

00-765-CD
RONALD D. THORPE et al -vs- GEORGE HUMMEL et al

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

(84) RONALD D. THORPE, (44) GARY L. THORPE,
(24) DAVID J. THORPE and (51) JOEL L. ALBERT,
Plaintiffs

vs.

(42) GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

No. 00-765-CO

Type of Case: Civil

Type of Pleading: Complaint

Filed on Behalf of: Plaintiffs

Counsel of Record for this Party:
ALAN F. KIRK, ESQ.
Supreme Court No. 36893

1375 Martin Street, Suite 204
State College, PA 16803
(814) 234-2048

FILED

JUN 28 2000

William A. Shaw
Prothonotary

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

RONALD D. THORPE, GARY L. THORPE,	:	No.
DAVID J. THORPE and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

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

RONALD D. THORPE, GARY L. THORPE,	:	No.
DAVID J. THORPE and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

COMPLAINT

NOW COMES, the Plaintiffs, by and through their attorney, Alan F. Kirk, Esq.,
and file the within Complaint whereof the following is a statement:

1. The Plaintiffs are Ronald D. Thorpe, Gary L. Thorpe and David J. Thorpe
of 207 South 3rd Street, Clearfield, PA 16830; and Joel L. Albert of R.R. 1, Box 532,
Morrisdale, PA 16858, all of whom reside in Clearfield County.
2. The Defendants are George Hummel, deceased, formerly of Graham
Township, Clearfield County, Pennsylvania and his heirs, successors and assigns.
3. That by Deed of C. Alan Walker, et al, t/a Shannon Land and Mining, dated
the 15th day of November 1999, at Clearfield County Docket No. 1999-18859, wherein
the Defendants became seized of the following property:

ALL that certain parcel of land in Graham Township, Clearfield County,
Pennsylvania, bounded and described as follows:

BEGINNING at a post on corner of lands now or formerly of I. Smeal; Thence along said lands North eighty-six (86°) degrees West eighty-one (81) perches to post; Thence South thirty-five (35°) degrees West fifteen and nine-tenths (15.9) perches to post; Thence South four (4°) degrees West forty-six and six-tenths (46.6) perches to post; Thence South eighty-six (86°) degrees East eighty-nine and four-tenths (89.4) perches to post; Thence North three (3°) degrees and forty-two (42') minutes East fifty-four and two-tenths (54.2) perches to post and place of beginning. Containing twenty-nine (20) acres and one hundred and forty-one (141) perches, more or less.

EXCEPTING AND RESERVING unto the Grantors herein, their heirs, executors, administrators, successors and assigns, all the oil and gas rights in, under and upon the property hereby conveyed.

4. That the premises therein conveyed was the same as that conveyed to C. Alan Walker, et al, t/a Shannon Land and Mining Company from Mildred Mease, et al, July 7, 1986, recorded at Deed Book 1114 at Page 118 and Ada Hummel, et al, to C. Alan Walker, et al, t/a Shannon Land and Mining Company, dated August 11, 1986, recorded in Deed Book 1114 at Page 100. As well as that of James C. Walker, et al, to Shannon Land and Mining Company by Deed dated June 30, 1987, recorded in Deed book 1170 at Page 298 being Parcel 120 thereof.

5. That the premises described in Paragraph 3 were the same as sold and conveyed to George Hummel by Deed of George W. Pearce and Annie Pearce, his wife, dated May 4, 1889, recorded at Clearfield County Deed Book 100, page 140.

6. That George Hummel being so seized, died intestate on March 5, 1939 leaving to survive him his widow, Myrtle Hummel and seven (7) children.

7. That the said Myrtle Hummel died testate December 26, 1964, her Will be duly probated in Clearfield County. Her interest in the subject property passed to her seven (7) children, share and share alike.

8. The children of George and Myrtle Hummel and the heirs of the deceased children of George and Myrtle Hummel conveyed their interests to Defendants' predecessor in title as described in the conveyances recited in Paragraph 4 herein.

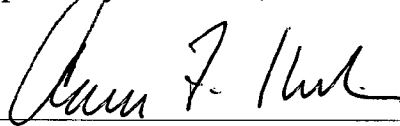
9. It is believed and therefore averred that Plaintiffs have acquired Title from all the heirs and descendents of George Hummel. However, the purpose of this Quiet Title Action is to extinguish and cure any defects which may exist in the title to the subject property and to extinguish any claim or equity which any of the Defendants, and any and all persons claiming by, under, and through them, may have in the property of the Plaintiffs described herein.

