

CO-863-CJ  
MARY I. PENNINGTON ESTATE et al -vs- RUBEN NEIMAN a/k/a et al

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

MARY I. PENNINGTON ESTATE, by  
③ DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
SARACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

NO. 00 - 863-CO

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING:  
Complaint

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED

JUL 25 2000

William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
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NO.

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
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heirs, devisees, executors, administrators,  
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or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

NOTICE TO DEFEND

To the above named Defendants, 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 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 FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
2nd & Market Streets  
Clearfield, Pennsylvania 16830  
Telephone (814) 765-2641 Ex. 50-51

BELL, SILBERBLATT & WOOD  
BY

  
Richard A. Bell, Esquire  
Attorney for Plaintiffs

BELL, SILBERBLATT & WOOD  
318 East Locust Street  
P.O. Box 670  
Clearfield, Pennsylvania 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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heirs, devisees, executors, administrators,  
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or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

COMPLAINT

NOW COMES the Plaintiffs by their attorney, Richard A. Bell, Esquire of Bell,  
Silberblatt & Wood and states their claim in Quiet Title against the Defendants as  
follows:

1. Mary I. Pennington died February 29, 2000, and Delbert William Pennington  
was appointed her Executor by the Register Of Wills Of Clearfield County,  
Pennsylvania at Instrument Number 200003321 on March 13, 2000. The said Delbert  
William Pennington resides at 1203 Joseph Road, Clearfield, Pennsylvania 16830.

2. Charles E. Pennington and Wanda L. Pennington, husband and wife reside in LaJose, Pennsylvania 15753.

3. Dorothy Smith is a Widow who resides at P.O. Box 32, LaJose, Pennsylvania 15753.

4. Reuben Neiman, a/k/a Ruben Neiman, Rachel Neiman, R. Murray Neiman, Lizzie Neiman, Albert Neiman, Milton Neiman, a/k/a T. M. Neiman, Matilda M. Neiman, and Adelle Neiman, a/k/a Adelle Day, are all believed to be deceased, but if living, their whereabouts are unknown.

5. J. S. Reitz, A. H. Reitz, Thomas H. Reitz, and Marian B. Reitz, a/k/a Marion Ellen Reitz, are all deceased. The said Marion Ellen Reitz died on May 29, 1993, and left as her devisees and Executrices Mary Ann Hopper, 2110 Queenswood Drive, Tallahassee, Florida 32303, and Barbara Bundy, Pennsylvania Avenue, Hallstead, PA 18822.

6. The property owned by the Mary I. Pennington Estate, which is the subject of this action is situated in Newburg Borough, Clearfield County, Pennsylvania, and is bounded and described as follows:

BEGINNING at an iron pin set on State Route 36 at a point which is the Northeast corner of a tract of land now or formerly owned by Linda M. Snyder; thence North 4 degrees 35 minutes 20 seconds West 1,017.69 feet to an iron pipe, which is the Southeastern corner of the tract of land owned by Charles and Wanda Pennington; thence South 82 degrees 37

minutes 03 seconds West 225 feet to an iron pipe; thence North 2 degrees 2 minutes 53 seconds East 160 feet to an iron pipe; thence North 60 degrees 54 minutes 51 seconds East 245 feet to an iron pipe on the right-of-way of S. R. 36; thence continuing along the right-of-way of S. R. 36 and crossing Market Street Extension along the curve of the right-of-way, chord of which is 134.11 feet to an iron pin set on the said right-of-way being the Southeastern corner of the property belonging to the LaJose United Methodist Church; thence along the line of the LaJose United Methodist Church North 75 degrees 42 minutes 28 seconds West a distance of approximately 227.47 feet to an iron pin set; thence North 14 degrees 17 minutes 30 seconds East a distance of 50 feet to an iron pin set; thence North 75 degrees 42 minutes 30 seconds West along the line of the line of the property of Dorothy Smith 75 feet to a point; thence North 14 degrees 17 minutes 30 seconds East 75 feet to a point; thence North 76 degrees 4 minutes 3 seconds West 180.71 feet to an iron pin set; thence North 13 degrees 56 minutes 00 seconds East 50 feet to an iron pin set; thence South 76 degrees 3 minutes 4 seconds East 132.00 feet to a point; thence North 13 degrees 56 minutes 00 seconds East 120 feet to a point; thence North 76 degrees 3 minutes 4 seconds West 136.63 feet to an iron pin set; thence North 86 degrees 57 minutes 23 seconds West 83.83 feet to a point; thence North 87 degrees 45 minutes 43 seconds West 116.89 feet to a point; thence North 44 degrees 41 minutes 14 seconds West 183.86 feet to a point; thence North 58 degrees 55 minutes 42 seconds West 204.76 feet to a point; thence South 58 degrees 8 minutes 14 seconds West 49.58 feet to a point, thence South 13 degrees 33 minutes 8 seconds West 87.84 feet to a point; thence South 11 degrees 46 minutes 43 seconds West 388.10 feet to a point; thence South 29 degrees 31 minutes 58 seconds West 100.68 feet to a point; thence South 44 degrees 36 minutes 33 seconds West 110.16 feet to a point; thence South 48 degrees 38 minutes 30 seconds West 140.38 feet to a point; thence South 64 degrees 12 minutes 54 seconds West 191.41 feet to a point; thence South 51 degrees 23 minutes 44 seconds West 80.62 feet to a point; thence South 71 degrees 18 minutes 34 seconds West 141.76 feet to a point; thence South 52 degrees 14 minutes 39 seconds West 75.38 feet to a point; thence South 34 degrees 48 minutes 5 seconds West 122.18 feet to a point; thence South 66 degrees 41 minutes 31 seconds West 134.58 feet to a point; thence South 76 degrees 6 minutes 52 seconds West 143.28 feet to a point; thence South 26 degrees 6 minutes 12 seconds West 342.87 feet to a point; thence South 18 degrees 49 minutes 19 seconds West 248.90 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 2054.69 feet to an iron pin set, being the Southwest corner of the tract now or formerly owned by Linda M. Snyder; thence North 4 degrees 29 minutes 12 seconds West 300 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 400 feet to an iron pin set and place of beginning. Containing 67.756 acres. Reference is made to the map of

the Minor Subdivision for Mary I. Pennington Estate, not yet but intended to be recorded.

7. The property owned by Plaintiffs Charles E. Pennington and Wanda L. Pennington is situated in Newburg Borough, Clearfield County, Pennsylvania bounded and described as follows:

BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-Way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line Right-of-Way; thence along Right-of-Way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a Northerly direction one hundred sixty (160) feet to an iron pin, said iron pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern Right-of-Way line of the power line and parallel to said power line, two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing.

8. The property owned by Plaintiff Dorothy Smith is situated in Newburg Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a Point on the intersection of the Southeastern corner of Ray Passmore Lot with Market Street; thence along said Market Street Seventy five (75) feet to a post; thence in a Westerly direction along other lands of Grantors herein Seventy five (75) feet to a post; thence in a Northerly direction and parallel with Market Street Seventy five (75) feet to a post; thence along said Ray Passmore Lot in an Easterly direction Seventy five (75) feet to Market Street and place of beginning. Being a plot of ground Seventy five feet by Seventy five feet.

9. By Deed dated May 22, 1957 and recorded in Deed Book 461 at Page 102, the County Commissioners Of Clearfield County conveyed to D. E. Pennington,

Seventy-Six (76) acres situated in Newburg Borough, Clearfield County, Pennsylvania formerly assessed in the names of J.S. & A. H. Reitz. The Commissioners representing the County Of Clearfield obtained title to the premises by Deed dated December 27, 1954, and recorded in Deed Book 461 at Page 99 from the Treasurer of Clearfield County. All three (3) tracts described in the preceding paragraphs were included in the seventy-six (76) acres obtained through this tax sale by D.E. Pennington.

10. By Deed dated February 28, 1958 and recorded in Deed Book 466 at Page 191, D. E. Pennington and Mary I. Pennington conveyed the seventy-six (76) acre tract in Newburg Borough to Delbert E. Pennington and Mary I. Pennington, husband and wife as tenants by the entireties. The said Delbert E. Pennington died on September 10, 1990 vesting the premises in his surviving widow Mary I. Pennington.

