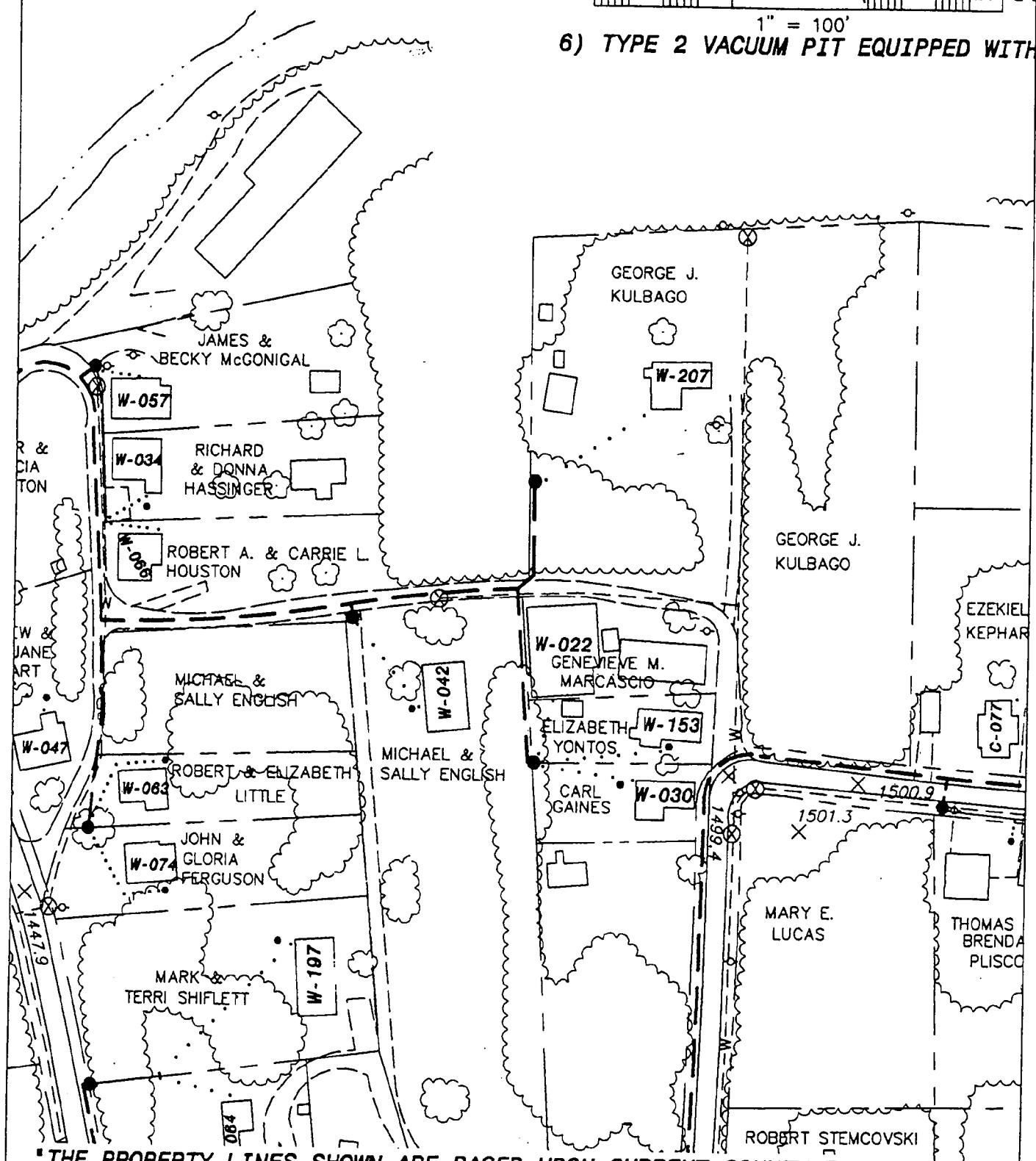
  
Secretary

  
Chairman

SEAL

5) ALL VACUUM PITS WILL BE EQUIPPED  
AS TYPE 2 VACUUM PIT (SEE SHEET 34)

6) TYPE 2 VACUUM PIT EQUIPPED WITH  
1" = 100'



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EXHIBIT

B

W-218

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,

Condemnee

ORDER

AND NOW this 7th day of June, 2000, upon review of the Plaintiff's Petition and Bond, the said Bond is hereby approved.

BY THE COURT:

John X. Reilly Jr.