WHEREFORE, the Plaintiffs pray that this Honorable Court grant the following relief:

- a. That the Defendants be forever barred from asserting any right, title, lien or interest in the lands of the Plaintiffs inconsistent with the ownership of the Plaintiffs unless the Defendants bring an Action of Ejectment against the Plaintiffs for the recovery of lands within thirty (30) days after the entry of judgment of this court;

- b. That the Plaintiffs be decreed as the sole owners of the subject premises and be entitled to exclusive possession of the premises described in the foregoing complaint;
- c. That this court makes such further Orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them any other relief deemed appropriate.

Respectfully submitted,



Dated:

Alan F. Kirk
Attorney for Plaintiffs
I.D. #36893
1375 Martin Street, Suite 204
State College, PA 16803
(814) 234.2048

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

RONALD D. THORP , GARY L. THORP ,	:	No.
DAVID J. THORP and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

VERIFICATION

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



Gary L. Thorp , Plaintiff

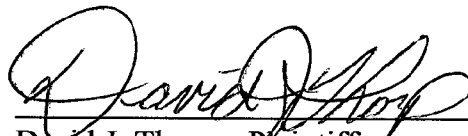
DATE: June 22, 2000

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

RONALD D. THORP , GARY L. THORP ,	:	No.
DAVID J. THORP and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

VERIFICATION

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



David J. Thorp , Plaintiff

DATE: June 22, 2000

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

RONALD D. THORP , GARY L. THORP ,	:	No.
DAVID J. THORP and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

VERIFICATION

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



Ronald D. Thorp , Plaintiff

DATE: June 22, 2000

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

RONALD D. THORP , GARY L. THORP ,	:	No.
DAVID J. THORP and JOEL L. ALBERT	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
GEORGE HUMMEL, his heirs, successors	:	
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

VERIFICATION

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



Joel L. Albert, Plaintiff

DATE: JUNE 9, 2000

FILED

JUN 28 2000
William A. Shaw
Prothonotary

pd & so. co
acc atty, kurt

CA

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

RONALD D. THORPE, GARY L. THORPE,
DAVID J. THORPE and JOEL L. ALBERT,
Plaintiffs

vs.

GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

No. 00-765-CD

Type of Case: Action to Quiet Title

Type of Pleading: MOTION TO
LEAVE TO SERVE BY
PUBLICATION

Filed on Behalf of: Plaintiffs

Counsel of Record for this Party:
ALAN F. KIRK, ESQ.
Supreme Court No. 36893

1375 Martin Street, Suite 204
State College, PA 16803
(814) 234.2048

FILED

JUL 20 2000

William A. Shaw
Prothonotary

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

RONALD D. THORPE, GARY L. THORPE,	:	No. 00-765-CD
DAVID J. THORPE and JOEL L. ALBERT,	:	
Plaintiffs	:	Type of Case: Civil
	:	
vs.	:	Type of Pleading: MOTION FOR
	:	LEAVE TO SERVE BY
	:	PUBLICATION
	:	
GEORGE HUMMEL, his heirs, successors	:	Filed on Behalf of: Plaintiffs
and assigns, and all persons claiming by,	:	
under and through him,	:	
Defendants	:	

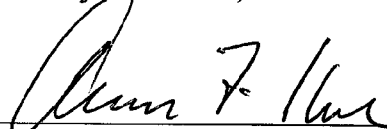
MOTION FOR LEAVE TO SERVE BY PUBLICATION

NOW COMES, Alan F. Kirk, Attorney for the Plaintiffs in the above-captioned matter, and upon the basis of the Affidavit attached to this Motion and in conformity with Pennsylvania Rules of Civil Procedure, Moves For Leave To Serve the Complaint Filed in this Action by publication to the Defendants.

Respectfully submitted,

Dated:

7/18/00



Alan F. Kirk
Attorney for Plaintiffs
I.D. #36893
1375 Martin Street, Suite 204
State College, PA 16803
(814) 234.2048

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

RONALD D. THORPE, GARY L. THORPE,
DAVID J. THORPE and JOEL L. ALBERT,
Plaintiffs

vs.

GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

No. 00-765-CD

Type of Case: Civil

Type of Pleading: AFFIDAVIT

Filed on Behalf of: Plaintiffs

AFFIDAVIT THAT THE DEFENDANTS ARE DEAD
OR THEIR WHEREABOUTS ARE UNKNOWN

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CENTRE

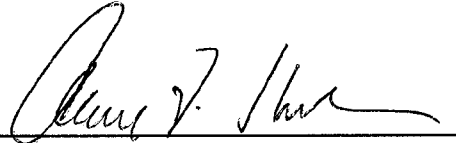
SS:

ALAN F. KIRK, ESQUIRE, being duly sworn according to law, deposes and says
that he makes this Affidavit on behalf of the Plaintiffs, Ronald D. Thorpe, Gary L. Thorpe, David
J. Thorpe and Joel L. Albert and being authorized to do so, declares that the following regarding
the Defendants in this matter:

- a. The deponent has made a good faith effort to locate the whereabouts of George Hummel. It is known that Mr. Hummel is deceased since he died in testate March 5, 1939, leaving to survive him his widow, Myrtle Hummel and their seven children. The said Myrtle Hummel died testate December 26, 1964, and her Will was dully probated in Clearfield County with her interest in the subject property passing to her seven children share and share alike. It is believed and therefore

averred by the deponent that all of the known heirs of these seven children have previously transferred their interest in the subject property either by Special Warranty Deed or Quit Claim Deed to the Plaintiffs predecessor in title as described in the Complaint of the Plaintiffs in Paragraph 4. The deponent further states that there are no other known heirs or descendants of the said George Hummel and the deponent has been unable to locate the same after diligent inquiry and search. Based on the results of these inquiries, the deponent believes that the whereabouts of any other heir, successors and assigns of George Hummel are either dead or that there whereabouts are unknown.

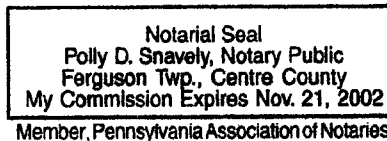
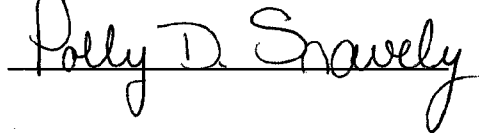
Respectfully submitted,



Alan F. Kirk
Attorney for Plaintiffs
I.D. #36893
1375 Martin Street, Suite 204
State College, PA 16803
(814) 234.2048

Dated: July 18, 2000

Subscribed and sworn to before me
this 18th day of July,
2000.



FILED

JUL 20 2000
m/123/01 cc atty Kent
William A. Shaw
Prothonotary
Egt

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

RONALD D. THORPE, GARY L. THORPE,
DAVID J. THORPE and JOEL L. ALBERT,
Plaintiffs

vs.

GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

No. 00-765-CD

Type of Case: Action to Quiet Title

Type of Pleading: Order

Filed on Behalf of: Plaintiffs

ORDER

NOW, this 24th day of July, 2000, upon

consideration of the foregoing Motion of Alan F. Kirk, attorney for the Plaintiffs in the above entitled action, it is hereby ORDERED and DECREED that the Plaintiffs are granted leave to make service of a Complaint on the following Defendants, their heirs, successors, and assigns and any and all other persons claiming by, under and through him claiming any right, title or interest in the land described in the Complaint as follows:

1. By publication once in The Progress and the Clearfield County Legal Journal, the newspaper and legal journal of general circulation in Clearfield County, Pennsylvania; and proof of publication thereof shall be filed with the proceedings in the within action and the said advertisement shall state that the Defendants are required to answer the Complaint within twenty (20) days from the last advertisement thereof or Judgment may be entered against them.