11. By Deed dated December 2, 1978 and recorded in Deed Book 775 at Page 117, Delbert E. Pennington and Mary I. Pennington conveyed a portion of the seventy-six (76) acres to Charles E. Pennington and Wanda L. Pennington being that property heretofore described in paragraph seven (7).

12. By Deed dated April 19, 1958 and recorded in Deed Book 468 at Page 531 Delbert E. Pennington and Mary I. Pennington conveyed to James Smith and Dorothy Smith a tract of land from the seventy-six (76) acres previously described in paragraph eight (8). The said James Smith died October 17, 1993, vesting the premises in the Plaintiff Dorothy Smith.

13. By Deed dated August 23, 1943 and recorded in Deed Book 353 at Page 511, the Clearfield County Commissioners conveyed a one-fourth (1/4) interest in seventy and seven ( 70 & 7) acres to J. S. Reitz and J. H. Reitz. The said property had been sold to the County by the Treasurer of Clearfield County as the property of the Reuben Neiman Estate.

14. By Deed dated December 31, 1937 and recorded in Deed Book 353 at Page 510 the Treasurer Of Clearfield County conveyed to the County Commissioners a one-fourth (1/4) interest in seventy and seven ( 70 & 7) acres in Newburg Borough assessed in the name of Reuben Neiman Estate.

15. By Deeds dated October 31, 1897 and January 21, 1878 respectively recorded in Deed Book 13 at Page 252 and 253 Rachel Neiman and the Estate of R. Neiman obtained title to a tract of forty-five (45) acres in Newburg Borough and forty (40) acres in Chest Township belonging to Margaretta and Joseph R. Ames.

16. The assessment records of Clearfield County for the Borough of Newburg show that the Reuben Neiman Estate was assessed in 1879 with two (2) tracts of land, forty (40) acres from Joseph Ames and thirty -three (33) acres from Margaret Ames. Subsequently the acreage was changed to seventy-seven (77) acres and for various years interests were returned, a one-fourth (1/4) interest being returned in some years and a three-fourths (3/4) interest being returned in some years. The tax records show that both the one-fourth (1/4) and the three-fourth (3/4) interest were subsequently sold to the county.

17. The land sold to the County Book No. 6 at Page 186 shows that a one-fourth (1/4) interest in this property was sold to J.S. and A. H. Reitz at Commissioner's sale on April 20, 1943. This apparently resulted in the Commissioners' Deed recited in paragraph thirteen (13).

18. The land sold to the County Book No. 8 at Page 35 shows that a three-fourth (3/4) interest in the tract was sold to J.S. and A. H. Reitz by Commissioners' sale dated April 20, 1943. There does not appear to have been a Deed recorded for this interest.

19. The Plaintiffs have used their respective properties from the time they obtained them by Deed and possessed them as their own.

20. Because of the confusion in some of the early tax sales and because of the missing Deed into J.S. Reitz for the three-fourths (3/4) interest the Plaintiffs believe there is a cloud on their title and therefore bring this action to remove any possible defects or clouds on their title and to give them good and marketable title to the premises described herein.

Respectfully Submitted,

BELL, SILBERBLATT & WOOD  
By:



Richard A. Bell, Esquire  
Attorney for Plaintiffs

VERIFICATION

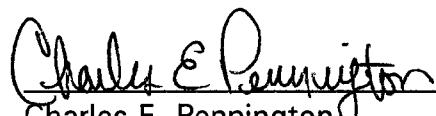
The Mary I. Pennington Estate by its Executor Delbert William Pennington, states that the within statements in the foregoing Complaint are true and correct to the best of its knowledge, information and belief. This verification is made subject to the penalties of 18 Pa C.S.A., Section 4904, relating to unsworn falsifications to authorities.

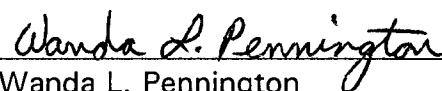
MARY I. PENNINGTON ESTATE  
By:

  
Delbert William Pennington

VERIFICATION

We, Charles E. Pennington and Wanda L. Pennington, husband and wife, state that the within statements in the foregoing Complaint are true and correct to the best of our knowledge, information and belief. This verification is made subject to the penalties of 18 Pa C.S.A., Section 4904, relating to unsworn falsifications to authorities.

  
\_\_\_\_\_  
Charles E. Pennington

  
\_\_\_\_\_  
Wanda L. Pennington

VERIFICATION

I, Dorothy Smith, Widow, state that the within statements in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa C.S.A., Section 4904, relating to unsworn falsifications to authorities.

Dorothy Smith  
Dorothy Smith

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION

MARY I. PENNINGTON ESTATE,  
by DELBERT WILLIAM  
PENNINGTON, Executor, et al  
vs.  
RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, et al

ACTION TO QUIET TITLE

COMPLAINT

July 25 2000  
John A. Schaeffer  
Prothonotary  
\$20.00

John Bell

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

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

63  
MARY I. PENNINGTON ESTATE, by  
23 DELBERT WILLIAM PENNINGTON,  
Executor, 23 CHARLES E. PENNINGTON  
and 13 WANDA L. PENNINGTON, husband  
and wife, and 23 DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

8 RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
8 RACHEL NEIMAN, 8 R. MURRY NEIMAN,  
8 LIZZIE NEIMAN, 8 ALBERT NEIMAN,  
8 MILTON NEIMAN, a/k/a T. M. NEIMAN,  
8 MATILDA M. NEIMAN, 8 ADELLE NEIMAN,  
a/k/a 8 ADELLE DAY, 8 J. S. REITZ, 8 A. H. REITZ,  
8 THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
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Defendants

NO. 00 - 863-CO

TYPE OF CASE:  
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FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED

JUL 25 2000

RECEIVED  
PROSECUTOR

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

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LIZZIE NEIMAN, ALBERT NEIMAN,  
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Defendants

FILED

JUL 28 2000

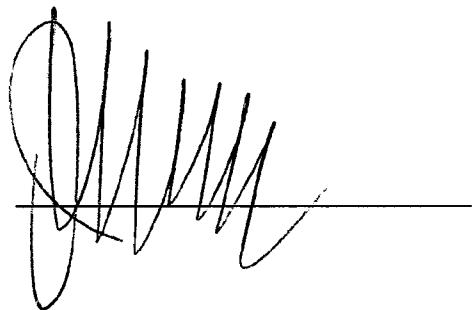
William A. Shaw  
Prothonotary

ORDER

AND NOW, to-wit, this 28<sup>th</sup> day of July, 2000, upon consideration of  
the foregoing Motion for Publication, the Plaintiffs are granted leave to make service  
of the Complaint on the Defendants, and their heirs, executors, administrators,  
successors and assigns, or any person or entity, known or unknown, that might claim

title under them or through them by publication once in The Progress of Clearfield, PA.,  
a newspaper of general circulation, and once in the Clearfield County Legal Journal.

BY THE COURT,

A handwritten signature consisting of a large, open circle on the left, followed by a series of vertical, wavy lines of varying lengths extending to the right, ending with a small flourish.

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
NO. 00-863-CD

MARY I. PENNINGTON ESTATE by  
DELBERT WILLIAM PENNINGTON  
Executor, et al., Plaintiffs  
vs.  
RUBEN NEIMAN, a/k/a  
REUBEN NEIMAN, et al

ORDER OF COURT

1/28/2000  
1CC  
14 J Bell  
William A. Shar  
Prothonotary

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P.O. BOX 670  
CLEARFIELD, PA. 16830

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

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Vs.

