

00-886-CD  
HOUZDALE MUNICIPAL AUTHORITY -vs- RYAN NEAL ACEY

7  
1  
CLEARFIELD COUNTY PROTHONOTARY

7-83

1195

ALLEN B. DENTZ WILLIAM SHAW  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830

PAY  
TO THE  
ORDER OF COUNTY TREASURER

APRIL 13

2006

60-629/313

\$ 307.24

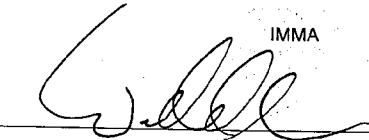
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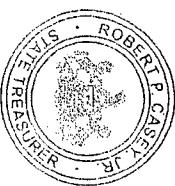


Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR ESTATEPLANNING CASES 00-886, 887 & 888-CO



10313062941 1 2 26577 21 1195



# REPORT OF ABANDONED AND UNCLAIMED PROPERTY

FILE THIS COPY ON OR BEFORE APRIL 15

COMMONWEALTH OF PENNSYLVANIA  
TREASURY DEPARTMENT  
BUREAU OF UNCLAIMED PROPERTY

HOLDER NAME

**REPORTING YEAR**

Property Description Prothonotary Escrow Account

Please complete the checklist below by indicating with an "X" all types of property you are reporting. Each description marked must correspond with individual property descriptions you list on Form AP-2.