BY THE COURT:

FILED

JUL 24 2000

William A. Shaw
Prothonotary

FILED

JUL 24 2000

William A. Shaw
Prothonotary

01155/1000th Kirk
EWS

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

RONALD D. THORPE, GARY L. THORPE,
DAVID J. THORPE and JOEL L. ALBERT,
Plaintiffs

GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

FILED

OCT 03 2000

William A. Shaw
Prothonotary

No. 00-765-CD

Type of Case: Civil

Type of Pleading: MOTION FOR
ENTRY OF JUDGMENT

Filed on Behalf of: Plaintiffs

Counsel of Record for this Party:
ALAN F. KIRK, ESQ.
Supreme Court No. 36893

1375 Martin Street, Suite 204
State College, PA 16803
(814) 234-2048

MOTION FOR ENTRY OF JUDGMENT

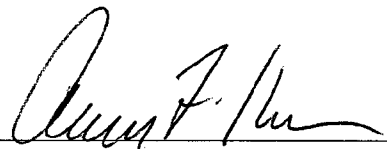
NOW COMES Plaintiffs, Ronald D. Thorpe, Gary L. Thorpe, David J. Thorpe and Joel L. Albert, by and through their attorney, Alan F. Kirk, Esquire, and move this Honorable Court for Entry of Judgment in this matter and in support thereof show as follows:

1. That on June 28, 2000, Plaintiffs filed an Action to Quiet Title, seeking to remove a cloud on title to a parcel of property situate in Graham Township, Clearfield County, Pennsylvania.
2. That on July 24, 2000, this Honorable Court entered an Order, decreeing that the Defendant, and his heirs, successors and assigns, and all other persons claiming by, under and through him, as Defendants, claiming any right, title, or interest in the subject property be served by publication.

3. That proper advertisement occurred in The Progress on August 5, 2000 and in the Clearfield County Legal Journal on August 11, 2000. True and correct copies of the Proofs of Publication are attached hereto and marked as Exhibit "A".
4. That no answer or response was received to the said Complaint and that thereafter a legal notice in compliance with Pa. R.C.P. 237.1 was published in The Progress on September 2, 2000 and in the Clearfield County Legal Journal on September 15, 2000. True and correct copies of the Proofs of Publication are attached hereto and marked as Exhibit "B".
5. That no answer or response has been received within the time period allowed and that therefore the Plaintiffs request that default judgment be entered in their favor, pursuant to the Order filed contemporaneously herewith.

WHEREFORE, the Plaintiffs pray that the Order filed herewith be entered, forever barring Defendants from bringing a cause of action so as to contest ownership of the subject real estate.

Respectfully submitted,



Alan F. Kirk, Esquire

1375 Martin Street, Suite 204
State College, PA 16803
(814) 234.2048

Date: October 2, 2000

COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENN-
SYLVANIA
CIVIL DIVISION

No. 00765-CD

RONALD D. THORPE, GARY L.
THORPE, DAVID J. THORPE and
JOELL L. ALBERT, Plaintiffs

vs. THE STATE

GEORGE HUMMEL, his heirs,
successors and assigns, and all
persons claiming by, under and
through him, Defendants

LEGAL NOTICE

TO GEORGE HUMMEL, his heirs,
successors and assigns, and all
other persons claiming by, under
and through him

You are hereby notified that the
Plaintiffs listed above have filed a
Complaint in an Action to Quiet title
regarding a parcel of land in Graham
Township, Clearfield County,
Pennsylvania, said land being more
particularly bounded and described
as follows:

ALL that certain parcel of land in
Graham Township, Clearfield
County, Pennsylvania, bounded
and described as follows:

BEGINNING at a post on corner of
lands now or formerly of T. Smeal;
Thence along said lands North
eighty-six (86) degrees West
eighty-one (81) perches to post;
Thence South thirty-five (35) de-
grees West fifteen and nine-tenths
(15.9) perches to post; Thence
South four (4) degrees West
forty-six and six-tenths (46.6)
perches to post; Thence South
eighty-six (86) degrees East
eighty-nine and four-tenths (89.4)
perches to post; Thence North
three (3) degrees and forty-two
(42) minutes East fifty-four and
two-tenths (54.2) perches to post
and place of beginning. Containing
twenty-nine (29) acres and one
hundred and forty-one (141)
perches, more or less.

BEING the same premises which
vested in the Plaintiffs by Deed of C.
Alan Walker, et al. v/a Shannon Land
and Mining, dated November 15,
1999, and recorded at Clearfield
County, Instrument No.
1999-18859.