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

COOPER TOWNSHIP MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CO

GEORGE KULBAGO,

Condemnee

**BOND**

KNOW ALL MEN BY THESE PRESENTS, that the Declaration of Taking having been filed the 7th day of JUNE, 2000, by the Cooper Township Municipal Authority, ("obligor") a body politic and corporate organized and existing under the laws of the Commonwealth of Pennsylvania ("obligee") for the use and benefit of the owners of the property condemned as hereinafter noted, and other proper parties in interest, for such amount of damage as the owner of the property and other parties in interest shall be entitled to receive after the same shall have been agreed upon or assessed in the manner prescribed by law, by reason of the condemnation by obligor of certain land located in Cooper Township, Clearfield County, Pennsylvania, and described as follows: [PROPERTY SHOWN IN THE ATTACHED PLAN,] to which payment well and truly to be made, the obligor does bind itself and its successors, and assigns, firmly by these presents.

WHEREAS, the obligor has condemned the said property and cannot agree with the owner of said land upon the just compensation to be paid for the damages sustained by said owner as a result of the condemnation:

NOW THE CONDITION of this bond is such that if the obligor shall pay or cause to be paid such amount of damages as the said owner of the property and other parties in interest shall be entitled to receive by reason of such condemnation, after the same shall have been agreed upon or assessed in the manner provided by law, then this obligation shall be void; otherwise, to be and remain in full force and effect.

SEALED with the corporate seal and duly executed this 2<sup>nd</sup> day of June, 2000.

Attest:

Roy Larson  
Secretary

Cooper Township Municipal Authority

By: Henry Schubel  
Chairman

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

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,

Condemnee

REPORT OF VIEWERS

TO: THE HONORABLE JOHN K. REILLY, JR.  
PRESIDENT JUDGE OF SAID COURT

**FILED**

JAN 26 2001

William A. Shaw  
Prothonotary

The undersigned Board of Viewers respectfully reports:

1. A Declaration of Taking by Petition of Cooper Township Municipal Authority, whose address is P. O. Box 446, Winburne, Clearfield County, Pa., was filed on June 1, 2000.
2. The purpose of the Condemnation is to secure land for a wastewater treatment system as more fully described in the Act 537 Plan approved March 31, 1997, as prepared by Hess & Fisher Engineers, Inc.
3. Said Declaration of Taking was authorized by Resolution of the Cooper Township Municipal Authority, approved April 11, 2000.
4. The Condemnation is authorized by 26 P.S. §1-101 et seq.
5. The Condemnee(s) are: **George Kulbago, P. O. Box 203, Winburne, PA 16879.**

6. The property condemned is a portion of that tract of land situate in Cooper Township, Clearfield County, Pennsylvania, as more fully described in the Declaration of Taking and as shown in the map attached hereto designated as Exhibit "2".
7. The nature of the title acquired is a permanent easement of 10' in width and a 20' in width construction easement.
8. By Order of your Honorable Court dated August 21, 2000, J. Richard Mattern, II, Esquire, Samuel B. Yost and Evo G. Facchine, were appointed Viewers to perform the duties in accordance with the law and Act of Assembly and, basically, to assess damages to which the Condemnee(s) are entitled, and to assess benefits, if any, arising from the above mentioned Condemnation.
9. That the View was scheduled for December 15, 2000, and the Board of View Hearing was scheduled for December 19, 2000.
10. Notice of the View and Hearing was served on the Condemnee(s) by United States Mail, First Class, mailed November 22, 2000.
11. The Board of Viewers conducted their View and Hearing at the aforesaid date and place.
12. That the following Exhibits were presented to the Board and accepted as exhibits and evidence by the Board, to aid in their decision in the matter, copies of which are attached hereto:
  - (a) Board Exhibit "1" - John E. West, CPE, CREA, Appraisal;

(b) Board Exhibit "2" – Map of premises prepared by Hess & Fisher Engineers, Inc;

13. That after the View and Hearing, the Board of Viewers has determined that the wastewater system lines, pumps, grinders, manhole covers and all facets are consistent with prudent and necessary requirements and comprise the best locations with minimal impact on the property owner(s).

14. That after View and Hearing in this matter and in consideration of all testimony and evidence, the Board has determined that before condemnation the subject property had a value of \$7,100.00. As there has been no change in value, and therefore, no damages after condemnation, the property has a value of \$7,100.00. Therefore, no damages are awarded by the Board to the Condemnee(s).

15. That attached to this Report are the following:

1. Notice of Board of View as to date of View and Hearing, dated November 22, 2000 - Exhibit "A";
2. Notice of Intention to File Report – Exhibit "B";
3. Board of Viewers' Schedule of Costs to be filed separately.

