

00-770-CD
IN RE: CONDEMNATION BY WOODLAND-BIGLER AREA AUTHORITY
PROPERTIES LOCATED IN BRADFORD TOWNSHIP, CLEARFIELD CO
PENNSYLVANIA

①

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

IN RE: CONDEMNATION BY
WOODLAND-BIGLER AREA
AUTHORITY OF PROPERTIES
LOCATED IN BRADFORD TOWNSHIP,
CLEARFIELD COUNTY,
PENNSYLVANIA

: NO. ~~2000~~-770-CD
:
: Type of Case: Condemnation
:
: Type of Pleading: Declaration of
: Taking, Proceeding in Rem
:
: Filed on Behalf of: Condemnor
:
: Counsel of Record for this Party:
:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
:
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
:
: (814) 765-9611

FILED

JUN 29 2000

William A. Shaw
Prothonotary

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 2000- -CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

DECLARATION OF TAKING

COMES NOW, the Woodland-Bigler Area Authority, by and through its Solicitor, Michael P. Yeager, Esquire and does hereby respectfully declare as follows:

1. The Condemnor is the Woodland-Bigler Area Authority with its principal place of business located at P.O. Box 27, Woodland, PA 16881.

2. The properties being condemned in this action are owned by various landowners identified on the schedule attached hereto, made part hereof and incorporated herein as "Exhibit A". The interests in and to the permanent and temporary rights of way described on the schedule attached hereto, made part hereof and incorporated herein as "Exhibit B" are hereby condemned in fee simple or absolute title by the Condemnor to secure permanent rights of way for sewer lines (including additional sewer lines) and for general utility purposes and otherwise for the purposes of ingress, egress and regress for construction, operation, maintenance, repair and/or replacement and temporary rights of way for construction purposes adjacent thereto, all across

portions of certain property generally situate in Bradford Township, Clearfield County, Pennsylvania and bearing Clearfield County Assessment Map Numbers also as set forth on Exhibit A, pursuant to the Municipality Authorities Act of 1945, the Act of May 2, 1945, P.L. 382, Article I, Section 306B(1); and as further authorized by Resolution of the Condemnor adopted July 11, 2000 by a majority of its duly appointed Board Members. Said Resolution may be examined at the offices of the Condemnor located at S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

3. The purpose of the condemnation is to provide rights of way for sewer lines (including additional sewer lines) and other utility facilities related thereto together with continuing access thereto for the Condemnor, its successors, assigns, employees and agents, all in order for the Condemnor to construct and operate a sewage system.

4. The descriptions of the permanent and temporary rights of way condemned sufficient for their identification are set forth in Exhibit B, attached hereto, made part hereof and incorporated herein by reference. Plans showing the permanent and temporary rights of way condemned are also on the day this Declaration is being filed with the Prothonotary of Clearfield County being duly lodged for record or filed in the Office of the Recorder of Deeds in and for Clearfield County in accordance with Section 404 of the Eminent Domain Code.

5. The nature of the title acquired in and to the land

hereby condemned are permanent and temporary rights of way as more specifically described in Exhibit B, all of which are incorporated herein by reference as though more fully set forth at length herein, or such interest as the landowner may own.

6. Plans showing the condemned permanent and temporary rights of way may also be inspected at the offices of the Condemnor located at S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

7. The Condemnor files with this Declaration of Taking its open-end bond without surety pursuant to Section 403(a) of the Eminent Domain Code of 1964. Just compensation is made or secured by the filing of said bond, attached hereto and made part hereof as Exhibit C.

ATTEST:

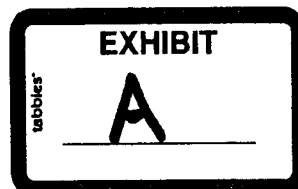
WOODLAND-BIGLER AREA AUTHORITY

Jack L. Williams Secy
Secretary

By: Paul J. Lanning
VICE Chairman

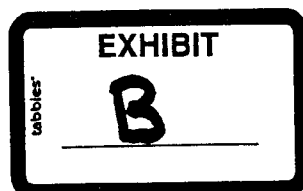
The various landowners or purported landowners of the property on which the condemned rights of way are located are as follows:

	<u>Property Owners</u>	<u>Addresses</u>	<u>Bradford Twp. Assessment #</u>	<u>Deed Book/ Page No.</u>
1.	William C. Peters Sandra L. Peters	Box 52 Mineral Springs, PA 16855	106-M9-626-2	1855/323
2.	Gregory A. Ogden Margaret A. Ogden	R.R, Box 211 Woodland, PA 16881	106-N8-162	788/450
3.	Charles L. Jones, II Susan M. Jones	R.R. 1, Box 370 Olanta, PA 16863	106-M9-627-1 106-M9-627-2	1430/591 1519/172
4.	Victor E. Welker	c/o William Welker, Jr. Woodland, PA 16881	106-M9-7.3	792/299
5.	George R. Sabota Marilyn R. Sabota	R.R. 1, Box 84 Bradenville, PA 15620	106-M9-626-38	1999016879





The permanent and temporary rights of way to be condemned by the Woodland-Bigler Area Authority, all located in Bradford Township, Clearfield County, Pennsylvania, are sufficiently described on Plans or Maps prepared by Gwin, Dobson & Foreman, Inc. ("GD&F") attached to this Exhibit as follows:


	<u>Property Owners</u>	<u>Sheet No.</u>
1.	William C. Peters Sandra L. Peters	9-1
2.	Gregory A. Ogden Margaret A. Ogden	7-2
3.	Charles L. Jones, II Susan M. Jones	12-2
4.	Victor E. Welker	16-2
5.	George R. Sabota Marilyn R. Sabota	10-5




LEGEND

PERMANENT EASEMENT 

TEMPORARY EASEMENT 

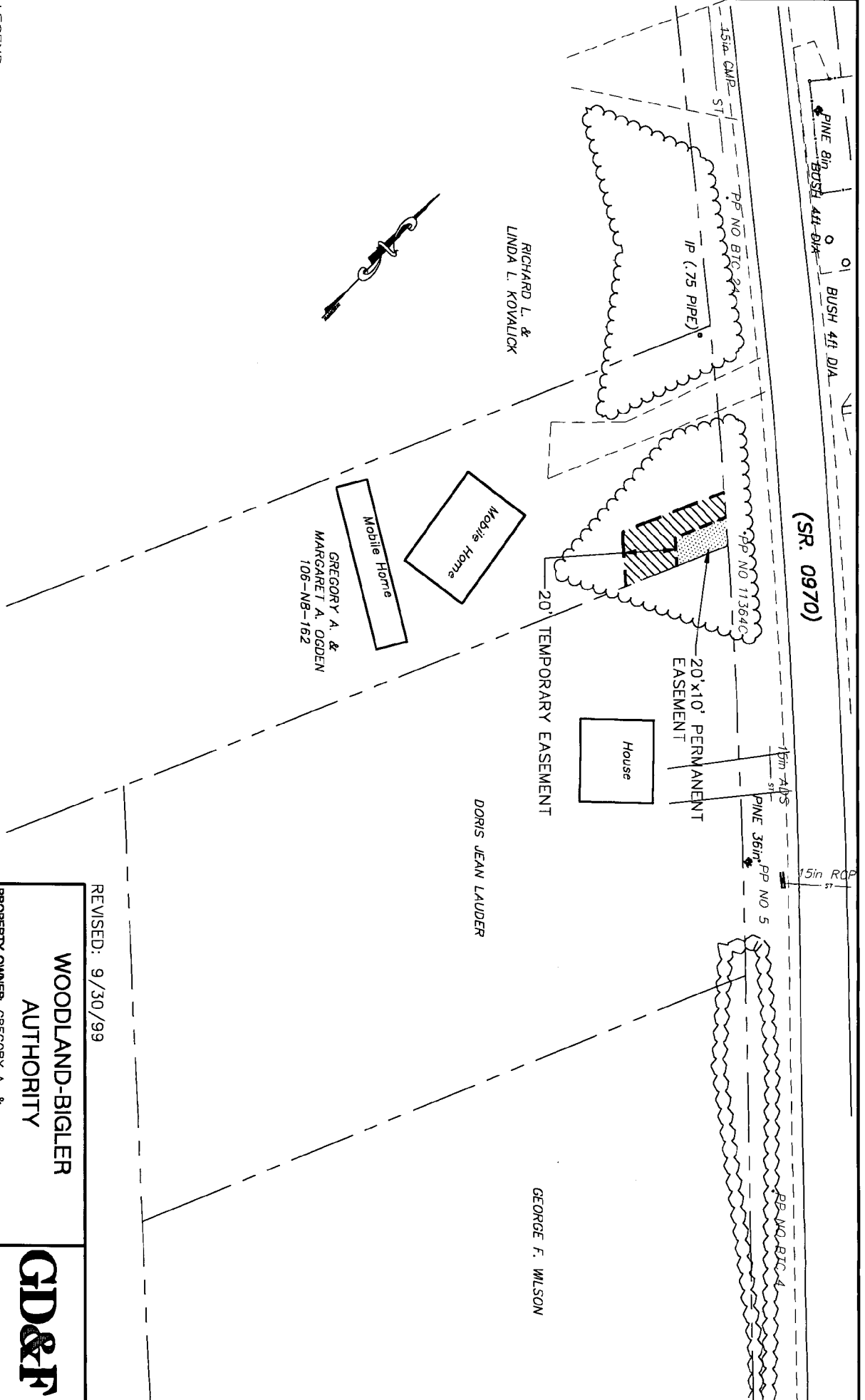
LEGAL RIGHT OF WAY 

PROPERTY LINE 

PERMANENT EASEMENT AREA: 200.00 SQ. FT.