TAKE NOTICE that the Plaintiffs
are the owners of the land de-
scribed hereinabove and that they
have requested in their Complaint
which is on file in the Office of the
Prothonotary of the Court of Com-
mon Pleas of Clearfield County,
that the Court decree that the title to
the same is in them, free and clear
of the claims of the Defendants,
their heirs and assigns, and any
other person or person claiming or
who might claim title under them,
and all other persons claiming any
right, title or interest in the land de-
scribed or anyone claiming by,
through or under them.

Should the above named Defen-
dants, their heirs and assigns, or
any other persons or person claim-
ing or who might claim title under
them or all other persons claiming
any right, title or interest in the land
described fail to plead to the Plain-
tiffs' Complaint within twenty (20)
days from the last publication of this
Notice, or fail to take such action
within thirty (30) days after default
judgment as the Court may direct,
the Defendants, their heirs and

signs, and any other person or
persons claiming or who might claim
title under them, or all other persons
claiming any right, title or interest
the land described, except
Plaintiff, will be forever barred from
asserting any interest, lien, right
title to the said land, inconsiste-
with the Plaintiffs, its successors
assigns.

If you wish to defend, you must
enter a written appearance person-
ally or by attorney and file your de-
fenses or objections in writing with
the Court. You are warned that
you fail to do so the case may pro-
ceed without you and a judgment
may be entered against you without
further notice for the relief re-
quested by the Plaintiffs. You may
lose money or property or other
rights important to you.

YOU SHOULD TAKE THIS PA-
PER 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, 230 E. Market Street,
Clearfield, PA 16830, Telephone:
(814) 765-2641

ALAN F. KIRK, ESQUIRE, 1375
Martin Street, Suite 204, State Col-
lege, PA 16803, Attorney for the

EXHIBIT

A

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

SS:

COUNTY OF CLEARFIELD :

On this 18th day of August, 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 August 5, 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

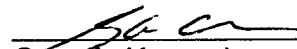
PROOF OF PUBLICATON

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 29th day of August 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 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 August 11, 2000, Vol. 12, No. 32. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

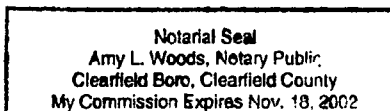


Gary A. Knaresboro, Esquire
Editor

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



Notary Public
My Commission Expires



Member, Pennsylvania Association of Notaries

Alan F. Kirk
1375 Martin Street, Suite 204
State College, PA 16803

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

RONALD D. THORPE, GARY L. THORPE, DAVID J. THORPE and JOEL L. ALBERT, Plaintiffs vs. GEORGE HUMMEL, his heirs, successors and assigns, and all persons claiming by, under and through him, Defendants.

TO: GEORGE HUMMEL, his heirs, successors and assigns, and all other persons claiming by, under and through him.

You are hereby notified that the Plaintiffs listed above have filed a Complaint in an Action to Quiet Title regarding a parcel of land in Graham Township, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain parcel of land in Graham Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post on corner of lands now or formerly of I. Smeal; Thence along said lands North eighty-six (86) degrees West Eighty-one (81) perches to post; thence south thirty-five (35) degrees West fifteen and nine-tenths (15.9) perches to post; Thence South four (4) degrees West forty-six and six-tenths (46.6) perches to post; Thence South eighty-six (86) degrees East eighty-nine and four-tenths (89.4) perches to post; Thence North three (3) degrees and forty-two (42) minutes East fifty-four and two-tenths (54.2) perches to post and place of beginning. Containing twenty-nine (29) acres and one hundred and forty-one (141) perches, more or less. BEING the same premises which vested in the Plaintiffs are the owners of the land described hereinabove and that they have requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the court decree that the title to the same is in them, free and clear of the claims of the Defendants, their heirs and assigns, and any other person or persons claiming or who might claim title under them, and all other persons claiming any right, title or interest in the land described or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, and assigns, or any other

persons or person claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described fail to plead to the Plaintiffs' Complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Court may direct, the Defendants, their heirs and assigns, and any other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, its successors or assigns.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR, CLEARFIELD COUNTY COURTHOUSE, 230 E. Market Street, Clearfield, PA 16830, (814) 765-2641.

ALAN F. KIRK, ESQUIRE, 1375 Martin Street, Suite 204 State College, PA 16803
Attorney for the Plaintiffs.