16. That a copy of this Report with Notice of Intention to File Report as required by 26 P.S. §1-513 is being forwarded to:

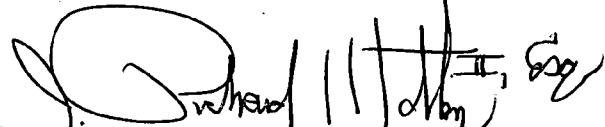
Attorney for Condemnor – Cooper Township Municipal Authority

Charles A. Schneider, Esq.  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, Pa., 16801

Condemnee(s) or Condemnee(s) Attorney:

**George Kulbago**  
**P. O. Box 203**  
**Winburne, PA 16879**

All of which is Respectfully Submitted,



J. RICHARD MATTERN, II, ESQUIRE  
CHAIRMAN, BOARD OF VIEWERS



Samuel B. Yost, Board of Viewers



Evo G. Facchine, Board of Viewers

Date: 1/23/01

**APPRAISAL OF**

.60 Acre +/- Developed Land Prior to Taking 800 Sq. Ft. +/- Sewer Line Easement

**LOCATED AT:**

Church Street, P.O. Box 203  
Winburne, Pa., 16879

**FOR:**

Cooper Township Municipal Authority  
Forest Road P.O. Box 446  
Winburne, Pa 16879

**BORROWER:**

Owner: George Kulbago

**AS OF:**

October 4, 2000

**BY:**

John E. West CPE,CREA

October 4, 2000

Gary Gable

Cooper Township Municipal Authority  
Forest Road P.O. Box 446  
Winburne, Pa 16879

File Number: Kulbago

Dear Mr. Gable,

In accordance with your request, I have personally inspected and appraised the real property at:

P.O. Box 203  
Winburne, Pa., 16879

The purpose of this appraisal is to estimate the market value of the subject property, as vacant.  
The property rights appraised are the fee simple interest in the site.

In my opinion, the estimated market value of the property as of October 4, 2000 is:

\$7,100  
Seven Thousand One Hundred Dollars

The attached report contains the description, analysis and supportive data for the conclusions,  
final estimate of value, descriptive photographs, limiting conditions and appropriate certifications.

Sincerely Yours,



John E. West CPE,CREA

Residential Appraiser

RL-000292-L

jew

**ADDENDUM**

Borrower: Owner: George Kulbago	File No.: Kulbago
Property Address: P.O. Box 203	Case No.: CTMA
City: Wimburne	State: Pa.
Lender: Cooper Township Municipal Authority	Zip: 16879

**ADDENDUM FOR EASEMENT DAMAGE VALUE ESTIMATE**

As per instructions I have determined the land value of the subject property in order to estimate the overall damage incurred by placing a sewer line easement over part of the property. The subject property would require a 10' easement across the western rear portion of the property. According to the plot plan the line would be on the property line, but there is some question in my mind that this is the exact placement of the property line. The easement would run onto the property about 80' through a wooded area to the rear of the garage. This area is not in a place where it would cause an obstruction at the present and probably would not hinder future development on the property. This is the rear of the property on an alley and only a slight disruption would take place. Even if a property owner were to need additional access to the garage they could easily cross the sewer line or drive next to the line. I would conclude that there would be no damage to future construction on this property. The CTMA will place the sewer line and restore the property to original condition and, therefore, would cause no actual physical damage to the subject property.

**It is my opinion that there is no change in value to the subject property because of this sewer easement and subsequently no monetary damages to the property from the sewer easement.**