TEMPORARY EASEMENT AREA: 598.48 SQ. FT.

- Note:
1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
 2. Property lines were plotted based on existing topographical features.



REVISED: 9/30/99

WOODLAND-BIGLER
AUTHORITY

PROPERTY OWNER: GREGORY A. & MARGARET A. OGDEN
ADDRESS: RR BOX 211
WOODLAND, PA. 16881

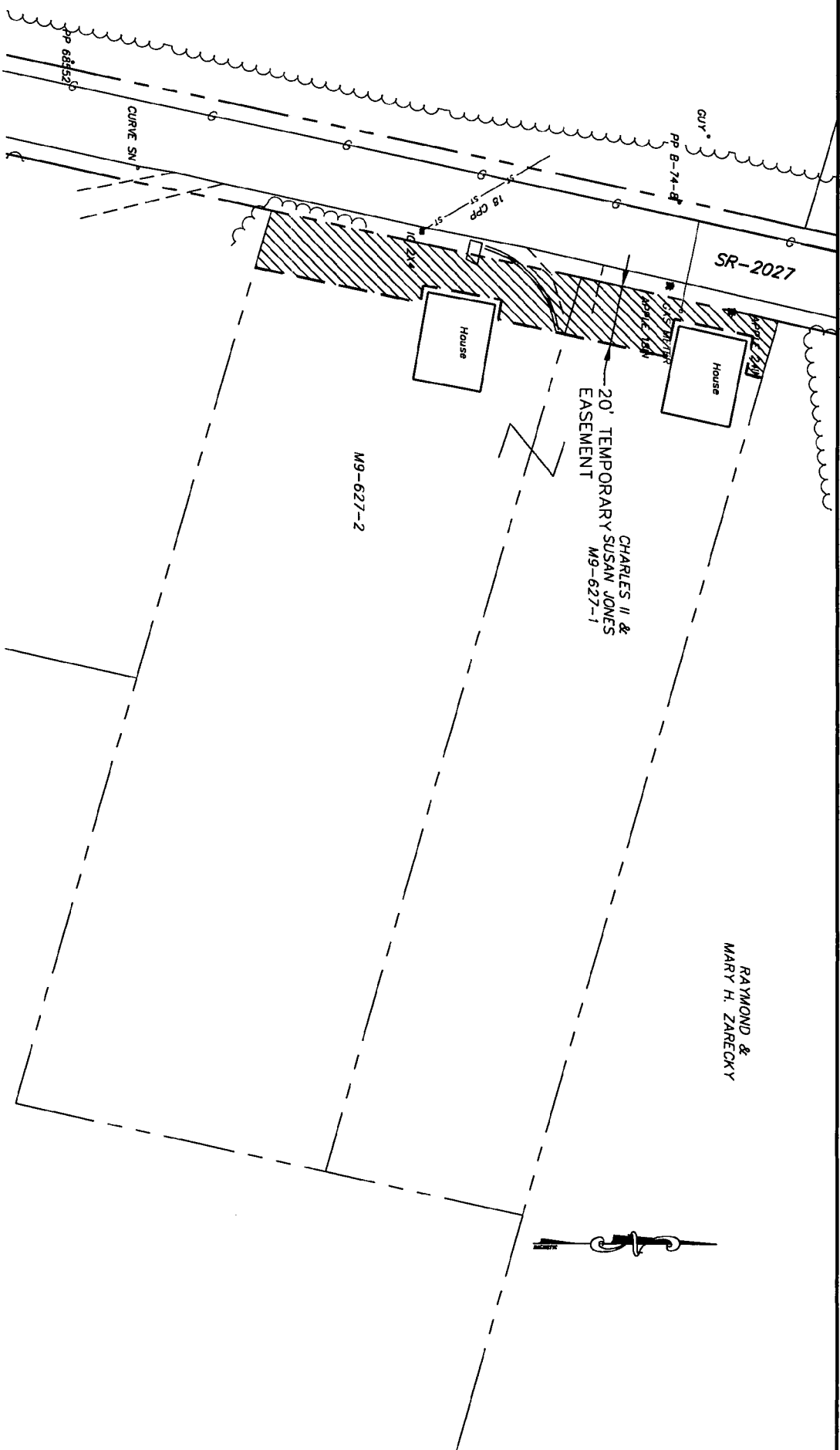
TAX PARCEL NO: 106-NB-162
DEED BOOK NO. 788 PAGE NO. 450
REFERENCE FROM PAP SHEET NO. 7

ISSUED: JOB: 99001 SCALE: 1"=50'
FILE: 07-2 DRAWN BY: RJB CHK BY: WVG

G&F

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
5121 Parkway Drive
Altoona, PA 16602

SHEET NO:
7-2



LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT
LEGAL RIGHT OF WAY

PROPERTY LINE

PERMANENT EASEMENT AREA: 000 SQ. FT.

TEMPORARY EASEMENT AREA: 3062.82 SQ. FT.

Note:

1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
2. Property lines were plotted based on existing topographical features.

**WOODLAND-BIGLER
AUTHORITY**

PROPERTY OWNER: CHARLES II & SUSAN JONES

ADDRESS: RR1 BOX 370
OLANTA, PA 16863

TAX PARCEL NO: M9-627-1, M9-627-2

DEED BOOK NO. 1430 PAGE NO. 591
DEED BOOK NO. 1519 PAGE NO. 172

REFERENCE FROM P&P SHEET NO. 12

ISSUED:

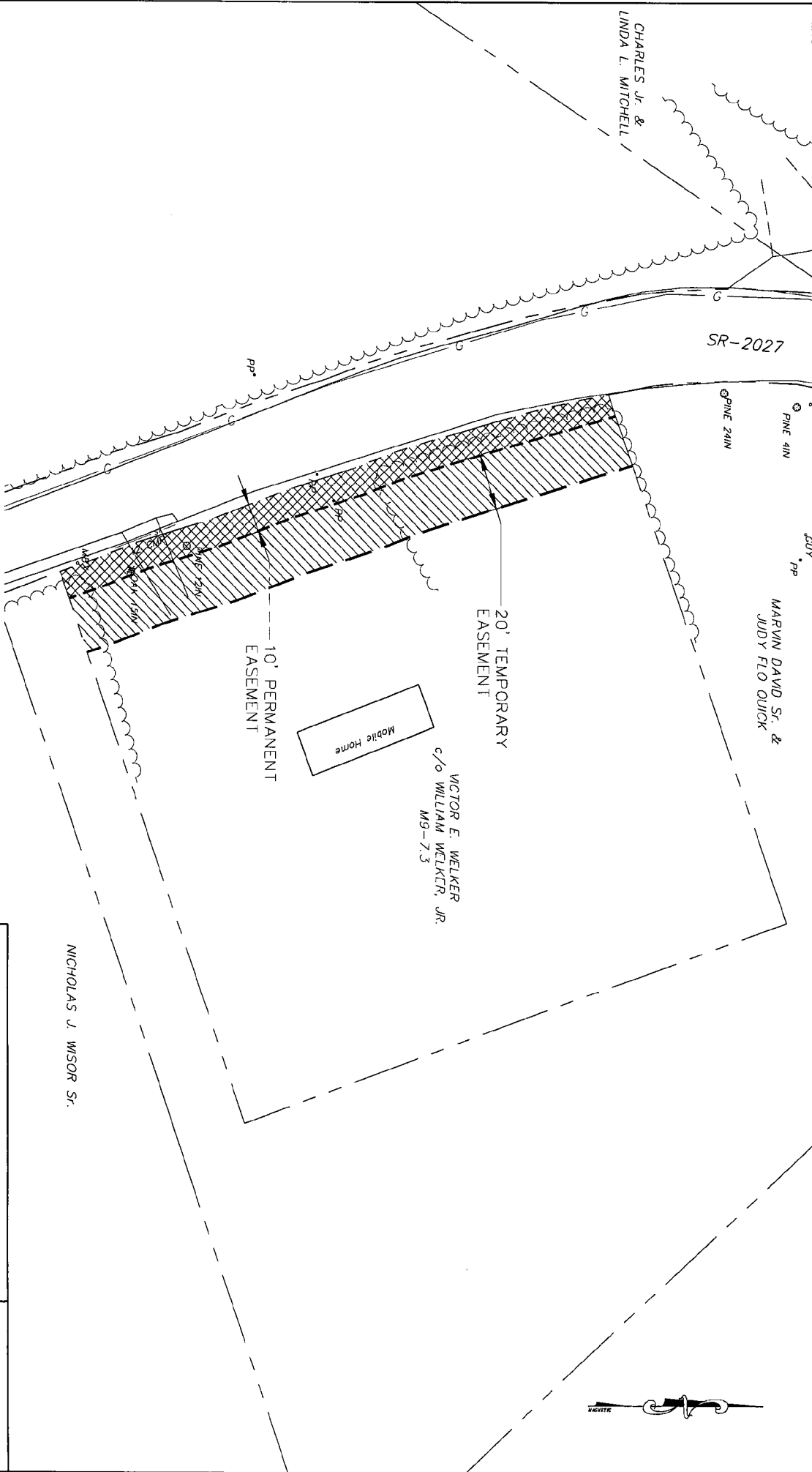
FILE: RW12-02

GD&F

**GWIN
DOBSON &
FOREMAN INC.**
Consulting Engineers
3121 Fairway Drive
Allison, PA 16602

SHEET NO.:

12-2



LEGEND

PERMANENT EASEMENT

TEMPORARY EASEMENT

LEGAL RIGHT OF WAY

PROPERTY LINE

PERMANENT EASEMENT AREA: 2076.65 SQ. FT.