Date	Month	Words
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THE PROGRESS
P. O. Box 291
CLEARFIELD, PA. 16830
814 - 765-5581

12815

- August 3 ~~19~~2000

Alan F. Kirk, Attorney
1375 Martin Street Suite 204
State College, PA 16803

643 Words @ .17 \$ 109 31
Lines @

Affidavit 50

\$ 109 81

MAILED
AUG 10 2000
P.O. BOX 291
CLEARFIELD, PA. 16830

Thorpe, Albert Vs.
Hummel
Action to Quiet Title

NOTE:

PROOF OF PUBLICATION

Will Be Forwarded

UPON PAYMENT

of this Advertisement

EXHIBIT

B

NOTICE
IN THE COURT OF COMMON
PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA
CIVIL DIVISION
RONALD D. THORPE, GARY L.
THORPE, DAVID J. THORPE and
JOELL ALBERT, Plaintiffs
GEORGE HUMMEL, his heirs,
successors and assigns, and all
persons claiming by, under and
through him, Defendants
No. 00-765-CD
Type of Case: Civil
Type of Pleading: Legal Notice
Filed on Behalf of: Plaintiffs
Counsel of Record for this Party:
ALAN F. KIRK, ESQ., Supreme
Court No. 36893, 1375 Martin
Street, Suite 204, State College,
PA 16803, (814) 234-2048
LEGAL NOTICE
You are in default because you
have failed to take action required
of you in this case. Unless you act
within ten (10) days from the date of
this notice, a Judgment may be en-
tered against you without a hearing
and you may lose your property or
other important rights. You should
take this notice to a lawyer at once.
If you do not have a lawyer or can-
not afford one, go to or telephone
the following office to find out
where you can get legal help.
PROTHONOTARY, CLEAR-
FIELD COUNTY COURTHOUSE,
230 E. Market Street, Clearfield,
PA 16830, Telephone: (814)
765-2641
ALAN F. KIRK, ESQUIRE, Attor-
ney for the Plaintiff, 1375 Martin
Street, Suite 204, State College,
PA 16803
9 : 2 : 11 d : b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 13th day of September, 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 September 2, 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.

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

Notary Public Clearfield, Pa.
My Commission Expires
September 16, 2004

Notarial Seal
Ann K. Law, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Sept. 16, 2004
Member, Pennsylvania Association of Notaries

PROOF OF PUBLICATON

STATE OF PENNSYLVANIA

:
:

COUNTY OF CLEARFIELD

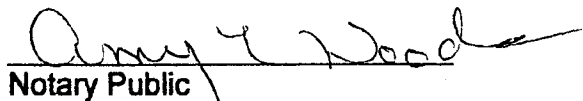
:

On this 15th day of September 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 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 September 15, 2000, Vol. 12, No. 37. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

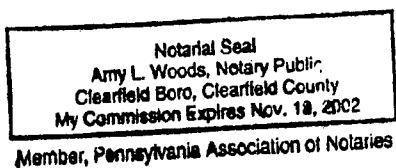


Gary A. Knaresboro, Esquire
Editor

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



Notary Public
My Commission Expires



Alan F. Kirk
1375 Martin Street, Suite 204
State College, PA 16803

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

**RONALD D. THORPE, GARY
L. THORPE, DAVID J. THORPE and JOEL L.
ALBERT, Plaintiffs vs. GEORGE
HUMMEL, his heirs, successors and
assigns, and all persons claiming by, under
and through him, Defendants.**

No. 00-765-CD

LEGAL NOTICE

**YOU ARE IN DEFAULT BECAUSE
YOU HAVE FAILED TO TAKE ACTION**

**REQUIRED OF YOU IN THIS CASE.
UNLESS YOU ACT WITHIN TEN (10)
DAYS FROM THE DATE OF THIS
NOTICE, A JUDGMENT MAY BE
ENTERED AGAINST YOU WITHOUT A
HEARING AND YOU MAY LOSE YOUR
PROPERTY OR OTHER IMPORTANT
RIGHTS. YOU SHOULD TAKE THIS
NOTICE TO A LAWYER AT ONCE. IF
YOU DO NOT HAVE LAWYER OR
CANNOT AFFORD ONE, GO TO OR
TELEPHONE THE FOLLOWING OFFICE
TO FIND OUT WHERE YOU CAN GET
LEGAL HELP.**