**The actual monetary damage amount is: \$0.00.**

**SUMMARY REPORT  
LAND APPRAISAL REPORT**

CTMA

File No. Kulbago

Property Address P.O. Box 203 City Winburne Legal Description Deed Book 483/213 & 522/707			Census Tract 3306 County Clearfield State Pa. Zip Code 16879			LENDER DISCRETIONARY USE					
Owner/Occupant George J. Kulbago Sale Price \$ N/A Loan charges/concessions to be paid by seller \$ N/A R.E. Taxes \$ 367.43 Lender/Client Cooper Township Municipal Authority Forest Road P.O. Box 446, Winburne, Pa 16879			Map Reference S9-537-22 & 32 Property Rights Appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leashold <input type="checkbox"/> Condominium (HUD/VA) <input type="checkbox"/> PUD			Sale Price \$ _____ Date _____ Mortgage Amount \$ _____ Mortgage Type _____ Discount Points and Other Concessions _____ Paid by Seller \$ _____ Source _____					
LOCATION BUILT UP GROWTH RATE PROPERTY VALUES DEMAND/SUPPLY MARKETING TIME			<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos.			<input type="checkbox"/> Rural <input type="checkbox"/> Under 25% <input type="checkbox"/> Slow <input type="checkbox"/> Declining <input type="checkbox"/> Over Supply <input type="checkbox"/> Over 6 Mos.			NEIGHBORHOOD ANALYSIS Employment Stability Convenience to Employment Convenience to Shopping Convenience to Schools Adequacy of Public Transportation Recreation Facilities Adequacy of Facilities Property Compatibility Protection from Detrimental Cond. Police & Fire Protection General Appearance of Properties Appeal to Market		
PRESENT LAND USE %			LAND USE CHANGE			PREDOMINANT OCCUPANCY			SINGLE FAMILY HOUSING		
Single Family 60% 2-4 Family Multi-Family Commercial Industrial Vacant 40%			Not Likely <input checked="" type="checkbox"/> Likely <input type="checkbox"/> In process <input type="checkbox"/> To: _____			Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant (0-5%) <input checked="" type="checkbox"/> Vacant (over 5%) <input type="checkbox"/>			PRICE (\$'000) AGE (yrs) 25 Low 30 75 High 100 Predominant 45 - 50		
Note: Race or the racial composition of the neighborhood are not considered reliable appraisal factors. COMMENTS: The neighborhood is consistent with that of Cooper Township and the village of Winburne. The area is serviced by public water and the public sewer system is in the planning stages at this time.											
Dimensions See site area. Site Area 0.60 Acre +/- Zoning Classification None HIGHEST & BEST USE: Present Use Yes Other Use None											
Topography Size Typical Shape Irregular Drainage Appears adequate View Typical Landscaping Typical Driveway Yes Apparent Easements Utilities FEMA Flood Hazard Yes* _____ No X FEMA* Map/Zone 421520-12											
Comments (Apparent adverse easements, encroachments, special assessments, slide areas, etc.): There are no apparent adverse easements, encroachments, special assessments or slide areas observed by this appraiser at the time of the inspection.											
The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.											
ITEM		SUBJECT		COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3			
Address		Church Street Winburne		110-S9-539-60 Cooper Township		110-S9-532-21 Cooper Township		110-S9-532-25 Cooper Township			
Proximity to Subject											
Sales Price		\$ N/A		\$ 3,000		\$ 2,000		\$ 1,800			
Price/		\$ Ø		\$ 3000 Ø		\$ 2000 Ø		\$ 1800 Ø			
Data Source		Inspection		Public Record		Public Record		Public Record			
VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION +/(\$ Adjustment		DESCRIPTION +/(\$ Adjustment		DESCRIPTION +/(\$ Adjustment			
Sales or Financing Concessions		None None		None None		None None		None None			
Date of Sale/Time		Appr. 10/4/00		12-29-99		2/00		2/00			
Location		Suburban		Equal		Equal		Equal			
Site/View		0.60 Acre +/-		0.7422 Acre		-700 0.52 Acre		+400 0.344 Acre			
Utilities		Water, Elect.		Water, Elect.		Equal		Water, Elect.			
Homesite		Yes		None		+4,000 None		+4,000 None			
Public Road		Yes		Yes		Yes		Yes			
Net Adj. (total)		[X] + <input type="checkbox"/> - \$ 3,300		[X] + <input type="checkbox"/> - \$ 4,400		[X] + <input type="checkbox"/> - \$ 5,300					
Indicated Value of Subject		Gross: 156.7 Net: 110.0 \$ 6,300		Gross: 220.0 Net: 220.0 \$ 6,400		Gross: 294.4 Net: 294.4 \$ 7,100					
Comments of Sales Comparison: See Attached Addendum.											
Comments and Conditions of Appraisal: See Attached Addendum.											
Final Reconciliation: The Market Approach to Value, which best reflects the actions of the buyers and sellers in the marketplace, has been given the most emphasis. The Cost and Income Approaches are not applicable in this type of assignment.											
I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE SUBJECT PROPERTY AS OF October 4, 2000 to be \$ 7,100											
I (We) certify: that to the best of my (our) knowledge and belief, the facts and data used herein are true and correct; that I (we) personally inspected the subject property and inspected all comparable sales cited in this report; and that I (we) have no undisclosed interest, present or prospective therein.											
Appraiser(s)		John E. West		Review Appraiser _____				<input type="checkbox"/> Did _____ <input type="checkbox"/> Did Not _____ <input type="checkbox"/> Inspect Property _____			
John E. West CPE CREA											