TEMPORARY EASEMENT AREA: 4158.00 SQ. FT.

- Note:**
1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
 2. Property lines were plotted based on existing topographical features.

**WOODLAND-BIGLER
AUTHORITY**

PROPERTY OWNER: VICTOR E. WELKER
c/o WILLIAM WELKER, JR.

ADDRESS:
WOODLAND, PA 16881

TAX PARCEL NO: M9-7.3

DEED BOOK NO. 792 PAGE NO. 299

REFERENCE FROM P&P SHEET NO. 16

ISSUED:

JOB: 99116

SCALE: 1"=50'

FILE: RW16-02

DRAWN BY: JTB

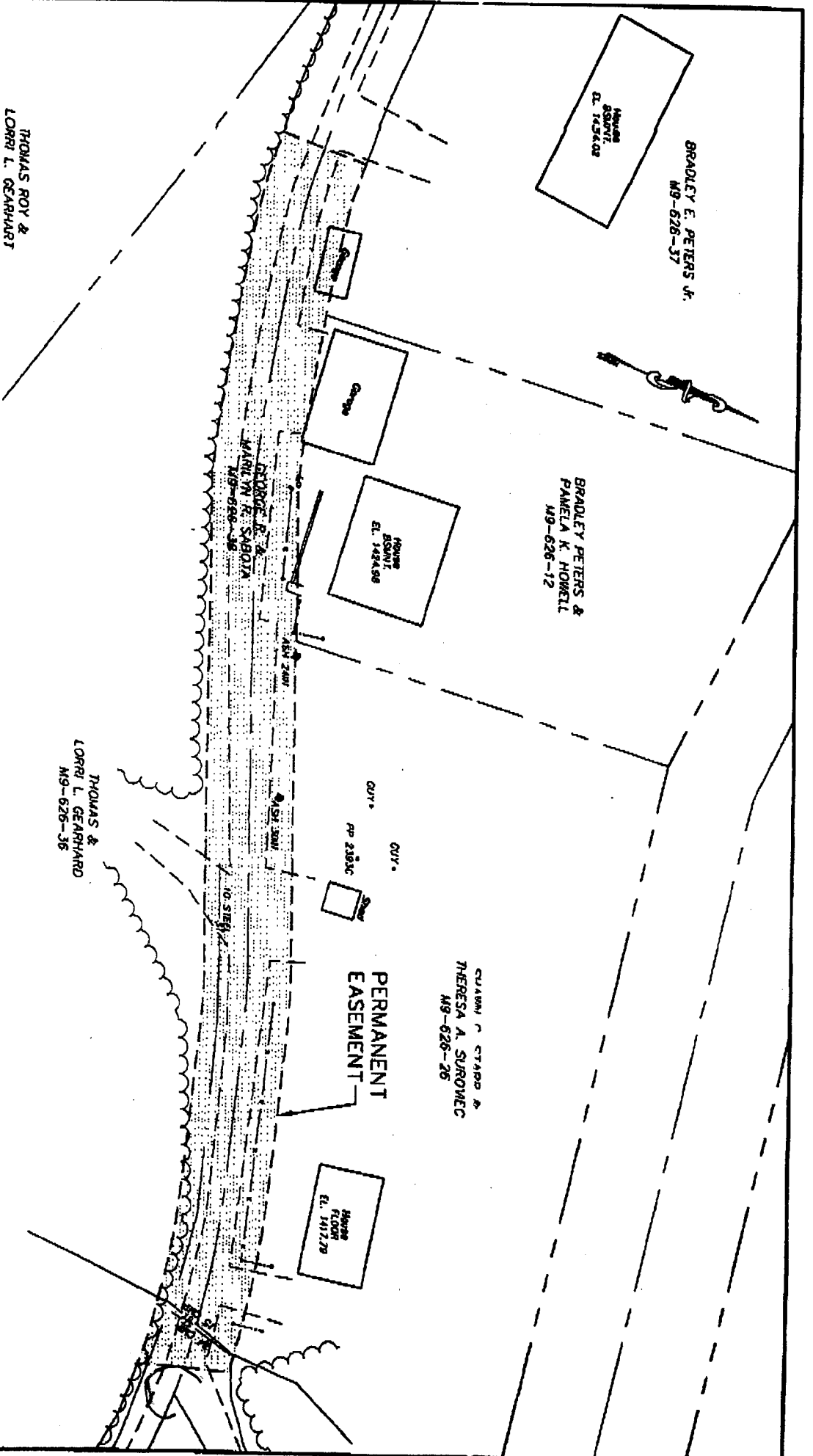
CHK BY: MVG

GDF

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Parkway Drive
Allison, PA 16602

SHEET NO:

16-2



LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT
 LEGAL RIGHT OF WAY
 PROPERTY LINE

PERMANENT EASEMENT AREA: 14,553.70 SQ. FT.

- Note:**
1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
 2. Property lines were plotted based on existing topographical features.

WOODLAND-BIGLER AUTHORITY

PROPERTY OWNER: GEORGE R. &
 MARILYN R. SABOTA
 ADDRESS: RR #1 BOX 84
 BRADENVILLE, PA 15620
 TAX PARCEL NO. M9-626-38
 DEED BOOK NO. 8901 PAGE NO. 8678
 REFERENCE FROM PAP SHEET NO. 10

ISSUED: JOB 99116 SCALE: 1"=50'
 FILE: RMY0-05 DRAWN BY: JAB CHK BY: MVG

GD&F

GWYN
 DOBSON &
 FOREMAN INC
 Consulting Engineers
 301 Anthony Drive
 Allentown, PA 18101

SHEET NO:
 10-5

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 2000- -CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

BOND WITHOUT SURETY

KNOW ALL MEN BY THESE PRESENTS, that the Woodland-Bigler Area Authority, organized and existing under the laws of the Commonwealth of Pennsylvania and more particularly the Municipality Authorities Act of 1945, Act of May 2, 1945 P.L. 382, hereinafter called Obligor is held and firmly bound unto the Commonwealth of Pennsylvania, hereinafter called Obligee for the use and benefit of the owner or owners of the property condemned as hereinafter noted, and other proper parties in interest, for such amount of damage as the said owner or owners of the said 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 the Woodland-Bigler Area Authority, of certain land located in Bradford Township, Clearfield County, Pennsylvania, being located generally through and across Clearfield County Assessment Map numbers as set forth in Exhibit A of the Declaration of Taking and to consist of permanent rights of way together with temporary rights of way more particularly bounded and described as set forth in Exhibit B of said Declaration of Taking.

The Obligor does hereby bind itself together with its successors and assigns firmly by these presents to payment for the aforesaid condemnation to be well and truly made.

Sealed with the corporate seal and duly executed this 27th
day of June, 2000.

Whereas, the Woodland-Bigler Area Authority has condemned the said property and cannot agree with the owner or owners of said land upon the just compensation to be paid for the damages sustained by said owner or owners as a result of the condemnation;



NOW THE CONDITION of this Bond is such that if the Woodland-Bigler Area Authority, the Obligor herein, shall pay or cause to be paid such amount of damages as the said owner or owners 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.

ATTEST:

Woodland-Bigler Area Authority

Jack E. Villanueva Secy
Secretary

By Samuel J. Lanning
VICE Chairman

FILED

JUN 29 2000

Wm. A. Shaw
Prothonotary

Olivia L. Shaw

PD \$80.50


NCC

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 2000 - 770 - CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

MEMORANDUM OF RECORDED NOTICE OF
DECLARATION OF TAKING

The Notice of Filing of Declaration of Taking in the above
action was recorded in the office of the Recorder of Deeds in and
for Clearfield County on June 29, 2000 as Instrument No.
200009178.