**PROTHONOTARY, CLEARFIELD
COUNTY COURTHOUSE, 230 East
Market Street, Clearfield, PA 16830
Telephone (814) 765-2641.**

**ALAN F. KIRK, ESQUIRE, Attorney for
the Plaintiff, 1375 Martin Street, Suite 204,
State College, PA 16803.**


Clearfield County Legal Journal
P.O. Box 521
Clearfield, PA 16830

FILE COPY

Action to Quiet Title

Ronald D. Thorpe vs. George Hummel

\$108.00

ALAN F. KIRK, ESQ.		1302	
PROFESSIONAL CORPORATION			
TRUST ACCOUNT			
PH. 814-234-2048			
1375 MARTIN ST. SUITE 204			
STATE COLLEGE, PA 16803		DATE <u>9/8/00</u>	
60-1627/313			
PAY TO THE ORDER OF	<u>Clearfield County Legal Journal</u>		\$ <u>108.00</u>
<u>One Hundred Eight and</u>		<u>00/100</u>	DOLLARS
 OMEGA BANK <small>An Affiliate of Omega Financial Corporation Member FDIC</small>			
FOR	<u>Thorpe v. Hummel (Advertising)</u>		<u>Alan F. Kirk</u>
⑈001302⑈		⑈03131627⑈ 010639969⑈	

FILED

OCT 03 2000

William A. Shaw
Prothonotary

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Kirk
EAS

CP

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

RONALD D. THORPE, GARY L. THORPE,	:	No. 00-765-CD
DAVID J. THORPE and JOEL L. ALBERT,	:	
Plaintiffs	:	Type of Case: Civil
	:	
	:	Type of Pleading: ORDER OF
	:	COURT
	:	
GEORGE HUMMEL, his heirs, successors	:	Filed on Behalf of: Plaintiffs
and assigns, and all persons claiming by,	:	
under and through him,	:	Counsel of Record for this Party:
Defendants	:	ALAN F. KIRK, ESQ.
	:	Supreme Court No. 36893
	:	
	:	1375 Martin Street, Suite 204
	:	State College, PA 16803
	:	(814) 234-2048

FILED

ORDER OF COURT

OCT 05 2000

William A. Shaw
Prothonotary

AND NOW, this 5th day of October, 2000, upon Motion for Entry of

Judgment having been filed by the Plaintiffs herein and the Court being satisfied therewith, it is hereby ordered and decreed as follows:

1. That the Defendant, George Hummel, his heirs, successors and assigns, and all persons claiming by, under and through him, be forever barred from asserting any right, title, lien or interest in the Plaintiff's land inconsistent with the ownership of Plaintiffs, unless the said Defendant or Defendants bring an action in ejectment against Plaintiffs for the recovery of the land within thirty (30) days after the Entry of Judgment of this Court;

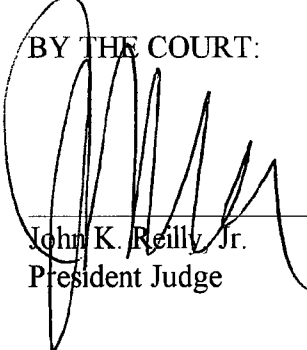
2. That Plaintiffs be decreed as the sole owners, entitled to exclusive possession of the premises located in Graham Township, Clearfield County, Pennsylvania and further described as follows:

BEGINNING at a post on corner of lands now or formerly of I. Smeal; Thence along said lands North eighty-six (86°) degrees West eighty-one (81) perches to post; Thence South thirty-five (35°) degrees West fifteen and nine-tenths (15.9) perches to post; Thence South four (4°) degrees West forty-six and six-tenths (46.6) perches to post; Thence South eighty-six (86°) degrees East eighty-nine and four-tenths (89.4) perches to post; Thence North three (3°) degrees and forty-two (42') minutes East fifty-four and two-tenths (54.2) perches to post and place of beginning. Containing twenty-nine (20) acres and one hundred and forty-one (141) perches, more or less.

EXCEPTING AND RESERVING unto the Grantors herein, their heirs, executors, administrators, successors and assigns, all the oil and gas rights in, under and upon the property hereby conveyed.