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Defendants

**FILED**

AUG 28 2000

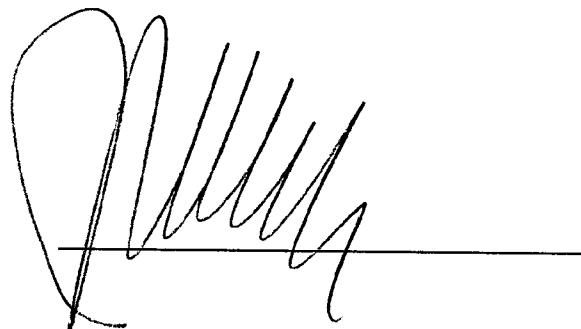
William A. Shaw  
Prothonotary

ORDER OF COURT

NOW, this 28<sup>th</sup> day of August, 2000, upon consideration  
of the within Petition, the Plaintiff in the above action is granted leave to amend his  
original Complaint and add Edna Curry, Widow, as a Defendant, and further is  
granted leave to make service of the amended Complaint on the Defendants, their  
heirs, executors, administrators, successors and assigns, or any person, or entity  
known or unknown that might claim title under them or through them by

publication once in The Progress of Clearfield, Pennsylvania, a newspaper of general circulation and once in The Clearfield County Legal Journal.

BY THE COURT

A handwritten signature in black ink, appearing to read "J. H. CARR", is written over a horizontal line.

Le et al. v. Neiman  
William A. Stoy  
Probate Court  
AUG 28 2000  
FILED

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
NO. 00-863-CD

MARY I. PENNINGTON ESTATE,  
ET AL., Plaintiffs  
VS.  
RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, ET AL., Defendants

ORDER OF COURT

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

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Defendants

NO. 00-863-CD

TYPE OF CASE:

Action To Quiet Title

TYPE OF PLEADING:

Affidavit Pursuant  
To R.C.P. 430

FILED ON BEHALF OF:

Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:

RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

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William A. Shaw  
Prothonotary

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CIVIL DIVISION

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Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

AFFIDAVIT PURSUANT TO R.C.P. 430

Richard A. Bell, Esquire, of Bell, Silberblatt & Wood, attorneys for the Plaintiffs,  
being duly sworn according to law, deposes and states that he is making this affidavit  
on behalf of the Plaintiffs as follows:

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
NO. 00-863-CD

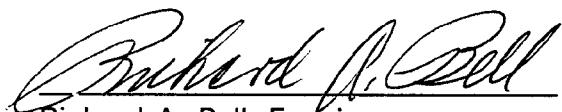
MARY I. PENNINGTON ESTATE by  
DELBERT WILLIAM PENNINGTON,  
Executor, et al, Plaintiffs  
vs.  
RUBEN NEIMAN, a/k/a  
REUBEN NEIMAN, et al

AFFIDAVIT PURSUANT TO  
R.C.P. 430

ED  
JUL 28 2000  
William A. Shaw  
Prothonotary

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
316 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

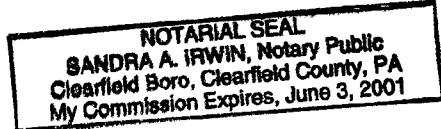
The Plaintiffs through their counsel and representative, have searched the records of Clearfield County including the Deed records and Estate records and have further searched the telephone directory in an effort to locate all necessary and proper Defendants. Addresses which have appeared in the records of Clearfield County are so old so as to be of no practical value. The Plaintiffs believe that through their counsel, they have identified and located the proper party Defendants as stated in the Complaint, but except as identified in the Complaint have not been able to locate them, and, in addition, the Plaintiffs also believe that there may be various heirs and assigns of the listed Defendants whose names and whereabouts are unknown to them and therefore, a notice by publication is necessary to give notice to any and all heirs and assigns generally of the Defendants or persons who had acquired an interest in the subject property whose identity and whereabouts are unknown to the Plaintiffs.



Richard A. Bell, Esquire  
Attorney for Plaintiffs

SWORN AND SUBSCRIBED BEFORE ME

THIS 24 DAY OF July,  
2000.



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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING:  
Motion For Publication

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED

JUL 28 2000

William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,

Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

MOTION FOR PUBLICATION

NOW, this 26th day of July, 2000, an Affidavit having been executed  
and filed by Richard A. Bell, of Bell, Silberblatt & Wood, Attorneys for Plaintiffs, that  
the names and present whereabouts of certain of the heirs and assigns of the  
Defendants or persons formerly having an interest in the subject property are unknown

to the Plaintiffs and that the Plaintiffs have been unable to find or locate them except as listed in the Complaint, the said Richard A. Bell, moves the Court for leave to serve the Complaint upon the said Defendants, and their heirs, executors, administrators, successors and assigns generally by publishing said notice in *The Progress*, a newspaper of general circulation in Clearfield County, Pa., and in the Clearfield County Legal Journal, the official legal journal of the Courts of Clearfield County, PA.

BELL, SILBERBLATT & WOOD  
BY:



Richard A. Bell, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
NO. 00-863-CD

MARY I. PENNINGTON ESTATE by  
DELBERT WILLIAM PENNINGTON  
Executor, et al, Plaintiffs  
vs.  
RUBEN NEIMAN, a/k/a  
REUBEN NEIMAN, et al

MOTION FOR PUBLICATION

FILED

JUL 28 2000  
OJ 351 NOCC  
William A. Shaw  
Prothonotary  
es

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

NO. 00-863-CD

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING:  
Petition For Leave Of  
Court To Amend Complaint

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED

AUG 28 2000

William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
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ELLEN REITZ, MARY ANN HOPPER,  
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heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

PETITION FOR LEAVE OF COURT TO AMEND COMPLAINT

The Petition of Delbert William Pennington, Executor of the Mary I.  
Pennington Estate by his attorney, Richard A. Bell, Esquire, of Bell, Silberblatt &  
Wood petitions your Honorable Court as follows:

1. Your Petitioner filed a Complaint In Quiet Title against the above named  
Defendants to quiet title to a property owned by the Mary I. Pennington Estate  
situated in Newburg, Clearfield County, Pennsylvania.

2. Your Honorable Court granted leave to the Plaintiff to serve the within Complaint by Publication by Order dated July 28, 2000.
  
3. At the time of preparing the original Complaint, a possible cloud on the title was owned by Edna Curry, Widow, who had informed the Plaintiff that she would sign a Quitclaim Deed covering any interest owned by her. Therefore, Edna Curry was not named as a Defendant in the original Complaint. Subsequently, Mrs. Curry decided not to sign a Quitclaim Deed to the Plaintiff.

4. The purpose of the Quiet Title Action was to clear any possible clouds from the title of the Plaintiff. Therefore, it is now necessary to add Edna Curry, Widow, as an added Defendant, and to amend the original Complaint to state the facts relevant to any possible cloud owned by Edna Curry.

WHEREFORE, your Petitioner respectfully requests that your Honorable Court grant him leave to amend his original Complaint and add Edna Curry, Widow as a Defendant, and further to publish the amended Complaint as provided in the Order Of Court dated July 28, 2000.

Respectfully Submitted,

  
Delbert William Pennington

VERIFICATION

The Mary I. Pennington Estate by its Executor Delbert William Pennington, states that the within statements in the foregoing Complaint are true and correct to the best of its knowledge, information and belief. This verification is made subject to the penalties of 18 Pa C.S.A., Section 4904, relating to unsworn falsifications to authorities.

MARY I. PENNINGTON ESTATE  
By:

Date: 8/24/00

*Delbert William Pennington Exec.*  
Delbert William Pennington

NO C.C.  
PROSECUTOR  
William A. Shae  
ADG 28 2000  
AO 319  
RECEIVED  
10/12/00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA. CIVIL DIVISION NO. 00-863-CD		
MARY I. PENNINGTON ESTATE, ET AL., Plaintiffs vs. RUBEN NEIMAN, a/k/a REUBEN NEIMAN, ET AL., Defendants		
PETITION FOR LEAVE OF COURT TO AMEND COMPLAINT		
BELL, SILBERBLATT & WOOD ATTORNEYS AT LAW 318 EAST LOCUST STREET P.O. BOX 670 CLEARFIELD, PA. 16830		

RICHARD A. BELL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PENNINGTON, MARY I. ESTATE  
VS  
NEIMAN, RUBEN A/K/A REUBEN

00-863-CD

COMPLAINT ACTION TO QUIET TITLE  
SHERIFF RETURNS

NOW JULY 27, 2000, RICHARD B. PELICCI, SHERIFF OF  
SUSQUEHANNA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT  
ACTION TO QUIET TITLE ON BARBARA BUNDY, DEFENDANT.