Michael P. Yeager, Solicitor
for Woodland-Bigler Area
Authority, Condemnor

FILED

JUL 05 2000

0/2:30/ww
William A. Shaw
Prothonotary

no c/c

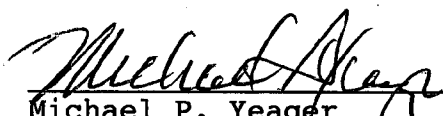


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 00 - 770 - CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

AFFIDAVIT OF SERVICE

I, MICHAEL P. YEAGER, attorney for Woodland-Bigler Area Authority, depose and say that I forwarded Notices of filing Declaration of Taking (copies of the same being attached hereto) to those landowners listed in Exhibit A attached hereto, made part hereof and incorporated herein. Said forwarding was by certified mail dated June 29, 2000. The original receipts and return receipt cards are also attached hereto as "Exhibit B". However, the Condemnee, Victor E. Welker, never claimed his certified mailing.


Michael P. Yeager
Attorney for Condemnor

Sworn to and subscribed before me this 7th day of August, 2000.





FILED

AUG 07 2000

William A. Shaw
Prothonotary

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 00 - 770 - CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

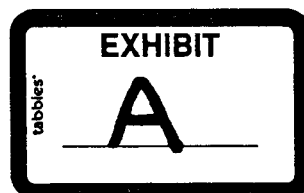
NOTICE

TO: William C. Peters
Sandra L. Peters
Box 52
Mineral Springs, PA 16855

You are hereby notified that a Declaration of Taking, a copy of which is attached hereto, made part hereof and incorporated herein as "Exhibit 1", has hereto been filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, in Clearfield, Pennsylvania as of the Court of Common Pleas Number 00-770-CD on June 29, 2000, whereupon premises situate in Bradford Township, Clearfield County, Pennsylvania were condemned by the Woodland-Bigler Area Authority, P.O. Box 27, Woodland, Pennsylvania 16881 ("Authority").

A brief description of the premises so condemned is attached to the Declaration of Taking (Exhibits A & B thereto) with a plot plan showing your entire property and premises condemned also being a part of Exhibit B.

The condemnation of said premises in which you have claim or interest was pursuant to the Act of May 2, 1945, P.L. 382, Article I, Section 306B(1), known as the Municipality Authorities

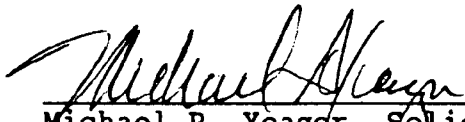


Act of 1945 and authorizing the Authority among others to condemn for its various Authority purposes.

On June 27, 2000 the Authority adopted said Resolution, selecting and appropriating said premises and directing the filing of a Declaration of Taking for Authority purposes. A record of such action is on file at the offices of the Authority offices, S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

Just compensation for the condemnation of said premises is secured by the Bond of the Authority filed with the said Declaration of Taking (Exhibit C thereto), as security for payment of the damages as shall be determined by law.

You are hereby further notified that if you desire to present any objection or defense to the power or the right of the Authority to condemn your property, the sufficiency of the security, the procedure followed by the Authority, or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days after service of this notice. All defenses and objections not so presented are waived.



Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 00 - 770 - CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

NOTICE

TO: Gregory A. Ogden
Margaret A. Ogden
R.R, Box 211
Woodland, PA 16881

You are hereby notified that a Declaration of Taking, a copy of which is attached hereto, made part hereof and incorporated herein as "Exhibit 1", has hereto been filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, in Clearfield, Pennsylvania as of the Court of Common Pleas Number 00-770-CD on June 29, 2000, whereupon premises situate in Bradford Township, Clearfield County, Pennsylvania were condemned by the Woodland-Bigler Area Authority, P.O. Box 27, Woodland, Pennsylvania 16881 ("Authority").

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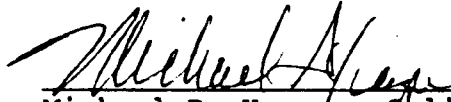
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Act of 1945 and authorizing the Authority among others to condemn for its various Authority purposes.

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Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

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

IN RE: CONDEMNATION BY	:	
WOODLAND-BIGLER AREA	:	No. 00 - 770 - CD
AUTHORITY OF PROPERTIES	:	
LOCATED IN BRADFORD TOWNSHIP	:	IN CONDEMNATION
CLEARFIELD COUNTY,	:	
PENNSYLVANIA	:	

NOTICE

TO: Charles L. Jones, II
Susan M. Jones
R.R. 1, Box 370
Olanta, PA 16863

You are hereby notified that a Declaration of Taking, a copy of which is attached hereto, made part hereof and incorporated herein as "Exhibit 1", has hereto been filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, in Clearfield, Pennsylvania as of the Court of Common Pleas Number 00-770-CD on June 29, 2000, whereupon premises situate in Bradford Township, Clearfield County, Pennsylvania were condemned by the Woodland-Bigler Area Authority, P.O. Box 27, Woodland, Pennsylvania 16881 ("Authority").

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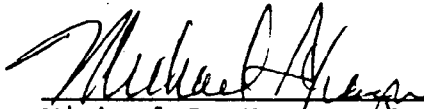
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Act of 1945 and authorizing the Authority among others to condemn for its various Authority purposes.

On June 27, 2000 the Authority adopted said Resolution, selecting and appropriating said premises and directing the filing of a Declaration of Taking for Authority purposes. A record of such action is on file at the offices of the Authority offices, S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

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Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

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

IN RE: CONDEMNATION BY	:	
WOODLAND-BIGLER AREA	:	No. 00 - 770 - CD
AUTHORITY OF PROPERTIES	:	
LOCATED IN BRADFORD TOWNSHIP	:	IN CONDEMNATION
CLEARFIELD COUNTY,	:	
PENNSYLVANIA	:	

NOTICE

TO: Victor E. Welker
c/o William Welker, Jr.
Woodland, PA 16881

You are hereby notified that a Declaration of Taking, a copy of which is attached hereto, made part hereof and incorporated herein as "Exhibit 1", has hereto been filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, in Clearfield, Pennsylvania as of the Court of Common Pleas Number 00-770-CD on June 29, 2000, whereupon premises situate in Bradford Township, Clearfield County, Pennsylvania were condemned by the Woodland-Bigler Area Authority, P.O. Box 27, Woodland, Pennsylvania 16881 ("Authority").

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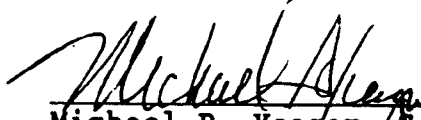
The condemnation of said premises in which you have claim or interest was pursuant to the Act of May 2, 1945, P.L. 382, Article I, Section 306B(1), known as the Municipality Authorities Act of 1945 and authorizing the Authority among others to condemn

for its various Authority purposes.

On June 27, 2000 the Authority adopted said Resolution, selecting and appropriating said premises and directing the filing of a Declaration of Taking for Authority purposes. A record of such action is on file at the offices of the Authority offices, S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

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Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

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

IN RE: CONDEMNATION BY	:	
WOODLAND-BIGLER AREA	:	No. 00 - 770 - CD
AUTHORITY OF PROPERTIES	:	
LOCATED IN BRADFORD TOWNSHIP	:	IN CONDEMNATION
CLEARFIELD COUNTY,	:	
PENNSYLVANIA	:	

NOTICE

TO: George R. Sabota
Marilyn R. Sabota
R.R. 1, Box 84
Bradenville, PA 15620

You are hereby notified that a Declaration of Taking, a copy of which is attached hereto, made part hereof and incorporated herein as "Exhibit 1", has hereto been filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, in Clearfield, Pennsylvania as of the Court of Common Pleas Number 00-770-CD on June 29, 2000, whereupon premises situate in Bradford Township, Clearfield County, Pennsylvania were condemned by the Woodland-Bigler Area Authority, P.O. Box 27, Woodland, Pennsylvania 16881 ("Authority").

A brief description of the premises so condemned is attached to the Declaration of Taking (Exhibits A & B thereto) with a plot plan showing your entire property and premises condemned also being a part of Exhibit B.

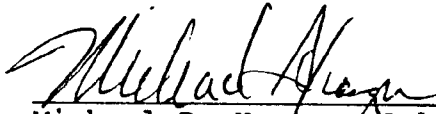
The condemnation of said premises in which you have claim or interest was pursuant to the Act of May 2, 1945, P.L. 382, Article I, Section 306B(1), known as the Municipality Authorities

Act of 1945 and authorizing the Authority among others to condemn for its various Authority purposes.

On June 27, 2000 the Authority adopted said Resolution, selecting and appropriating said premises and directing the filing of a Declaration of Taking for Authority purposes. A record of such action is on file at the offices of the Authority offices, S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

Just compensation for the condemnation of said premises is secured by the Bond of the Authority filed with the said Declaration of Taking (Exhibit C thereto), as security for payment of the damages as shall be determined by law.

You are hereby further notified that if you desire to present any objection or defense to the power or the right of the Authority to condemn your property, the sufficiency of the security, the procedure followed by the Authority, or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days after service of this notice. All defenses and objections not so presented are waived.



Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0023 6401 1718

Article Sent To:

William C. Peters & Sandra L. Peters

Postage

\$ 1.77

Certified Fee

1.40

Return Receipt Fee
(Endorsement Required)

1.25

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 3.42



Name (Please Print Clearly) (to be completed by mailer)

Michael P. Yeager, Esquire

Street, Apt. No.; or PO Box No.