IT IS FURTHER ORDERED AND DECREED that if no action is taken by Defendant or Defendants within thirty (30) days of this Order, the Prothonotary is hereby directed to enter Final Judgment in this matter on behalf of Plaintiffs and against Defendants upon Praecipe of Plaintiffs.

BY THE COURT:



John K. Reilly, Jr.
President Judge

FILED

OCT 05 2000

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William A. Shaw
Prothonotary

2/21/01
Kut

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

RONALD D. THORPE, GARY L. THORPE,
DAVID J. THORPE and JOEL L. ALBERT
Plaintiffs

GEORGE HUMMEL, his heirs, successors
and assigns, and all persons claiming by,
under and through him,
Defendants

No. 00-765-CD

Type of Case: Civil

Type of Pleading: Praecipe

Filed on Behalf of: Plaintiffs

Counsel of Record for this Party:
ALAN F. KIRK, ESQ.
Supreme Court No. 36893

1375 Martin Street, Suite 204
State College, PA 16803
(814) 234-2048

PRAECIPE

TO THE PROTHONOTARY:

Please enter final judgment in the above-captioned matter that grants the relief ordered
and decreed in the Court Order dated October 5, 2000, a certified copy of which is attached
hereto, inasmuch as Defendant has failed to take action under the terms of the said Order.

Respectfully submitted,

FILED

DEC 07 2000

William A. Shaw
Prothonotary



Alan F. Kirk, Esquire

1375 Martin Street, Suite 204
State College, PA 16803

(814) 234.2048

Dated: 12-06-00

COPY

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

RONALD D. THORPE, GARY L. THORPE,	:	No. 00-765-CD
DAVID J. THORPE and JOEL L. ALBERT,	:	
Plaintiffs	:	Type of Case: Civil
	:	
	:	Type of Pleading: ORDER OF
	:	COURT
	:	
GEORGE HUMMEL, his heirs, successors	:	Filed on Behalf of: Plaintiffs
and assigns, and all persons claiming by,	:	
under and through him,	:	Counsel of Record for this Party:
Defendants	:	ALAN F. KIRK, ESQ.
	:	Supreme Court No. 36893
	:	
	:	1375 Martin Street, Suite 204
	:	State College, PA 16803
	:	(814) 234-2048

ORDER OF COURT

AND NOW, this 5th day of October, 2000, upon Motion for Entry of
Judgment having been filed by the Plaintiffs herein and the Court being satisfied therewith, it is
hereby ordered and decreed as follows:

1. That the Defendant, George Hummel, his heirs, successors and assigns, and all
persons claiming by, under and through him, be forever barred from asserting any
right, title, lien or interest in the Plaintiff's land inconsistent with the ownership of
Plaintiffs, unless the said Defendant or Defendants bring an action in ejectment
against Plaintiffs for the recovery of the land within thirty (30) days after the Entry
of Judgment of this Court;

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

OCT 05 2000

Attest.

William L. [Signature]
Prothonotary

2. That Plaintiffs be decreed as the sole owners, entitled to exclusive possession of the premises located in Graham Township, Clearfield County, Pennsylvania and further described as follows:

BEGINNING at a post on corner of lands now or formerly of I. Smeal;
Thence along said lands North eighty-six (86°) degrees West eighty-one (81) perches to post; Thence South thirty-five (35°) degrees West fifteen and nine-tenths (15.9) perches to post; Thence South four (4°) degrees West forty-six and six-tenths (46.6) perches to post; Thence South eighty-six (86°) degrees East eighty-nine and four-tenths (89.4) perches to post;
Thence North three (3°) degrees and forty-two (42') minutes East fifty-four and two-tenths (54.2) perches to post and place of beginning. Containing twenty-nine (20) acres and one hundred and forty-one (141) perches, more or less.

EXCEPTING AND RESERVING unto the Grantors herein, their heirs, executors, administrators, successors and assigns, all the oil and gas rights in, under and upon the property hereby conveyed.

IT IS FURTHER ORDERED AND DECREED that if no action is taken by Defendant or Defendants within thirty (30) days of this Order, the Prothonotary is hereby directed to enter Final Judgment in this matter on behalf of Plaintiffs and against Defendants upon Praeceptum of Plaintiffs.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

John K. Reilly, Jr.
President Judge

FILED

DEC 07 2000
M11:27:10 CC
William A. Shaw &
Prothonotary *WAS*