NOW AUGUST 11, 2000 SERVED THE WITHIN COMPLAINT ACTION TO  
QUIET TITLE ON BARBARA BUNDY, DEFENDANT BY DEPUTIZING THE  
SHERIFF OF SUSQUEHANNA COUNTY. THE RETURN OF SHERIFF  
PELICCI IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

27.88 SHFF. HAWKINS PAID BY: ATTY.  
49.32 SHFF. PELICCI PAID BY: ATTY.  
10.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

29th DAY OF August 2000  
William A. Shaw  
WILLIAM A. SHAW

Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co., Clearfield, PA.

SO ANSWERS

*Chester A. Hawkins*  
*by Marily Hays*  
CHESTER A. HAWKINS  
SHERIFF

FILED

AUG 29 2000  
12:21 pm  
William A. Shaw  
Prothonotary  
ECP

RICHARD B. PELICCI  
SHERIFF

ANDREW J. BOROWICZ  
Chief Deputy



BINA CAREY  
REAL ESTATE CLERK

## SHERIFF'S OFFICE

SUSQUEHANNA COUNTY  
MONTROSE, PA 18801  
OFFICE: (570)278-4600 EXT: 141

COMMONWEALTH OF PENNSYLVANIA : COUNTY OF CLEARFIELD

ss: : # 2000-863 -CD

COUNTY OF SUSQUEHANNA : PENNINGTON ESTATE VS  
RUBEN NEIMAN, et al

\*\*\*\*\*

### S H E R I F F ' S R E T U R N

I hereby certify and return that on August 11, 2000, at 10:35 A.M., I served BARBARA BUNDY, Defendant, by personally handing to her, a certified attested copy of the within Complaint, Action to Quiet Title and at the same time made known to her, the contents thereof at the Susquehanna County Sheriff's office in the Boro of Montrose, Susquehanna County, Pennsylvania.

SO ANSWERS

Richard B. Pelicci SHERIFF  
BY Donna T. Evans

Sworn and subscribed to before me

this 11th day of August, 2000.

Linda K. Cole  
DEPUTY PROTHONOTARY

DEPUTY PROTHONOTARY  
MY COMMISSION EXPIRES  
FIRST MONDAY OF JANUARY 2002



OFFICE (814) 765-2641  
AFTER 4:00 P.M. (814) 765-1533

CLEARFIELD COUNTY FAX  
(814) 765-6089

# Sheriff's Office Clearfield County

SUITE 116  
1 NORTH SECOND STREET - COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830

CHESTER A. HAWKINS  
SHERIFF

DARLENE SHULTZ  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

MARGARET PUTT  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

## DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARY I. PENNINGTON ESTATE

NO. 00-863-CD

VS  
RUBEN NEIMAN a/k/a REUBEN NEIMAN et al

ACTION: COMPLAINT ACTION TO QUIET TITLE

SERVE BY: 8/24/00

or

HEARING DATE:

\*\*\*\*\*

SERVE: BARBARA BUNDY

ADDRESS: Pennsylvania Avenue, Hallstead, Pa. 18822

\*\*\*\*\*

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF of SUSQUEHANNA County to execute this writ.

This deputation being made at the request and risk of the plaintiff this 27th day of JULY 2000.

Respectfully,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: BELL, SILBERBLATT & WOOD, Attorneys

RECEIPT FOR DISTRIBUTION OF ADVANCE PAYMENTS HELD IN ESCROW  
=====

Susquehanna County Pennsylvania  
P O Box 218 County Courthouse  
Montrose PA 18801

Receipt Date 08/11/2000  
Receipt Time 13:48:18  
Receipt No. 112873

MARY I PENNINGTON ESTATE (VS) BARBARA BUNDY

Case Number 2000-00863 T

Service Info

Remarks Escrow Transfer Out

Advance Payment Balance 75.00 BELL RICHARD A ESQ.  
Total Amount Distributed 75.00

Balance Remaining .00

----- Distribution -----

Transaction Description	Amount	Payee
PROTHONOTARY FEE	5.00	SUSQUEHANNA CO PROTHONOTARY
RECEIVING	9.00	SUSQUEHANNA COUNTY TREASURER
REFUND TO ATTY/PLT	25.68	BELL RICHARD A ESQ.
SERVICE	9.00	SUSQUEHANNA COUNTY TREASURER
TRAVEL	26.32	SUSQUEHANNA COUNTY TREASURER
Total Amount Distributed	75.00	

7779

DEPUTY SHERIFF'S EDUCATION & TRAINING ACCT.

COURT No. 00-863-Q

DATE July 17 2000

RECEIVED OF  
Finnegan

Vs. Nehman

COMPLAINT  
SUMMONS  
EXECUTION  
PETITIONS  
OTHER

atly 214 6625

P A T D JUL 17 2000

M. H. H. M. H. M. H.

CHESTER A. HAWKINS, SHERIFF  
CLEARFIELD COUNTY, PENNSYLVANIA

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
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LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
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or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING  
Affidavit

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

**FILED**

OCT 19 2000

William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,

Plaintiffs

NO. 00-863-CD

Vs.

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RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

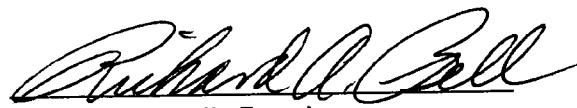
AFFIDAVIT PURSUANT TO R.C.P. 1066

Richard A. Bell, Esquire, of Bell, Silberblatt & Wood, attorneys for the  
Plaintiffs, being duly sworn according to law, deposes and states that he is the  
attorney for the Plaintiffs in the above action and that a copy of the Complaint filed  
with Notice To Defend has been served on the Defendants as follows:

A. On all Defendants their heirs, successors and assigns by publication in

The Progress on August 5, 2000, proof of publication being attached hereto.

B. On all Defendants their heirs, successors and assigns by publication in the Clearfield County Legal Journal in the regular issue of the week of September 22, 2000, Volume 12, No. 38, proof of publication being attached hereto.



Richard A. Bell, Esquire  
Attorney for Plaintiff

SWORN AND SUBSCRIBED before me  
this 19th day of October,  
2000.



<p>NOTARIAL SEAL SANDRA A. IRWIN, Notary Public Clearfield Boro, Clearfield County, PA My Commission Expires, June 3, 2001</p>
--

IN THE COURT  
OFCOMMON PLEAS  
OFCLEARFIELD COUNTY, PENN-  
SYLVANIA  
CIVIL DIVISION  
NO. 00-863-CD  
MARY I. PENNINGTON ESTATE,  
by DELBERT WILLIAM PENNING-  
TON, Executor, CHARLES E. PEN-  
NINGTON and WANDA L. PEN-  
NINGTON, husband and wife, and  
DOROTHY SMITH, Widow, Plain-  
tiffs  
Vs.

RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, RACHEL NEIMAN, R.  
MURRY NEIMAN, LIZZIE NEIMAN,  
ALBERT NEIMAN, MILTON NEI-  
MAN, a/k/a T. M. NEIMAN, MATIL-  
DA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A.  
H. REITZ, THOMAS H. REITZ,  
a/k/a THOMAS E. REITZ, MARIAN  
ELLEN REITZ, MARY ANN HOP-  
PER, BARBARA BUNDY, and all of  
their heirs, devisees, executors,  
administrators, successors and as-  
signs, as well as any person or per-  
sons who might claim title under  
them and any other person, per-  
sons, firms, partnerships or corpor-  
ate entities who claim an interest,  
Defendants

ACTION TO QUIET TITLE  
LEGAL NOTICE  
TO: THE ABOVE NAMED DE-  
FENDANTS:

You are hereby notified that the  
Plaintiffs listed above have filed a  
Complaint in an Action to Quiet Title  
regarding a parcel of real estate sit-  
uate in the Borough of Newberg,  
County of Clearfield and State of  
Pennsylvania, bounded and de-  
scribed as follows:

1. BEGINNING at an iron pin set on  
State Route 36 at a point which is  
the Northeast corner of a tract of  
land now or formerly owned by Lin-  
da M. Snyder; thence North 4 de-  
grees 35 minutes 20 seconds  
West 1,017.69 feet to an iron pipe,  
which is the Southeastern corner of  
the tract of land owned by Charles  
and Wanda Pennington; thence  
South 82 degrees 37 minutes 03  
seconds West 225 feet to an iron  
pipe; thence North 2 degrees 2  
minutes 53 seconds East 160 feet  
to an iron pipe; thence North 60 de-  
grees 54 minutes 51 seconds East  
245 feet to an iron pipe on the right-  
of-way of S. R. 36; thence continu-  
ing along the right-of-way of S. R.  
36 and crossing Market Street Ex-  
tension along the curve of the right-  
of-way, chord of which is 134.11

feet to an iron pipe set on the said  
right-of-way being the Southeastern  
corner of the property belong-  
ing to the LaJose United Methodist  
Church; thence along the line of the  
LaJose United Methodist Church  
North 75 degrees 42 minutes 28  
seconds West a distance of ap-  
proximately 227.47 feet to an iron  
pin set; thence North 14 degrees  
17 minutes 30 seconds East a dis-  
tance of 50 feet to an iron pin set;  
thence North 75 degrees 42 min-  
utes 30 seconds West along the  
line of the line of the property of  
Dorothy Smith 75 feet to a point;  
thence North 14 degrees 17 min-  
utes 30 seconds East 75 feet to a  
point; thence North 76 degrees 4  
minutes 3 seconds West 180.71  
feet to an iron pin set; thence North  
13 degrees 56 minutes 00 sec-  
onds East 50 feet to an iron pin set;  
thence South 76 degrees 3 min-  
utes 4 seconds East 132.00 feet  
to a point; thence North 13 degrees  
56 minutes 00 seconds East 120  
feet to a point; thence North 76 de-  
grees 3 minutes 4 seconds West  
136.63 feet to an iron pin set;  
thence North 80 degrees 57 min-  
utes 23 seconds West 83.83 feet  
to a point; thence North 87 degrees  
45 minutes 43 seconds West  
116.89 feet to a point; thence  
North 44 degrees 41 minutes 14  
seconds West 183.86 feet to a  
point; thence North 58 degrees 55  
minutes 42 seconds West 204.76  
feet to a point; thence South 58 de-  
grees 8 minutes 14 seconds West  
49.58 feet to a point; thence South  
13 degrees 33 minutes 8 seconds  
West 87.84 feet to a point; thence  
South 11 degrees 46 minutes 43  
seconds West 388.10 feet to a  
point; thence South 29 degrees 31  
minutes 58 seconds West 100.68  
feet to a point; thence South 44 de-  
grees 36 minutes 33 seconds  
West 110.16 feet to a point;  
thence South 48 degrees 38 min-  
utes 30 seconds West 140.38  
feet to a point; thence South 64 de-  
grees 12 minutes 54 seconds  
West 191.11 feet to a point;  
thence South 51 degrees 23 min-  
utes 41 seconds West 190.62 feet

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 11th 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

1. BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-Way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line Right-of-Way; thence along Right-of-Way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a northerly direction one hundred sixty (160) feet to an iron pin, said pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern Right-of-Way line of the power line and parallel to said power line, two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing 67.756 acres. Reference is made to the map of the Minor Subdivision for Mary I. Pennington Estate, not yet but intended to be recorded.

This property is owned by Mary I. Pennington Estate.

2. BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-Way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line Right-of-Way; thence along Right-of-Way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a northerly direction one hundred sixty (160) feet to an iron pin, said pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern Right-of-Way line of the power line and parallel to said power line, two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing.

This property is owned by Charles E. Pennington and Wanda L. Pennington.

3. BEGINNING at a point on the intersection of the Southeastern corner of Ray Passmore Lot with Market Street, thence along said Market Street Seventy five (75) feet to a post; thence in a Westerly direction along other lands of Grantors herein Seventy five (75) feet to a post; thence in a Northerly direction and parallel with Market Street Seventy five (75) feet to a post; thence along said Ray Passmore Lot in an Easterly direction Seventy five (75) feet to Market Street and place of beginning. Being a  $\frac{1}{2}$  of ground Seventy five feet  $\frac{1}{2}$ , Seventy five feet

This property is owned by Dorothy Smith.

TAKE NOTICE that 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, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

WHEREUPON, the Court Ordered that Notice of said action and the facts therein be served on the above named Defendants by publication. Should the above named Defendants, their heirs, successors or assigns, or any other person, persons or entity claiming or who might claim title under them or all other persons or entities 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, successors and assigns, and any other person, persons or entity claiming or who might claim title under them or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiffs will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors and assigns.

NOTICE — 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 for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR,  
CLEARFIELD COUNTY COURT-  
HOUSE, 2nd & Market Streets,  
Clearfield, Pennsylvania 16830,  
Telephone (814) 765-2641Ex.  
5982

BELL, SILBERBLATT & WOOD  
BY Richard A. Bell, Esquire, Attorney  
for Plaintiffs

Richard A. Bell, Esquire, BELL,  
SILBERBLATT & WOOD, Attorney  
for Plaintiffs, 318 East Locust  
Street, P O Box 670, Clearfield,  
PA 16830

RECEIVED OCT 9 2000

## PROOF OF PUBLICATION

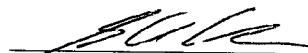
**STATE OF PENNSYLVANIA**

:  
:  
:

**COUNTY OF CLEARFIELD**

:

On this 25th 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 22, 2000, Vol. 12, No. 38. 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.

  
\_\_\_\_\_  
Amy L. Woods  
Notary Public  
My Commission Expires

Notarial Seal  
Amy L. Woods, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Nov. 18, 2002

Member, Pennsylvania Association of Notaries

Bell, Silberblatt & Wood  
P.O. Box 670  
Clearfield, PA 16830

feet to a point; thence North 76 degrees 3 minutes 4 seconds west 136.63 feet to an iron pin set; thence North 86 degrees 57 minutes 23 seconds West 83.83 feet to a point; thence North 87 degrees 45 minutes 43 seconds West 116.89 feet to a point; thence North 44 degrees 41 minutes 14 seconds West 183.86 feet to a point; thence North 58 degrees 55 minutes 42 seconds West 204.76 feet to a point; thence South 58 degrees 8 minutes 14 seconds West 49.58 feet to a point, thence South 13 degrees 33 minutes 8 seconds West 87.84 feet to a point; thence South 11 degrees 46 minutes 43 seconds West 388.10 feet to a point; thence South 29 degrees 31 minutes 58 seconds West 100.68 feet to a point; thence South 44 degrees 36 minutes 33 seconds West 110.16 feet to a point thence South 48 degrees 38 minutes 30 seconds West 140.38 feet to a point; thence South 64 degrees 12 minutes 54 seconds West 191.41 feet to a point; thence South 51 degrees 23 minutes 44 seconds West 80.62 feet to a point; thence South 71 degrees 18 minutes 34 seconds West 141.76 feet to a point; thence South 52 degrees 14 minutes 39 seconds West 75.38 feet to a point; thence South 34 degrees 48 minutes 5 seconds West 122.18 feet to a point; thence South 66 degrees 41 minutes 31 seconds West 134.58 feet to a point; thence South 76 degrees 6 minutes 52 seconds West 143.28 feet to a point; thence South 26 degrees 6 minutes 12 seconds West 342.87 feet to a point; thence South 18 degrees 49 minutes 19 seconds West 248.90 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 2054.69 feet to an iron pin set, being the Southwest corner of the tract now or formerly owned by Linda M. Snyder; thence North 4 degrees 29 minutes 12 seconds West 300 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 400 feet to an iron pin set and place of beginning. Containing 67.756 acres. Reference is made to the map of the Minor Subdivision for Mary I. Pennington Estate, not yet but intended to be recorded. The Mary I. Pennington Estate owns this property.

2. BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along right-of-way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a Northerly direction one hundred sixty (160) feet to an iron pin, said iron pin being

located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern right-of-way line of the power line and parallel to said power line, two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing. This property is owned by Charles E. Pennington and Wanda L. Pennington.

3. BEGINNING at a Point on the intersection of the Southeastern corner of Ray Passmore Lot with Market Street; thence along said Market Street Seventy five (75) feet to a post; thence in a Westerly direction along other lands of Grantors herein Seventy five (75) feet to a post; thence in a Northerly direction and parallel with Market Street Seventy five (75) feet to a post; thence along said Ray Passmore Lot in an Easterly direction Seventy five (75) feet to Market Street and place of beginning. Being a plot of ground Seventy-five feet by Seventy-five feet.

This property is owned by Dorothy Smith.

TAKE NOTICE that 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, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

WHEREUPON, the Court Ordered that Notice of said action and the facts therein be served on the above named Defendants by publication. Should the above named Defendants, their heirs, successors or assigns, or any other person, persons or entity claiming or who might claim title under them or all other persons or entities 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, successors and assigns, and any other person, persons or entity claiming or who might claim title under them or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiffs will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors and assigns.

NOTICE - You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you

interested and will be presented to the Orphans' Court of Clearfield County, PA on the first Monday of September, 2000.

The Accounts will be presented to the Orphans' Court for Confirmation NISI on the first Monday in October 2000, and if no Objections or Exceptions are filed to the Account, it will be Confirmed Absolutely as of course without further notice by the court in 10 days.

First & Final Account of Edith Barger, Executrix of the Estate of Richard Walls, late of Philipsburg, Clearfield County, PA, DECEASED.

First & Final Account of James A. Naddeo, Esquire, Executor of the Estate of Margaret L. Childress, late of Clearfield, Clearfield County, PA, DECEASED.

First & Final Account of Patricia L. Simon, Executrix of the Estate of William H. Finnegan, late of Cooper Township, Clearfield County, PA, DECEASED.

First & Final Account of Bernard Brandt, Executor of the Estate of Delores L. Jenney, late of Munson, Clearfield County, PA, DECEASED.

First & Final Account of Ella Mae Skebo and County National Bank, Co-Executors of the Estate of Alma F. Wood, late of Hyde, Clearfield County, PA, DECEASED.

First & Final Account of Sarah Laux, Executrix of the Estate of Beverly J. Gearhart, a/k/a Beverly Gearhart, a/k/a Beverly Jean Gearhart, late of West Decatur, Clearfield County, PA, DECEASED.

First & Final Account of Alwine Reynolds and Inga E. Kalgren, Co-Executrices of the Estate of Ida Klaiber, late of the City of DuBois, Clearfield County, PA, DECEASED.

First & Final Account of Mary Wallace Goldsmith, Executrix of the Estate of Gladys E. Clyde, late of DuBois, Clearfield County, PA, DECEASED.

First & Final Account of Toni M. Cherry, Executrix of the Estate of Mary Coleman Kurtz, late of the City of DuBois, Clearfield County, PA, DECEASED.

KAREN L. STARCK, REGISTER OF WILLS & CLERK OF THE ORPHANS' COURT

ADV: September 15th & 22nd, 2000.

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON,  
and WANDA L. PENNINGTON, husband

and wife, and DOROTHY SMITH, Widow, Plaintiffs vs. RUBEN NEIMAN, a/k/a REUBEN NEIMAN, RACHEL NEIMAN, R. MURRY NEIMAN, LIZZIE NEIMAN, ALBERT NEIMAN, MILTON NEIMAN, a/k/a T. M. NEIMAN, MATILDA M. NEIMAN, ADELLE NEIMAN, a/k/a ADELLE DAY, J. S. REITZ, A.H. REITZ, THOMAS H. REITZ, a/k/a THOMAS E. REITZ, MARIAN B. REITZ, a/k/a MARIAN ELLEN REITZ, MARY ANN HOPPER, BARBARA BUNDY, and all of their heirs, devisees, executors, administrators, successors and assigns, as well as any person or persons who might claim title under them and any other person, persons, firms, partnerships or corporate entities who claim an interest, Defendants.

ACTION TO QUIET TITLE

TO: THE ABOVE NAMED DEFENDANTS: You are hereby notified that the Plaintiffs listed above have filed a Complaint in an Action to Quiet Title regarding a parcel of real estate situate in the Borough of Newberg, County of Clearfield and State of Pennsylvania, bounded and described as follows:

1. BEGINNING at an iron pin set on State Route 36 at a point which is the Northeast corner of a tract of land now or formerly owned by Linda M. Snyder; thence North 4 degrees 35 minutes 20 seconds West 1,017.69 feet to an iron pipe, which is the Southeastern corner of the tract of land owned by Charles and Wanda Pennington; thence South 82 degrees 37 minutes 03 seconds West 225 feet to an iron pipe; thence North 2 degrees 2 minutes 53 seconds East 160 feet to an iron pipe; thence north 60 degrees 54 minutes 51 seconds East 245 feet to an iron pipe on the right-of-way, of S. R. 36; thence continuing along the right-of-way of S. R. 36 and crossing Market Street Extension along the curve of the right-of-way, chord of which is 134.11 feet to an iron pin set on the said right-of-way being the Southeastern corner of the property belonging to the LaJose United Methodist Church; thence along the line of the LaJose United Methodist Church North 75 degrees 42 minutes 28 seconds West a distance of approximately 227.47 feet to an iron pin set; thence north 14 degrees 17 minutes 30 seconds East a distance of 50 feet to an iron pin set; thence north 75 degrees 42 minutes 30 seconds West along the line of the line of the property of Dorothy Smith 75 feet to a pin; thence North 14 degrees 17 minutes 30 seconds East 75 feet to a point; thence North 76 degrees 4 minutes 3 seconds West 180.71 feet to an iron pin set; thence North 13 degrees 56 minutes 00 seconds east 50 feet to an iron pin set; thence South 76 degrees 3 minutes 4 seconds East 132.00 feet to a point; thence North 13 degrees 56 minutes 00 seconds East 120

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 claim 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 FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. COURT ADMINISTRATOR, CLEARFIELD COUNTY COURTHOUSE, 2ND & Market Streets, Clearfield, PA 16830 (814) 765-2641, ext. 5982.

Richard A. Bell, Esquire, BELL,  
SILBERBLATT & WOOD, Attorneys for  
Plaintiffs, 318 East Locust Street, P.O. Box  
670, Clearfield, PA 16830.

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South twenty-six (26) degrees seventeen  
(17) minutes West fifty-three and three-  
tenths (53.3) feet; thence South fifty-eight  
(58) degrees thirty-nine (39') minutes East  
one hundred fifty (150) feet to a post;  
thence thirty-one (31) degrees twenty-one  
(21') minutes East fifty-three and five tenths  
(53.5) feet to a post; thence North fifty-eight  
(58) degrees thirty-nine (39') minutes West  
one hundred fifty (150) feet to the place of  
beginning and being situate near the Village  
of Janesville, Smithmill Post Office.

BEING the same premises conveyed  
unto Terry E. and Anna Mae Glasgow,  
husband and wife, by deed recorded in  
Clearfield County Record Volume 822 at  
Page 448.

SEIZED, taken in execution to be sold  
as the property of TERRY E. GLASGOW  
and ANNA MAE GLASGOW, at the suit of  
COUNTY NATIONAL BANK. NO. 00-202-

Chester A. Hawkins, Sheriff.

---

SHERIFF'S SALE  
OF VALUABLE REAL ESTATE

BY VIRTUE OF: Execution issued out  
of the Court of Common Pleas of Clearfield County

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
ACTION TO QUIET TITLE

MARY I. PENNINGTON ESTATE  
by Delbert William  
Pennington, Executor, et al  
vs.  
RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, et al

AFFIDAVIT

44-1231-12

OCT 19 2000  
2000  
William A. Shaw  
Prothonotary

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

NO. 00-863-CD

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING  
Motion For Judgment

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

**FILED**

OCT 19 2000

William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

MOTION FOR JUDGMENT

NOW COMES, the Plaintiffs by their attorney, Richard A. Bell, Esquire of Bell,  
Silberblatt & Wood, and moves your Honorable Court to enter Judgment in favor of  
the Plaintiffs and against the Defendants for the following reasons:

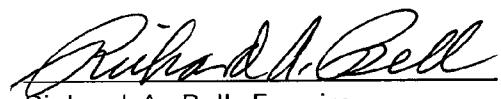
1. An Affidavit has been executed and filed on behalf of the Plaintiffs that

the original Complaint endorsed with a Notice To Defend has been served upon all of the named Defendants.