P.O. Box 752

City, State, ZIP+4
 Clearfield, PA 16830

PS Form 3800, July 1999

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William C. Peters
 Sandra L. Peters
 Box 52
 Mineral Springs, PA 16855

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Christa Haney

B. Date of Delivery

7-1-00

C. Signature

X Christa Haney

☒ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

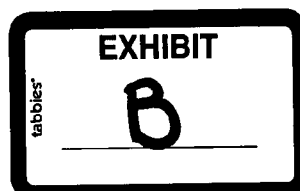
2. Article Number (Copy from service label)

7000 0600 0023 6401 1718

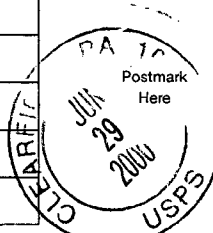
PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



7000 0600 0023 6401 1701

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To:	
Gregory A. Ogden & Margaret A. Ogden	
Postage	\$.77
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.42
	
Name (Please Print Clearly) (to be completed by mailer)	
Michael P. Yeager, Esquire	
Street, Apt. No.; or PO Box No.	
P.O. Box 752	
City, State, ZIP+4	
Clearfield, PA 16830	
PS Form 3800, July 1999 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A: Received by (Please Print Clearly) B: Date of Delivery</p> <p>Margaret A Ogden 7/30/00</p> <p>C: Signature</p> <p>x Margaret A Ogden <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D: Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Gregory A. Ogden Margaret A. Ogden R.R., Box 211 Woodland, PA 16881</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Copy from service label)</p> <p>7000 0600 0023 6401 1701</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Charles L. Jones, II & Susan M. Jones

Postage

\$.77

Certified Fee

1.40

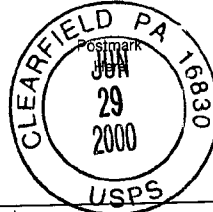
Return Receipt Fee
(Endorsement Required)

1.25

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 3.42



Name (Please Print Clearly) (to be completed by mailer)

Michael P. Yeager, Esquire

Street, Apt. No., or P.O. Box No.

P.O. Box 752

City, State, ZIP+4

Clearfield, PA 16830

PS Form 3800, July 1999

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles L. Jones, II
 Susan M. Jones
 R.R. 1, Box 370
 Olanta, PA 16863

2. Article Number (Copy from service label)

7000 0600 0023 6401 1695

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

7-1-00

C. Signature

X Charles L. Jones II

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

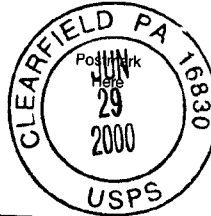
102595-99-M-1789

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

George R. Sabota & Marilyn R. Sabota

Postage	\$.47
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$3.42



Name (Please Print Clearly) (to be completed by mailer)

Michael P. Yeager, Esquire

Street, Apt. No., or PO Box No.

P.O. Box 752

City, State, ZIP+4

Clearfield, PA 16830

PS Form 3800, July 1999

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

George R. Sabota
 Marilyn R. Sabota
 R.R. 1, Box 84
 Bradenville, PA 15620

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Agent
☐ Addressee
☐ Yes
☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0023 6401 1152

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

FILED

AUG 07 2000

02:43/NOCC

William A. Shaw
Prothonotary

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

WOODLAND-BIGLER AREA
AUTHORITY,

Condemnor

vs

WILLIAM C. PETERS and
SANDRA L. PETERS,

Condemnee

: NO. 00-770-CD
:
: Type of Case: Condemnation
:
: Type of Pleading: Petition for
: the Appointment of Board of
: Viewers
:
: Filed on Behalf of: Condemnor
:
: Counsel of Record for this Party:
:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
:
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
:
: (814) 765-9611

FILED

JAN 12 2001
0/12:30/ was
William A. Shaw
Prothonotary

NO CENT COPY

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

WOODLAND-BIGLER AREA	:	
AUTHORITY,	:	
	:	
vs	:	No. 00-770-CD
	:	
WILLIAM C. PETERS and	:	
SANDRA L. PETERS,	:	
Plaintiff	:	

PETITION FOR THE APPOINTMENT OF BOARD OF VIEWERS

The Petition of Woodland-Bigler Area Authority of Bradford Township ("Condemnor") by its undersigned counsel, represents:

1. The Condemnor is Woodland-Bigler Area Authority of Bradford Township whose address is P.O. Box 27, Woodland, Pennsylvania 16881.
2. On June 29, 2000, Condemnor filed a Declaration of Taking in this proceeding. A copy of the Declaration of Taking is attached as "Exhibit 1". No preliminary objections to the Declaration of Taking have been filed.
3. The subject property is more fully described as follows:

ALL that certain tract of land, being a permanent easement or right of way as shown on GD&F drawing for project 99116, Parcel 12-2, a copy of which is attached to said Declaration of Taking as Exhibit B and being further described as follows:

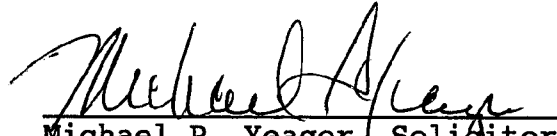
Strip of land 20' feet wide as shown on the above-mentioned and attached drawing.

TOGETHER WITH the temporary construction easements or rights of way also as shown on the above-mentioned and attached drawing.
4. The names and address of the Condemnees known by

Condemnor to have an interest in the condemned property are as follows: William C. Peters and Sandra L. Peters, Box 52, Mineral Springs, PA 16855.

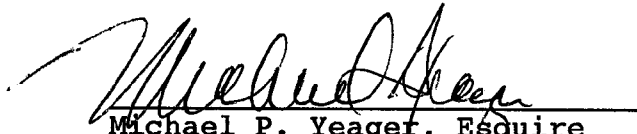
WHEREFORE, Condemnor respectfully requests that this Court appoint three viewers to assess the damages to which the Condemnees are entitled, and to access the benefits, if any, arising from the above-mentioned condemnation.

Respectfully submitted:

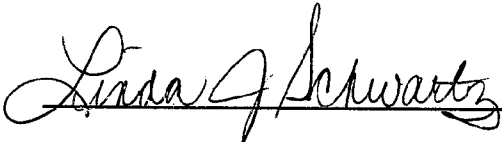

Michael P. Yeager, Solicitor
Woodland-Bigler Area Authority

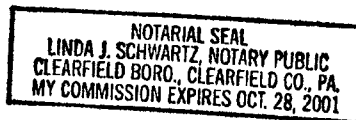
COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

I, MICHAEL P. YEAGER, being duly sworn according to law,
deposes and says that I am the solicitor for the Woodland-Bigler
Area Authority and that the facts set forth in the foregoing
Petition are true and correct to the best of my knowledge,
information and belief.


Michael P. Yeager, Esquire

Sworn to and subscribed
before me this 11th day of
January, 2001.





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

IN RE: CONDEMNATION BY
WOODLAND-BIGLER AREA
AUTHORITY OF PROPERTIES
LOCATED IN BRADFORD TOWNSHIP,
CLEARFIELD COUNTY,
PENNSYLVANIA

: NO. 2000-790-CD
:
: Type of Case: Condemnation
:
: Type of Pleading: Declaration of
: Taking, Proceeding in Rem
:
: Filed on Behalf of: Condemnor
:
: Counsel of Record for this Party:
:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
:
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
:
: (814) 765-9611



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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 2000- -CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

DECLARATION OF TAKING

COMES NOW, the Woodland-Bigler Area Authority, by and through its Solicitor, Michael P. Yeager, Esquire and does hereby respectfully declare as follows:

1. The Condemnor is the Woodland-Bigler Area Authority with its principal place of business located at P.O. Box 27, Woodland, PA 16881.

2. The properties being condemned in this action are owned by various landowners identified on the schedule attached hereto, made part hereof and incorporated herein as "Exhibit A". The interests in and to the permanent and temporary rights of way described on the schedule attached hereto, made part hereof and incorporated herein as "Exhibit B" are hereby condemned in fee simple or absolute title by the Condemnor to secure permanent rights of way for sewer lines (including additional sewer lines) and for general utility purposes and otherwise for the purposes of ingress, egress and regress for construction, operation, maintenance, repair and/or replacement and temporary rights of way for construction purposes adjacent thereto, all across

portions of certain property generally situate in Bradford Township, Clearfield County, Pennsylvania and bearing Clearfield County Assessment Map Numbers also as set forth on Exhibit A, pursuant to the Municipality Authorities Act of 1945, the Act of May 2, 1945, P.L. 382, Article I, Section 306B(1); and as further authorized by Resolution of the Condemnor adopted July 11, 2000 by a majority of its duly appointed Board Members. Said Resolution may be examined at the offices of the Condemnor located at S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

3. The purpose of the condemnation is to provide rights of way for sewer lines (including additional sewer lines) and other utility facilities related thereto together with continuing access thereto for the Condemnor, its successors, assigns, employees and agents, all in order for the Condemnor to construct and operate a sewage system.