**ADDENDUM**

Borrower: Owner: George Kulbago	File No.: Kulbago
Property Address: P.O. Box 203	Case No.: CTMA
City: Winburne	State: Pa.
Lender: Cooper Township Municipal Authority	Zip: 16879

**Comments on Sales Comparison**

A search of the Clearfield-Jefferson MLS, public records and broker files indicated that these sales are the most recent, closest, similar, closed sales available as of the date of the appraisal. The comparables chosen are considered to be good indicators of value. After variation adjustments, a value range of \$6,300 to \$7,100 is indicated. The Subject property has been developed over the years as a homesite and all of the comparable land sales have been adjusted for the homesite value. The indicated land value for the subject in it's present condition, in my opinion, would be \$7,100.00. or \$.27 per Sq. Ft.

**Condition of Appraisal Comments**

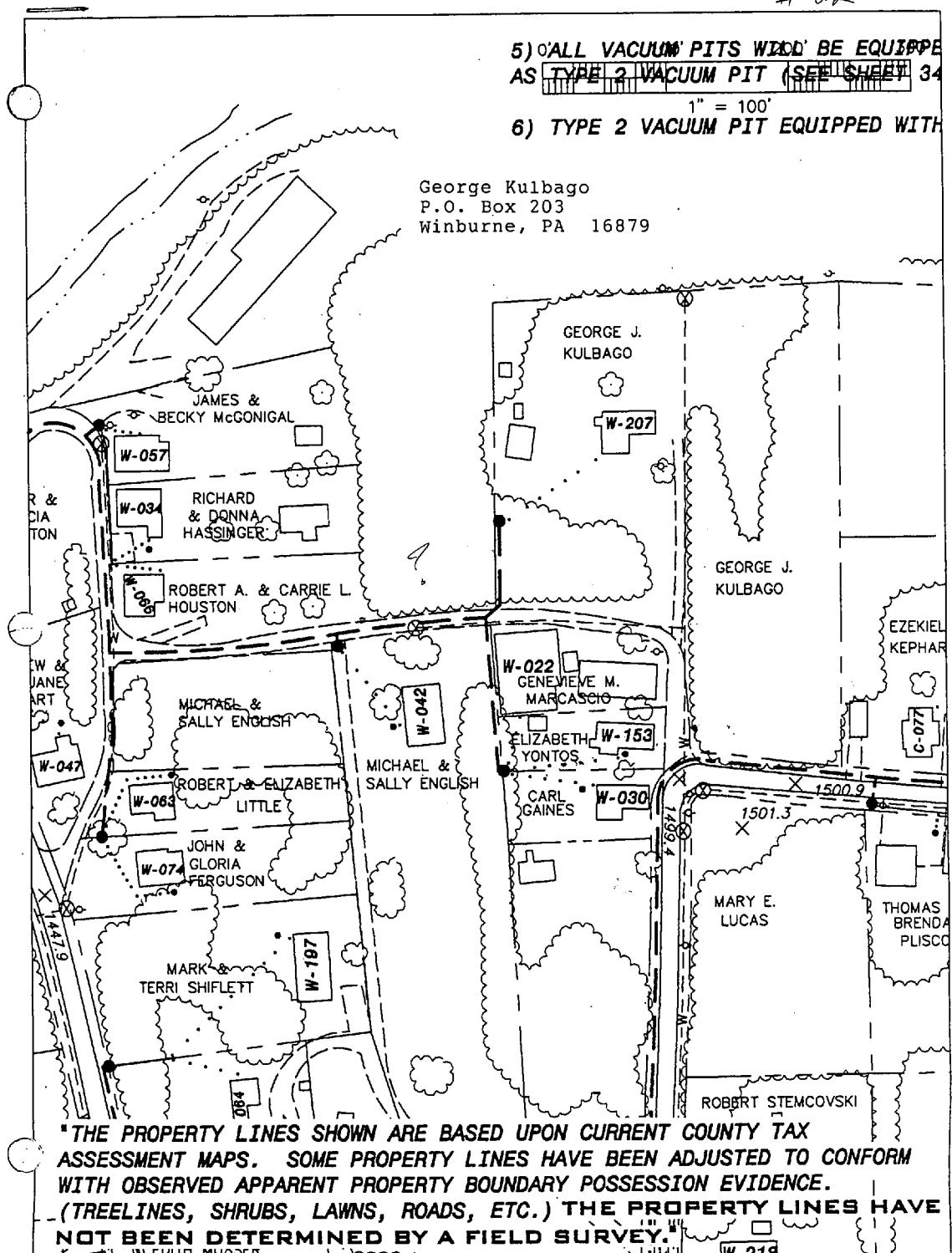
This appraisal assumes competent, professional marketing with a reasonable time to sell. No value is assigned to the buildings in this appraisal because the purpose is to determine the overall damage from an easement for a sewer line. The land value is being considered with full knowledge that there is a house on the property, but the right-of-way has no effect on the value of the home or any other buildings on the property.