2. The Defendants have failed to file any Answer to the Complaint within the time allotted for filing a responsive pleading.

WHEREFORE, the Plaintiffs by their attorney moves your Honorable Court to enter Judgment in favor of the Plaintiffs and against the Defendants and to grant Plaintiffs the relief prayed for in accordance with Pennsylvania Rules Of Civil Procedure No. 1066.

BELL, SILBERBLATT & WOOD  
BY



Richard A. Bell, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
NO. 00-863-CD

MARY I. PENNINGTON ESTATE,  
by DELBERT WILLIAM  
PENNINGTON, Executor, et al  
vs.  
RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, et al

MOTION FOR JUDGMENT

OCT 19 2000  
10/23/2000  
William A. Shaw  
Prothonotary *es*

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
319 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

NO. 00-863-CD

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING  
Order Of Court

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED  
OCT 23 2000  
William A. Shaw  
Prothonotary

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

NO. 00-863-CD

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

ORDER OF COURT

AND NOW, this 23<sup>rd</sup> day of October, 2000, Affidavit having  
been made that service has been made upon all Defendants in this action, and no  
Appearance or Answers having been filed by Defendants, the Court upon Motion of  
the Plaintiff by their attorney, Richard a. Bell, Esquire, ORDERS that unless the  
Defendants, their legal representatives, or their heirs, or assigns or any of them,  
shall within thirty (30) days from the dat of this Order, institute an action of  
ejectment, against the Plaintiffs, they, the Defendants, shall be forever barred, and

enjoined from impeaching, denying or in any way attacking Plaintiffs title to the hereinafter described premises, from issuing or maintaining an action in ejectment for said premises, from encumbering, mortgaging or conveying this parcel or any part thereof, or from asserting any claim in any manner, right, lien, title or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint.

The description of the property which is the subject of this action is as follows:

All that certain piece or parcel of land in the Borough of Newberg, County of Clearfield and State of Pennsylvania, bounded and described as follows:

1. BEGINNING at an iron pin set on State Route 36 at a point which is the Northeast corner of a tract of land now or formerly owned by Linda M. Snyder; thence North 4 degrees 35 minutes 20 seconds West 1,017.69 feet to an iron pipe, which is the Southeastern corner of the tract of land owned by Charles and Wanda Pennington; thence South 82 degrees 37 minutes 03 seconds West 225 feet to an iron pipe; thence North 2 degrees 2 minutes 53 seconds East 160 feet to an iron pipe; thence North 60 degrees 54 minutes 51 seconds East 245 feet to an iron pipe on the right-of-way of S. R. 36; thence continuing along the right-of-way of S. R. 36 and crossing Market Street Extension along the curve of the right-of-way, chord of which is 134.11 feet to an iron pin set on the said right-of-way being the Southeastern corner of the property belonging to the LaJose United Methodist Church; thence along the line of the LaJose United Methodist Church North 75 degrees 42 minutes 28 seconds West a distance of approximately 227.47 feet to an iron pin set; thence North 14 degrees 17 minutes 30 seconds East a distance of 50 feet to an iron pin set; thence North 75 degrees 42 minutes 30 seconds West along the line of the line of the property of Dorothy Smith 75 feet to a point; thence North 14 degrees 17 minutes 30 seconds East 75 feet to a point; thence North 76 degrees 4 minutes 3 seconds West 180.71 feet to an iron pin set; thence North 13 degrees 56 minutes 00 seconds East 50 feet to an iron pin set; thence South 76 degrees 3 minutes 4 seconds East 132.00 feet to a point; thence North

13 degrees 56 minutes 00 seconds East 120 feet to a point; thence North 76 degrees 3 minutes 4 seconds West 136.63 feet to an iron pin set; thence North 86 degrees 57 minutes 23 seconds West 83.83 feet to a point; thence North 87 degrees 45 minutes 43 seconds West 116.89 feet to a point; thence North 44 degrees 41 minutes 14 seconds West 183.86 feet to a point; thence North 58 degrees 55 minutes 42 seconds West 204.76 feet to a point; thence South 58 degrees 8 minutes 14 seconds West 49.58 feet to a point, thence South 13 degrees 33 minutes 8 seconds West 87.84 feet to a point; thence South 11 degrees 46 minutes 43 seconds West 388.10 feet to a point; thence South 29 degrees 31 minutes 58 seconds West 100.68 feet to a point; thence South 44 degrees 36 minutes 33 seconds West 110.16 feet to a point; thence South 48 degrees 38 minutes 30 seconds West 140.38 feet to a point; thence South 64 degrees 12 minutes 54 seconds West 191.41 feet to a point; thence South 51 degrees 23 minutes 44 seconds West 80.62 feet to a point; thence South 71 degrees 18 minutes 34 seconds West 141.76 feet to a point; thence South 52 degrees 14 minutes 39 seconds West 75.38 feet to a point; thence South 66 degrees 48 minutes 5 seconds West 122.18 feet to a point; thence South 66 degrees 41 minutes 31 seconds West 134.58 feet to a point; thence South 76 degrees 6 minutes 52 seconds West 143.28 feet to a point; thence South 26 degrees 6 minutes 12 seconds West 342.87 feet to a point; thence South 18 degrees 49 minutes 19 seconds West 248.90 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 2054.69 feet to an iron pin set, being the Southwest corner of the tract now or formerly owned by Linda M. Snyder; thence North 4 degrees 29 minutes 12 seconds West 300 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 400 feet to an iron pin set and place of beginning. Containing 67.756 acres. Reference is made to the map of the Minor Subdivision for Mary I. Pennington Estate, not yet but intended to be recorded.

This property is owned by the Mary I. Pennington Estate.

2. BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-Way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line Right-of-Way; thence along Right-of-Way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a Northerly direction one hundred sixty (160) feet to an iron pin, said iron pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern Right-of-Way line of the power line and parallel to said power line,

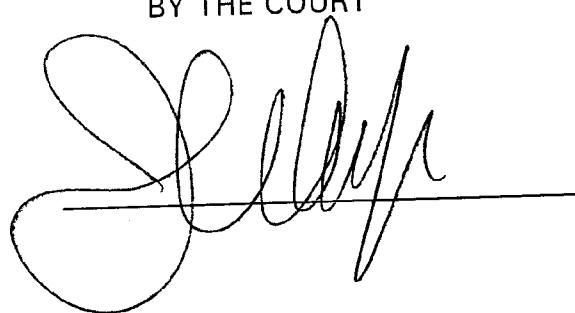
two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing.

This property is owned by Charles E. Pennington and Wanda L. Pennington.

3. BEGINNING at a Point on the intersection of the Southeastern corner of Ray Passmore Lot with Market Street; thence along said Market Street Seventy five (75) feet to a post; thence in a Westerly direction along other lands of Grantors herein Seventy five (75) feet to a post; thence in a Northerly direction and parallel with Market Street Seventy five (75) feet to a post; thence along said Ray Passmore Lot in an Easterly direction Seventy five (75) feet to Market Street and place of beginning. Being a plot of ground Seventy five feet by Seventy five feet.

This property is owned by Dorothy Smith.

BY THE COURT

A handwritten signature in black ink, appearing to read "Dorothy Smith", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'D' on the left and a more compact 'Smith' on the right.