4. The descriptions of the permanent and temporary rights of way condemned sufficient for their identification are set forth in Exhibit B, attached hereto, made part hereof and incorporated herein by reference. Plans showing the permanent and temporary rights of way condemned are also on the day this Declaration is being filed with the Prothonotary of Clearfield County being duly lodged for record or filed in the Office of the Recorder of Deeds in and for Clearfield County in accordance with Section 404 of the Eminent Domain Code.

5. The nature of the title acquired in and to the land

hereby condemned are permanent and temporary rights of way as more specifically described in Exhibit B, all of which are incorporated herein by reference as though more fully set forth at length herein, or such interest as the landowner may own.

6. Plans showing the condemned permanent and temporary rights of way may also be inspected at the offices of the Condemnor located at S.R. 2027, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania.

7. The Condemnor files with this Declaration of Taking its open-end bond without surety pursuant to Section 403(a) of the Eminent Domain Code of 1964. Just compensation is made or secured by the filing of said bond, attached hereto and made part hereof as Exhibit C.

ATTEST:

WOODLAND-BIGLER AREA AUTHORITY

Jack L. Williams Secy
Secretary

By: David J. Lawrence
VICE Chairman

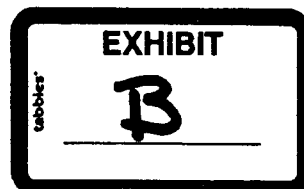
The various landowners or purported landowners of the property on which the condemned rights of way are located are as follows:

	<u>Property Owners</u>	<u>Addresses</u>	<u>Bradford Twp. Assessment #</u>	<u>Deed Book/ Page No.</u>
1.	William C. Peters Sandra L. Peters	Box 52 Mineral Springs, PA 16855	106-M9-626-2	1855/323
2.	Gregory A. Ogden Margaret A. Ogden	R.R, Box 211 Woodland, PA 16881	106-N8-162	788/450
3.	Charles L. Jones, II Susan M. Jones	R.R. 1, Box 370 Olanta, PA 16863	106-M9-627-1 106-M9-627-2	1430/591 1519/172
4.	Victor E. Welker	c/o William Welker, Jr. Woodland, PA 16881	106-M9-7.3	792/299
<div></div>				
6.	George R. Sabota Marilyn R. Sabota	R.R. 1, Box 84 Bradenville, PA 15620	106-M9-626-38	1999016879



The permanent and temporary rights of way to be condemned by the Woodland-Bigler Area Authority, all located in Bradford Township, Clearfield County, Pennsylvania, are sufficiently described on Plans or Maps prepared by Gwin, Dobson & Foreman, Inc. ("GD&F") attached to this Exhibit as follows:

	<u>Property Owners</u>	<u>Sheet No.</u>
1.	William C. Peters Sandra L. Peters	9-1
2.	Gregory A. Ogden Margaret A. Ogden	7-2
3.	Charles L. Jones, II Susan M. Jones	12-2
4.	Victor E. Welker	16-2
	<div style="background-color: black; height: 1.2em; width: 470px;"></div>	
6.	George R. Sabota Marilyn R. Sabota	10-5



(SR. 0970)

PINE RING
BUSH 4 1/2 DIA
BUSH 4 1/2 DIA

PINE 36 1/2"
PP NO 5

PP NO 4
PP NO 3
PP NO 2
PP NO 1

20' x 10' PERMANENT
EASEMENT

House

20' TEMPORARY EASEMENT

RICHARD L. &
LINDA L. KOVALICK

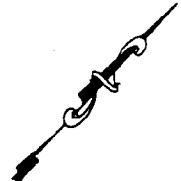
DORIS JEAN LAUDER

GEORGE F. WILSON

Mobile Home

Mobile Home

GREGORY A. &
MARGARET A. OGDEN
106-NB-162



REVISED: 9/30/99

WOODLAND-BIGLER
AUTHORITY

GID&F

PROPERTY OWNER: GREGORY A. &
MARGARET A. OGDEN
ADDRESS: RR BOX 211
WOODLAND, PA. 16881

TAX PARCEL NO: 106-NB-162

DEED BOOK NO. 788 PAGE NO. 450

REFERENCE FROM P&P SHEET NO. 7

FILE: 07-2 JOB: 99001 SCALE: 1"=50'
DRAWN BY: RJG CHK BY: MWG

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Parkway Drive
Arlene, PA 16803

SHEET NO:

7-2

LEGEND

PERMANENT EASEMENT
TEMPORARY EASEMENT
LEGAL RIGHT OF WAY
PROPERTY LINE

PERMANENT EASEMENT AREA: 200.00 SQ. FT.
TEMPORARY EASEMENT AREA: 598.48 SQ. FT.

Note:

1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
2. Property lines were plotted based on existing topographical features.

1. EASEMENT
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 97. EASEMENT
 98. EASEMENT
 99. EASEMENT
 100. EASEMENT

1. Properly line information taken from
 tax map information on file at (County)
 County Court House and does not
 represent actual field survey.
 2. Property lines were plotted based on
 existing topographical features.

WOODLAND-BIGLER
AUTHORITY

PROPERTY OWNER: VICTOR E. WELKER
c/o WILLIAM WELKER, JR.

ADDRESS: WOODLAND, PA 16881

TAX PARCEL NO. M9-7.3

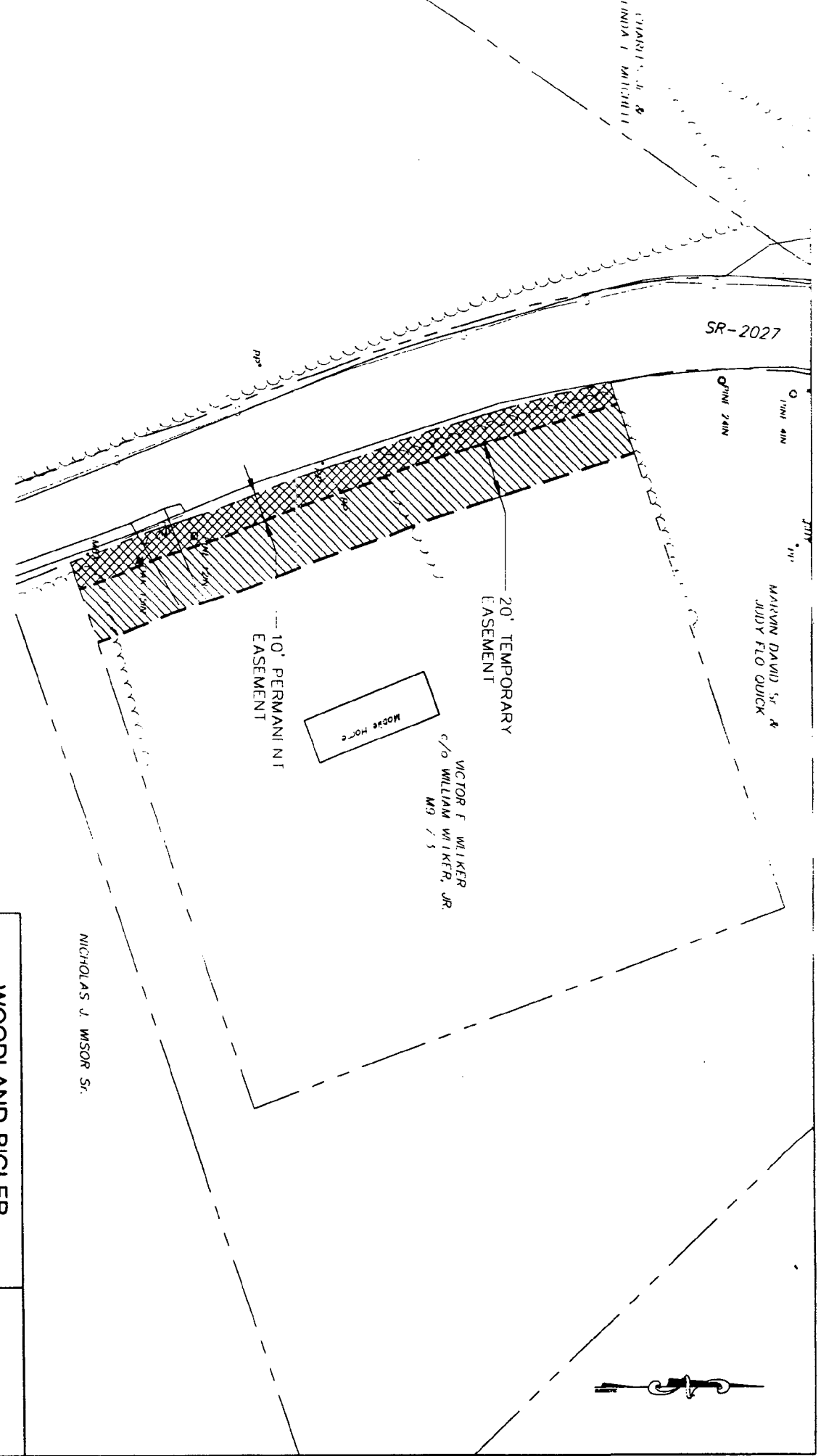
DEED BOOK NO. 792 PAGE NO. 299

ISSUED: JOB: 99116 SCALE: 1"=50'

FILE: RW16-02 DRAWN BY: JTB CHK BY: WVG

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Parkway Drive
Allentown, PA 16603

SHEET NO:
16-2



LEGEND
 PERMANENT EASEMENT
 TEMPORARY EASEMENT
 LEGAL RIGHT OF WAY
 PROPERTY LINE

PERMANENT EASEMENT AREA: 14,553.70 SQ. FT.