# 22

5) ALL VACUUM PITS WOULD BE EQUIPPED  
AS TYPE 2 VACUUM PIT (SEE SHEET 34)

1" = 100'  
6) TYPE 2 VACUUM PIT EQUIPPED WITH

George Kulbago  
P.O. Box 203  
Winburne, PA 16879



X

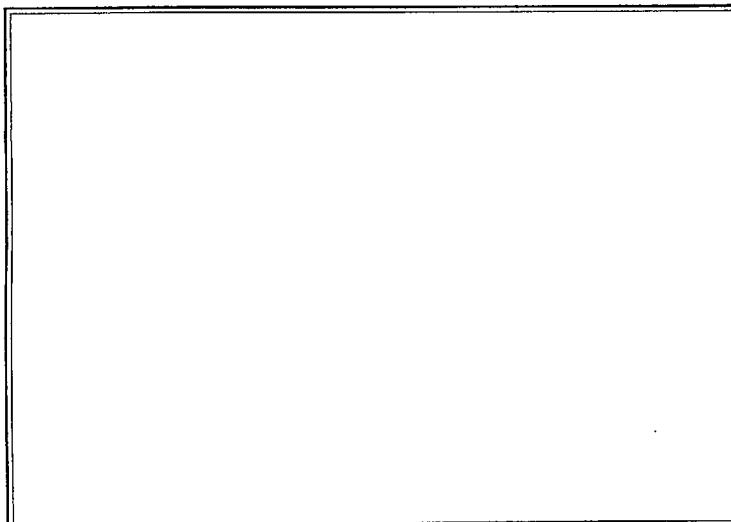
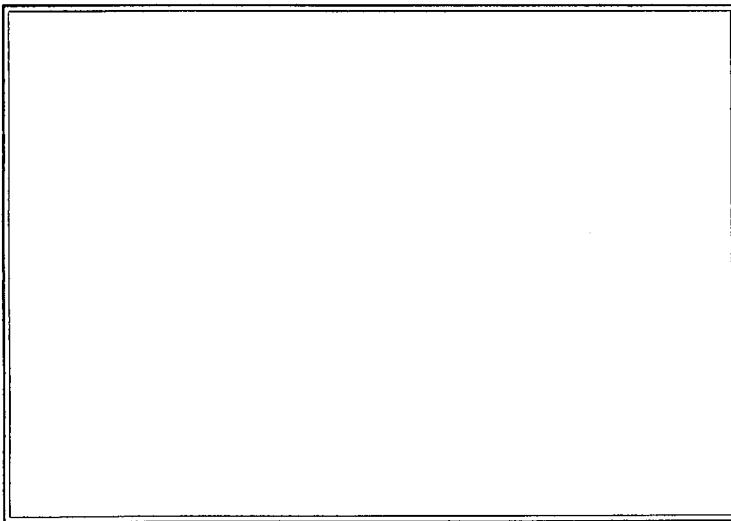
**SUBJECT PHOTO**

Borrower: Owner: George Kulbago  
Property Address: P.O. Box 203  
City: Winburne  
Lender: Cooper Township Municipal Authority

File No.: Kulbago  
Case No.: CTMA  
State: Pa. Zip: 16879



**SUBJECT PROPERTY**



**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the Appraiser's judgment.

### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc. ) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc. ) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated ) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

**APPRAISERS CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and Limiting Conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** P.O. Box 203, Winburne, Pa., 16879

**APPRAISER:**

Signature:   
Name: John E. West CPE,CREA  
Date Signed: October 20, 2000  
State Certification #: RL-000292-L  
or State License #: \_\_\_\_\_  
State: Pa  
Expiration Date of Certification or License: \_\_\_\_\_

**SUPERVISORY APPRAISER (only if required)**

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date Signed: \_\_\_\_\_  
State Certification #: \_\_\_\_\_  
or State License #: \_\_\_\_\_  
State: \_\_\_\_\_  
Expiration Date of Certification or License: \_\_\_\_\_