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
ACTION TO QUIET TITLE

MARY I. PENNINGTON ESTATE  
by Delbert William  
Pennington, Executor, et al  
vs.  
RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, et al

ORDER OF COURT

FILED 1cc AMY  
08/20/2001 Bell  
William A. Shaw Esq.  
Prothonotary

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,  
Defendants

NO. 00-863-CD

TYPE OF CASE:  
Action To Quiet Title

TYPE OF PLEADING  
Praeclipe

FILED ON BEHALF OF:  
Plaintiffs

COUNSEL OF RECORD FOR  
THIS PARTY:  
RICHARD A. BELL, ESQUIRE  
Supreme Ct. I.D. #06808

BELL, SILBERBLATT & WOOD  
318 E. Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED  
NOV 30 2000  
William A. Shaw  
Prothonotary  
1 CC

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

MARY I. PENNINGTON ESTATE, by  
DELBERT WILLIAM PENNINGTON,  
Executor, CHARLES E. PENNINGTON  
and WANDA L. PENNINGTON, husband  
and wife, and DOROTHY SMITH, Widow,  
Plaintiffs

NO. 00-863-CD

Vs.

RUBEN NEIMAN, a/k/a REUBEN NEIMAN  
RACHEL NEIMAN, R. MURRY NEIMAN,  
LIZZIE NEIMAN, ALBERT NEIMAN,  
MILTON NEIMAN, a/k/a T. M. NEIMAN,  
MATILDA M. NEIMAN, ADELLE NEIMAN,  
a/k/a ADELLE DAY, J. S. REITZ, A. H. REITZ,  
THOMAS H. REITZ, a/k/a THOMAS E. REITZ  
MARIAN B. REITZ, a/k/a MARIAN  
ELLEN REITZ, MARY ANN HOPPER,  
BARBARA BUNDY, and all of their  
heirs, devisees, executors, administrators,  
successors and assigns, as well as any person  
or persons who might claim title under them and  
any other person, persons, firms, partnerships or  
corporate entities who claim an interest,

Defendants

PRAECIPE

TO: WILLIAM A. SHAW, PROTHONOTARY

Thirty (30) days having elapsed since the court Order of October 23<sup>rd</sup>, 2000,  
was issued and the Defendants having failed to institute an Action of Ejectment or  
take any action against the Plaintiffs, pursuant to Rule 1066(b) of the Pennsylvania  
Rules of Civil Procedure, please enter final judgment in the above matter in favor of the  
Plaintiffs and against the Defendants. The property to which this judgment applies is

situate in Newburg Borough, Clearfield County, Pennsylvania, bounded and described

as follows:

All that certain piece or parcel of land in Newburg Borough, Clearfield County, Pennsylvania, and is bounded and described as follows:

1. BEGINNING at an iron pin set on State Route 36 at a point which is the Northeast corner of a tract of land now or formerly owned by Linda M. Snyder; thence North 4 degrees 35 minutes 20 seconds West 1,017.69 feet to an iron pipe, which is the Southeastern corner of the tract of land owned by Charles and Wanda Pennington; thence South 82 degrees 37 minutes 03 seconds West 225 feet to an iron pipe; thence North 2 degrees 2 minutes 53 seconds East 160 feet to an iron pipe; thence North 60 degrees 54 minutes 51 seconds East 245 feet to an iron pipe on the right-of-way of S. R. 36; thence continuing along the right-of-way of S. R. 36 and crossing Market Street Extension along the curve of the right-of-way, chord of which is 134.11 feet to an iron pin set on the said right-of-way being the Southeastern corner of the property belonging to the LaJose United Methodist Church; thence along the line of the LaJose United Methodist Church North 75 degrees 42 minutes 28 seconds West a distance of approximately 227.47 feet to an iron pin set; thence North 14 degrees 17 minutes 30 seconds East a distance of 50 feet to an iron pin set; thence North 75 degrees 42 minutes 30 seconds West along the line of the line of the property of Dorothy Smith 75 feet to a point; thence North 14 degrees 17 minutes 30 seconds East 75 feet to a point; thence North 76 degrees 4 minutes 3 seconds West 180.71 feet to an iron pin set; thence North 13 degrees 56 minutes 00 seconds East 50 feet to an iron pin set; thence South 76 degrees 3 minutes 4 seconds East 132.00 feet to a point; thence North 13 degrees 56 minutes 00 seconds East 120 feet to a point; thence North 76 degrees 3 minutes 4 seconds West 136.63 feet to an iron pin set; thence North 86 degrees 57 minutes 23 seconds West 83.83 feet to a point; thence North 87 degrees 45 minutes 43 seconds West 116.89 feet to a point; thence North 84 degrees 41 minutes 14 seconds West 183.86 feet to a point; thence North 58 degrees 55 minutes 42 seconds West 204.76 feet to a point; thence South 58 degrees 8 minutes 14 seconds West 49.58 feet to a point, thence South 13 degrees 33 minutes 8 seconds West 87.84 feet to a point; thence South 11 degrees 46 minutes 43 seconds West 388.10 feet to a point; thence South 29 degrees 31 minutes 58 seconds West 100.68 feet to a point; thence South 44 degrees 36 minutes 33 seconds West 110.16 feet to a point; thence South 48 degrees 38 minutes 30 seconds West 140.38 feet to a point; thence South 64 degrees 12 minutes 54 seconds West 191.41 feet to a point; thence South 51 degrees 23 minutes 44 seconds West 80.62 feet to a point;

thence South 71 degrees 18 minutes 34 seconds West 141.76 feet to a point; thence South 52 degrees 14 minutes 39 seconds West 75.38 feet to a point; thence South 34 degrees 48 minutes 5 seconds West 122.18 feet to a point; thence South 66 degrees 41 minutes 31 seconds West 134.58 feet to a point; thence South 76 degrees 6 minutes 52 seconds West 143.28 feet to a point; thence South 26 degrees 6 minutes 12 seconds West 342.87 feet to a point; thence South 18 degrees 49 minutes 19 seconds West 248.90 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 2054.69 feet to an iron pin set, being the Southwest corner of the tract now or formerly owned by Linda M. Snyder; thence North 4 degrees 29 minutes 12 seconds West 300 feet to an iron pin set; thence South 74 degrees 48 minutes 59 seconds East 400 feet to an iron pin set and place of beginning. Containing 67.756 acres. Reference is made to the map of the Minor Subdivision for Mary I. Pennington Estate, not yet but intended to be recorded.

This property is owned by the Mary I. Pennington Estate

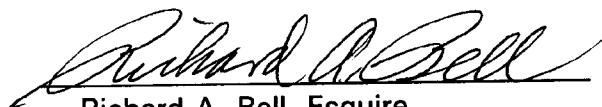
2. BEGINNING at an iron pin, said iron pin being located in the Northern Right-of-Way line of Route #36 leading toward Westover and said iron pin being located twenty-five (25) feet from the center line of the power line Right-of-Way; thence along Right-of-Way of Route #36, two hundred fifty (250) feet more or less to an iron pin; thence in a Westerly direction along remaining lands of the Grantors two hundred twenty-five (225) feet to an iron pin; thence continuing along Grantors land in a Northerly direction one hundred sixty (160) feet to an iron pin, said iron pin being located twenty-five (25) feet from the center line of the power line right-of-way; thence along the Southern Right-of-Way line of the power line and parallel to said power line, two hundred forty-five (245) feet more or less to the iron pin and place of beginning. Containing.

This property is owned by Charles E. Pennington and Wanda L. Pennington.

3. BEGINNING at a Point on the intersection of the Southeastern corner of Ray Passmore Lot with Market Street; thence along said Market Street Seventy five (75) feet to a post; thence in a Westerly direction along other lands of Grantors herein Seventy five (75) feet to a post; thence in a Northerly direction and parallel with Market Street Seventy five (75) feet to a post; thence along said Ray Passmore Lot in an Easterly direction Seventy five (75) feet to Market Street and place of beginning. Being a plot of ground Seventy five feet by Seventy five feet.

This property is owned by Dorothy Smith.

Dated: Nov. 30, 2000

  
Richard A. Bell, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION

MARY I. PENNINGTON ESTATE,  
by DELBERT WILLIAM PENNINGTON,  
et al., Plaintiffs  
vs.

RUBEN NEIMAN, a/k/a REUBEN  
NEIMAN, et al., Defendants

PRAECIPE

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ATTORNEYS AT LAW  
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