- Note:
1. Property line information taken from tax map information on file at Clearfield County Court House and does not represent actual field survey.
 2. Property lines were plotted based on existing topographical features.

THOMAS ROY &
 LORRI L. GEARHART
 M9-626-37

BRADLEY E. PETERS JR.
 M9-626-37

BRADLEY PETERS &
 PAMELA K. HOWELL
 M9-626-12

GEORGE B. &
 MARTIN E. SABOTA
 M9-626-36

THOMAS &
 LORRI L. GEARHART
 M9-626-36

CHARLES C. STARD &
 THELMA A. STAROWICZ
 M9-626-26

PERMANENT
 EASEMENT

THOMAS
 ROY
 EL. 1417.79

OUT*
 PP 2.03C
 OUT*

WOODLAND-BIGLER
 AUTHORITY

PROPERTY OWNER GEORGE B. &
 MARTIN E. SABOTA
 ADDRESS RR #1 BOX 84
 BRADENHILL, PA 15620
 TAX PARCEL NO. M9-626-36

DEED BOOK NO. 9901 PAGE NO. 6676

REFERENCE FROM MAP SHEET NO. 10
 ISSUED JUNE 1971
 DRAWN BY: JAB
 SCALE 1"=50'
 CHK BY: JWB

GWD&F
 GWIN
 DOBSON &
 FOREMAN INC.
 Consulting Engineers
 and Planning Firm
 Altoona, PA 16801

SHEET NO.
 10-5

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

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA : No. 2000- -CD
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : IN CONDEMNATION
CLEARFIELD COUNTY, :
PENNSYLVANIA :

BOND WITHOUT SURETY

KNOW ALL MEN BY THESE PRESENTS, that the Woodland-Bigler Area Authority, organized and existing under the laws of the Commonwealth of Pennsylvania and more particularly the Municipality Authorities Act of 1945, Act of May 2, 1945 P.L. 382, hereinafter called Obligor is held and firmly bound unto the Commonwealth of Pennsylvania, hereinafter called Obligee for the use and benefit of the owner or owners of the property condemned as hereinafter noted, and other proper parties in interest, for such amount of damage as the said owner or owners of the said 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 the Woodland-Bigler Area Authority, of certain land located in Bradford Township, Clearfield County, Pennsylvania, being located generally through and across Clearfield County Assessment Map numbers as set forth in Exhibit A of the Declaration of Taking and to consist of permanent rights of way together with temporary rights of way more particularly bounded and described as set forth in Exhibit B of said Declaration of Taking.

The Obligor does hereby bind itself together with its successors and assigns firmly by these presents to payment for the aforesaid condemnation to be well and truly made.

Sealed with the corporate seal and duly executed this 27th
day of June, 2000.

Whereas, the Woodland-Bigler Area Authority has condemned the said property and cannot agree with the owner or owners of said land upon the just compensation to be paid for the damages sustained by said owner or owners as a result of the condemnation;



NOW THE CONDITION of this Bond is such that if the Woodland-Bigler Area Authority, the Obligor herein, shall pay or cause to be paid such amount of damages as the said owner or owners 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.

ATTEST:

Woodland-Bigler Area Authority

Just L. Villanueva secy
Secretary

By Samuel J. Lanning
VICE Chairman

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

WOODLAND-BIGLER AREA
AUTHORITY,

vs

WILLIAM C. PETERS and
SANDRA L. PETERS,
Plaintiff

:
:
:
:
:
:
:
:

No. 00-770-CD

ORDER

AND NOW, this 15th day of January, 2001, upon
consideration of the Petition of Woodland-Bigler Area Authority,
the Court appoints:

J. Richard Matkin, II Esq.
Samuel Gist
Evo Facelise

as a Board of Viewers to assess damages in the condemnation and
further orders that the Board of Viewers perform its duties in
accordance with the law and Acts of Assembly and grants leave to
the Board of Viewers to issue an interlocutory report or
interlocutory reports covering such properties or claims as the
Board of Viewers determines appropriate.

BY THE COURT:

FILED

JAN 15 2001

William A. Shaw
Prothonotary

FILED

JAN 15 2001

01/10/32/3c-atty

William A. Shaw
Prothonotary

~~for~~

W. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WOODLAND-BIGLER AREA
AUTHORITY,

Condemnor

vs.

WILLIAM C. PETERS and
SANDRA L. PETERS,

Condemnees

: No. 00-770-CD

:

Type of Case: **CONDEMNATION**

:

:

Type of Pleading: **REPORT OF
VIEWERS, SCHEDULE OF COSTS
AND ORDER FOR PAYMENT**

:

:

Filed on Behalf of:
BOARD OF VIEWERS

:

:

Counsel of Record for this Party:

:

J. RICHARD MATTERN, II, ESQUIRE
Attorney ID# 06817

:

CHAIRMAN, BOARD OF VIEWERS
211 East Pine Street
Clearfield, Pa., 16830
(814) 765-6416

:

FILED

MAR 14 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WOODLAND-BIGLER AREA	:	
AUTHORITY,	:	
Condemnor	:	
	:	
vs.	:	No. 00-770-CD
	:	
WILLIAM C. PETERS and	:	
SANDRA L. PETERS, Condemnees	:	

REPORT OF VIEWERS

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

J. Richard Mattern, Jr., Chairman of the Board of Viewers, respectfully represents:

1. A Declaration of Taking was filed June 29, 2000, by the Woodland-Bigler Area Authority of Bradford Township, whose address is P. O. Box 27, Woodland, Pa. 16881.
2. The Condemnees are William C. Peters and Sandra L. Peters, with mailing address of Box 52, Mineral Springs, Pa., 16855.
3. By Order of your Honorable Court dated January 15, 2001, pursuant to a Petition of the Woodland-Bigler Area Authority, J. Richard Mattern, Esq., Samuel B. Yost and Evo G. Facchine were appointed Board of Viewers to perform its legal duties.
4. On January 17, 2001, the Board received communication from the Authority's Solicitor Michael P. Yeager, Esquire, that they had been so appointed and were requested to schedule a View and Hearing.
5. Pursuant to the request and Order, J. Richard Mattern, II, contacted the Board of Viewers to determine a date to schedule the View and Hearing.

6. That on February 7, 2001, J. Richard Mattern, II, Chairman did prepare said Notice of View and Hearing, scheduling such for March 8, 2001, and mailed the same to the Condemnees by Certified Mail, and to all other parties by regular mail. A copy of said Notice and Return Receipt requested are attached hereto and marked Exhibit "A".
7. That by cover letter dated February 2, 2001, the Chairman, J. Richard Mattern, II, received all filed documents relative to the Condemnation action, did review such and brief the other Board members by telephone.
8. That at approximately 4:00 PM on March 7, 2001, your Chairman was notified that the Condemnees had that day signed a Right of Way Agreement for the sewerline condemnation of their property; and that, therefore, the scheduled View and Hearing, was no longer necessary as the Condemnation Action would be discontinued upon Praecept. A copy of said Praecept is attached hereto and marked Exhibit "B".
9. That despite the settlement and discontinuance of the case, the Board has incurred fees and expenses in the scheduling of the matter, reserving time for the matter and because of the late notice, not being able to reschedule other matters.
10. Your Petitioner hereby submits for the Court's approval Schedule of Costs and Fees to be paid, and an Order for the Condemnor, the Woodland-Bigler Area Authority, to pay said fees and costs.

Respectfully submitted,

Date: March 14, 2001



J. RICHARD MATTERN, II, ESQUIRE
Attorney ID# 06817
CHAIRMAN, BOARD OF VIEWERS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WOODLAND-BIGLER AREA
AUTHORITY,

Condemnor

vs.