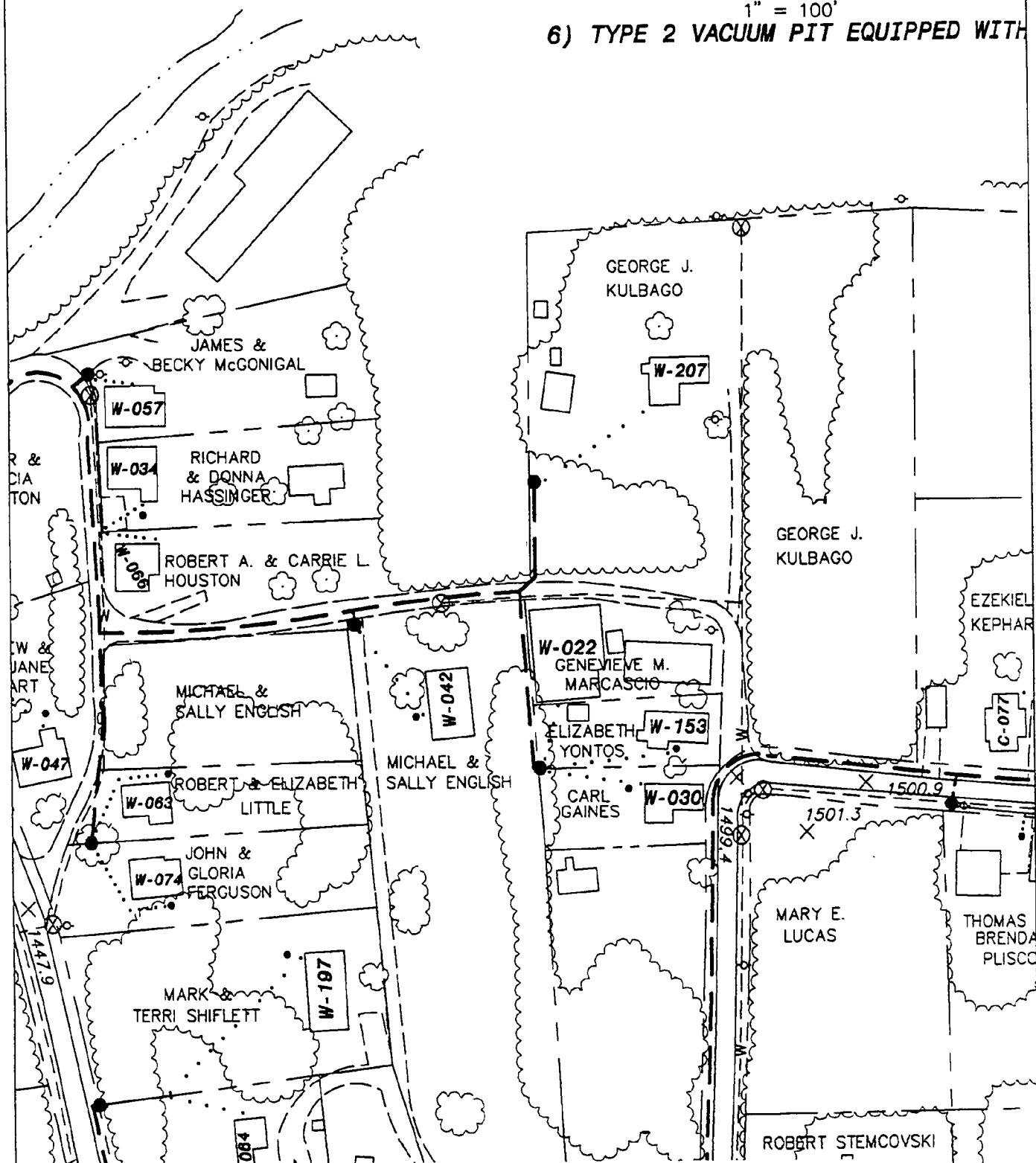
Did  Did Not Inspect Property

# # 12 George Kulbago

5) ALL VACUUM PITS WILL BE EQUIPPED  
AS TYPE 2 VACUUM PIT (SEE SHEET 34)

1" = 100'

6) TYPE 2 VACUUM PIT EQUIPPED WITH



THE PROPERTY LINES SHOWN ARE BASED UPON CURRENT COUNTY TAX ASSESSMENT MAPS. SOME PROPERTY LINES HAVE BEEN ADJUSTED TO CONFORM WITH OBSERVED APPARENT PROPERTY BOUNDARY POSSESSION EVIDENCE. (TREELINES, SHRUBS, LAWNS, ROADS, ETC.) THE PROPERTY LINES HAVE NOT BEEN DETERMINED BY A FIELD SURVEY.