WILLIAM C. PETERS and
SANDRA L. PETERS,

Condemnees

No. 00-770-CD

Type of Case: **CONDEMNATION**

Type of Pleading: **NOTICE OF VIEW
AND HEARING**

Filed on Behalf of:
BOARD OF VIEWERS

Counsel of Record for this Party:

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

Exhibit "A"

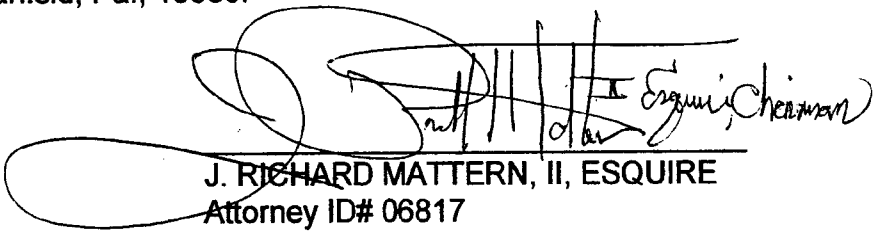
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WOODLAND-BIGLER AREA	:	No. 00-770-CD
AUTHORITY,	:	
Condemnor	:	
vs.	:	No. 00-770-CD
WILLIAM C. PETERS and	:	
SANDRA L. PETERS, Condemnees	:	

NOTICE OF VIEW AND HEARING

You are hereby notified that J. Richard Mattern, II, Esquire, Samuel B. Yost and Evo G. Facchine, Board of Viewers in the above captioned matter, will hold a View of the subject premises owned by William C. Peters and Sandra L. Peters, located at Box 52, Mineral Springs, Bradford Township, Clearfield County, Pennsylvania, 16855, on March 8, 2001, at 9:30 AM; and, following this View, there will be a Hearing regarding damages, if any, at 11:00 AM at the Office of Michael P. Yeager, Attorney at Law, 110 North Second Street, Clearfield, Pa., 16830.


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

Date: February 7, 2001

CERTIFICATE OF SERVICE

I, J. RICHARD MATTERN, II, Esquire, Chairman of the Board of Viewers, hereby Certify that true and correct copies of the foregoing NOTICE OF VIEW AND HEARING were served on the 7th day of February, 2001, as follows:

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

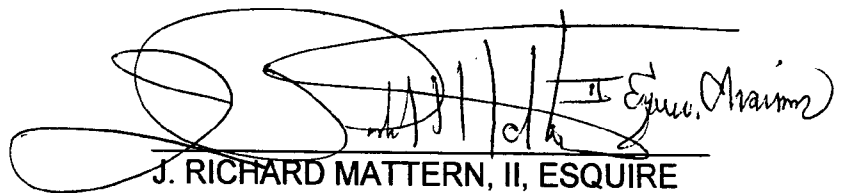
William C. Peters
Sandra L. Peters
Condemnees
Box 52
Mineral Springs, PA 16855

U. S. FIRST CLASS MAIL

Michael P. Yeager, Esq.
Solicitor, Woodland-Bigler Area Authority
110 North Second Street
Clearfield, Pa., 16830

Samuel B. Yost
Board of Viewers
R. D. 2, Box 111
Clearfield, Pa., 16830

Evo G. Facchine
Board of Viewers
407 Patterson Avenue
Dubois, Pa., 15801

A large, stylized handwritten signature in black ink, appearing to read "J. R. Mattern, II". The signature is written over a horizontal line.

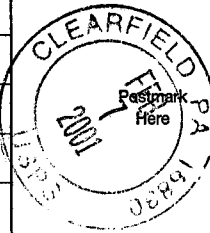
J. RICHARD MATTERN, II, ESQUIRE
Attorney ID# 06817
CHAIRMAN, BOARD OF VIEWERS
211 East Pine Street
Clearfield, Pa., 16830
(814) 765-6416

Date: February 7, 2001

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0021 4258 6204

Postage	\$ 33
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74



Recipient's Name (Please Print Clearly) (To be completed by mailer)	
William C + Sandra L. Peters	
Street, Apt. No.; or PO Box No.	
Box 52	
City, State, ZIP+ 4	Mineral Springs PA 16855

PS Form 3800, February 2000

See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William C. Peters
Sandra L. Peters
Box 52
Mineral Springs, PA 16855

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Christa Haney 2/17/01

C. Signature

x Christa Haney ☒ Agent ☐ AddresseeD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0520 0021 4258 6204

COPY

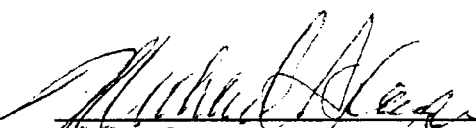
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA :
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : No. 00 - 70 - CD
CLEARFIELD COUNTY, :
PENNSYLVANIA :

P R A E C I P E

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the above-captioned matter settled, discontinued
and ended as to all named Condemnees.



Michael P. Yeager, Esquire
Attorney for Condemnor

Exhibit "B"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

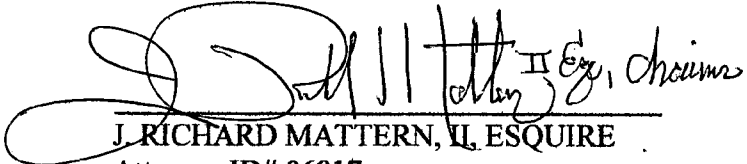
WOODLAND-BIGLER AREA	:	
AUTHORITY,	:	
Condemnor	:	
	:	
vs.	:	No. 00-770-CD
	:	
WILLIAM C. PETERS and	:	
SANDRA L. PETERS, Condemnees	:	

BOARD OF VIEWERS
SCHEDULE OF FEES AND COSTS
TO BE PAID BY THE WOODLAND-BIGLER AREA AUTHORITY
OF BRADFORD TOWNSHIP

Payable to:	Samuel B. Yost R.D. 2, Box 111 Clearfield, PA 16830	
	Two (2) hours @ \$70.00 per hour:	\$140.00
Payable to:	Evo G. Facchine 407 Patterson Avenue Dubois, PA 15801	
	Two (2) hours @ \$70.00 per hour:	\$140.00
Payable to:	J. Richard Mattern, II, Chairman 211 East Pine Street Clearfield, PA 16830	
	Four and one-half (4 ½) hours @ \$35.00 per hour:	\$157.50
	Three and one-quarter (3 ¼) hours @ \$70.00 per hour:	\$262.50
	Photocopy expense – 61 copies @ \$.20:	\$ 12.20
	Certified Mail:	\$ 3.74
	Regular Mail:	\$ 1.70
	Total:	\$437.64

Please mail all checks directly to the Board of Viewers at their respective addresses. I certify all of these fees, costs and expenses were incurred by the above respectively, for professional services performed in the above captioned case.

Date: March 14, 2001



J. RICHARD MATTERN, II, ESQUIRE
Attorney ID# 06817
CHAIRMAN, BOARD OF VIEWERS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WOODLAND-BIGLER AREA
AUTHORITY,

Condemnor

vs.

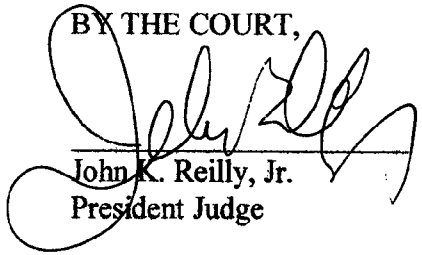
No. 00-770-CD

WILLIAM C. PETERS and
SANDRA L. PETERS, Condemnees

ORDER

AND NOW, this 14 day of March, 2001, the Court acknowledges the filing of the Report of Viewers, together with the attached Schedule of Costs and Fees and Orders that the Woodland-Bigler Area Authority of Bradford Township, pay for the services rendered and costs incurred in the above captioned case, the sum of One Hundred Forty (\$140.00) Dollars to Samuel B. Yost, the sum of One Hundred Forty (\$140.00) Dollars to Evo G. Facchine and the sum of Four Hundred Thirty-Seven Dollars and Sixty-Four Cents (\$437.64) to J. Richard Mattern, II, Esquire, directly to the Board of Viewers at the addresses noted.

BY THE COURT,


John K. Reilly, Jr.
President Judge

FILED

MAR 14 2001

William A. Shaw
Prothonotary

IN RE: [illegible]

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William A. Shaw
Prothonotary

FILED
MAR 14 2001

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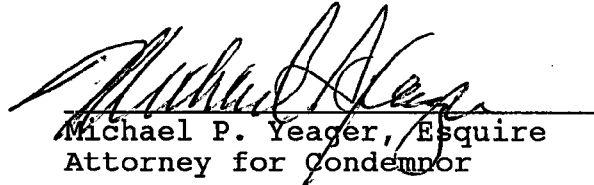
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN RE: CONDEMNATION BY :
WOODLAND-BIGLER AREA :
AUTHORITY OF PROPERTIES :
LOCATED IN BRADFORD TOWNSHIP : No. 00 -770 - CD
CLEARFIELD COUNTY, :
PENNSYLVANIA :

P R A E C I P E

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the above-captioned matter settled, discontinued
and ended as to all named Condemnees.


Michael P. Yeager, Esquire
Attorney for Condemnor

FILED

MAR 15 2001

William A. Shaw
Prothonotary

FILED

MAR 15 2001

09:52 AM
William A. Smith
Prothonotary

Do. to atty Leagon + atty Mathew
Copy to A
E
~~xxx~~

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA



CIVIL DIVISION

Woodland-Bigler Area Authority
Condemnor(s)

Vs.

No. 2000-00770-CD

William C. Peters and
Sandra L. Peters
Condemnee(s)

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on the 15th of March, 2001 marked:

Settled, discontinued and ended as to all named Condemnees.

Record costs in the sum of \$80.00 have been paid in full by Michael P. Yeager, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 15th day of March A.D. 2001.

William A. Shaw, Prothonotary