CUIN MUQSCN

W-218

Exhibit 2

Affix fee here in stamps  
or meter postage and  
post mark. Inquire of  
Postmaster for current  
fee.



**U.S. POSTAL SERVICE CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL - DOES NOT  
PROVIDE RICK MATTERN  
Receiv. **ATTONEY AT LAW**  
— 211 EAST PINE STREET  
— CLEARFIELD, PA 16830

One piece of ordinary mail addressed to:

*George Kuhaga  
P.O. Box 203  
Winburne PA 16879*

PS Form 3817, Mar. 1989

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

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,

Condemnor

vs. No. 00-679-CD

GEORGE KULBAGO,

Condemnee

**NOTICE OF VIEW AND HEARING**

You are hereby notified that J. Richard Mattern, II, Esquire, Samuel B. Yost and Evo Facchine, Board of Viewers in the above captioned matter, will hold a view on Friday, December 15, 2000, at or about 10:00 A.M. at the subject premises located in Cooper Township, Clearfield County, Pennsylvania.

You are further notified that there will be a hearing in this matter at the Cooper Township Municipal Authority Building in Winburne, Pennsylvania, 16879, on Tuesday, December 19, 2000, commencing at approximately 10:00 A.M.

---

J. RICHARD MATTERN, II, ESQUIRE  
Attorney ID# 06817  
CHAIRMAN, BOARD OF VIEWERS  
211 East Pine Street  
Clearfield, Pa., 16830  
(814) 765-6416

Date: November 22, 2000

Exhibit A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,

Condemnor

vs.

No. 00-679-CD

GEORGE KULBAGO,

Condemnee

TO: Attorney for Condemnor – Cooper Township Municipal Authority

Charles A. Schneider, Esq.  
Mazza, Schneider, Arbuckle & Bascom  
1315 South Allen Street, Suite 302  
State College, Pa., 16801

Condemnee(s) or Condemnee(s) Attorney:

George Kulbago  
P. O. Box 203  
Winburne, PA 16879

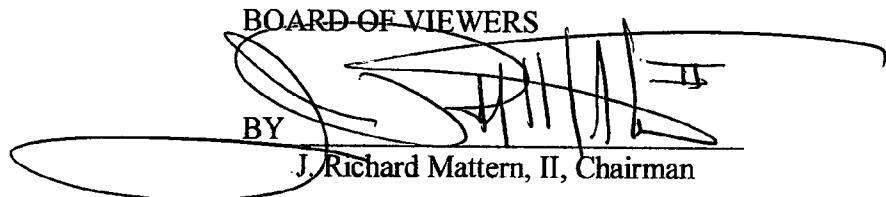
**NOTICE OF INTENTION TO FILE REPORT**

The Board of Viewers in the above captioned matter shall file their Report on January 26, 2001.

A copy of said Report is being served on counsel for the Cooper Township Municipal Authority, and a copy is being served on you as Condemnee(s) or as Condemnee(s) attorney to the proceeding in accordance with P.S. §1-513.

You are hereby notified that the Report of Viewers in this matter shall become final unless an appeal is filed within thirty (30) days from the date the Report is filed.

BOARD OF VIEWERS  
BY  
J. Richard Mattern, II, Chairman



Ex B

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

00-679-CD

IN RE:

COOPER TOWNSHIP  
MUNICIPAL AUTHORITY,  
Condemnee  
36 CONDEMNATION CASES  
CASE LIST ATTACHED –  
EXHIBIT A

Misc. II page 475  
No. 2001 CD

ORDER

AND NOW, this 26 day of January, 2001, the Court acknowledges the filing of 36 Reports by the Board of Viewers, together with the attached Board of Viewers Schedule of Costs and Orders that the Cooper Township Municipal Authority of Winburne, Pa., pay for the services rendered and costs incurred in the above cases the sum of One Thousand Nine Dollars and Fifty-Six Cents (\$1,009.56) to Samuel B. Yost, the sum of One Thousand One Hundred Eighty-Five Dollars (\$1,185.00) to Evo G. Facchine and the sum of Three Thousand Ninety-Nine Dollars and Ninety Cents (\$3,099.90) to J. Richard Mattern II, Esq., directly to the Board of Viewers at the addresses noted.

BY THE COURT,

I hereby certify this to be a true and attested copy of the original statement filed in this case.

/s/JOHN K. REILLY, JR.

JAN 26 2001

Attest.

*William J. Shaw*  
Prothonotary

JOHN K. REILLY, JR.  
PRESIDENT JUDGE

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