<input type="checkbox"/> Accounts Payable Check	<input type="checkbox"/> Liquidated Stock - Undeliverable
<input type="checkbox"/> Accrued Dividends	<input type="checkbox"/> Liquidated Stock - Underlying
<input type="checkbox"/> Accrued Interest on Bond	<input type="checkbox"/> Liquidated Stock - Unexchanged
<input type="checkbox"/> Bail Bond Deposit	<input type="checkbox"/> Liquidated Stock Distribution
<input type="checkbox"/> Bank Draft	<input type="checkbox"/> Liquidated Stock Dividend
<input type="checkbox"/> Bearer Bond/Principal	<input type="checkbox"/> Liquidated Stock Split
<input type="checkbox"/> Bond Interest/Coupon Money	<input type="checkbox"/> Liquidated Warrants
<input type="checkbox"/> Bond Redemption	<input type="checkbox"/> Liquid Cash Distribution
<input type="checkbox"/> Cash Distribution	<input type="checkbox"/> Master Fees
<input type="checkbox"/> Cash Exchange	<input type="checkbox"/> Matured Life Policy
<input type="checkbox"/> Cashier's Checks	<input type="checkbox"/> Membership Fees
<input type="checkbox"/> CD Interest Check	<input type="checkbox"/> Mineral & Royalty Proceeds
<input type="checkbox"/> Certificate of Deposit/Savings Certificate	<input type="checkbox"/> Misc. Papers - Safe Deposit Box
<input type="checkbox"/> Certified Check	<input type="checkbox"/> Miscellaneous Equipment
<input type="checkbox"/> Checking Account	<input type="checkbox"/> Money Order
<input type="checkbox"/> Checks Written Off Into Income	<input type="checkbox"/> Nontransferable Security
<input type="checkbox"/> Christmas Club Account	<input type="checkbox"/> Passbook Savings
<input type="checkbox"/> Claims Payment Check	<input type="checkbox"/> Patient Accounts
<input type="checkbox"/> Coins - Safe Deposit Box	<input type="checkbox"/> Paying Agent Accounts
<input type="checkbox"/> Collectable - Safe Deposit Box	<input type="checkbox"/> Pension & Profit Sharings
<input type="checkbox"/> Commissions	<input type="checkbox"/> Premium Refunds
<input type="checkbox"/> Condemnation Awards	<input type="checkbox"/> Property Sales
<input type="checkbox"/> Confiscated Funds	<input type="checkbox"/> Redemption
<input type="checkbox"/> Credit Balances	<input type="checkbox"/> Refund/Rebates
<input type="checkbox"/> Currency - Safe Deposit Box	<input type="checkbox"/> Registered Bond Proceeds
<input type="checkbox"/> Customer Deposit	<input type="checkbox"/> Registered Checks
<input type="checkbox"/> Death Benefit Check	<input type="checkbox"/> Restitution Award
<input type="checkbox"/> Debenture Interest	<input type="checkbox"/> Rights Redemption/Lease Rental
<input type="checkbox"/> Dividends	<input type="checkbox"/> Safekeeping - Miscellaneous
<input type="checkbox"/> Endowment Funds	<input type="checkbox"/> Safety Deposit Boxes
<input checked="" type="checkbox"/> Escrow Account	<input type="checkbox"/> Security Deposit
<input type="checkbox"/> Estate Funds	<input type="checkbox"/> Share Deposit
<input type="checkbox"/> Expense Check	<input type="checkbox"/> Statement Savings
<input type="checkbox"/> Fiduciary Funds	<input type="checkbox"/> Stock - Cash-in-Lieu
<input type="checkbox"/> Foreign Exchange Check	<input type="checkbox"/> Support Payments
<input type="checkbox"/> General Obligation Bonds	<input type="checkbox"/> Suspense Accounts
<input type="checkbox"/> Gift Certificate	<input type="checkbox"/> Tax Sales Excess
<input type="checkbox"/> Health & Welfare Funds	<input type="checkbox"/> Travelers Checks
<input type="checkbox"/> Inmate Accounts	<input type="checkbox"/> Treasurer's Checks
<input type="checkbox"/> IRA Account	<input type="checkbox"/> Trust Accounts
<input type="checkbox"/> Jewelry - Safe Deposit Box	<input type="checkbox"/> U.S. Government Securities
<input type="checkbox"/> Keough Account	<input type="checkbox"/> Uncashed Checks
<input type="checkbox"/> Layaway	<input type="checkbox"/> Unclaimed Check/Official Check
<input type="checkbox"/> Liquidated Debenture	<input type="checkbox"/> Utility Refund/Deposit
<input type="checkbox"/> Liquidated Dividend Reinvestment	<input type="checkbox"/> Vacation Club Account
<input type="checkbox"/> Liquidated DRP Termination/Shares	<input type="checkbox"/> Wages, Payroll Unclaimed
<input type="checkbox"/> Liquidated Stock Distribution	<input type="checkbox"/> Witness Fees
<input type="checkbox"/> Liquidated Mutual Funds	<input type="checkbox"/> Written Instrument
<input type="checkbox"/> Liquidated Rights	

154807



CLEARFIELD BANK  
TRUST COMPANY

REMITTER: CLEARFIELD BANK & TRUST CO DATE 4/13/06

CLEARFIELD CO PROTHONOTARY  
EXACTLY \*\*58 AND 00/100 DOLLARS

\$ 58.00

CUSTOMER FILE COPY

00-086-C0

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE

**NOT NEGOTIABLE**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR EASEMENT OVER, ACROSS, UPON AND THROUGH THAT CERTAIN PROPERTY, SITUATE IN GULICH TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, BY THE HOUTZDALE MUNICIPAL AUTHORITY, CONDEMNOR FOR PURPOSES OF EXPANDING ITS EXISTING GROUND WATER TRANSMISSION CAPABILITIES AND FOR OTHER PURPOSES INVOLVED IN THE UPGRADE AND RENOVATION OF ITS WATER COLLECTION, WATER DISTRIBUTION AND WATER TREATMENT SYSTEMS:

CONDEEMNEE *Se* RYAN NEAL ACEY

DECLARATION OF TAKING

The Houtzdale Municipal Authority does hereby respectfully declare that:

1. The condemnor is the Houtzdale Municipal Authority a non-profit corporation duly organized under the authority of the Municipal Authorities Act of 1945, as amended, 53 P.S. §301 et seq.

2. The interest in the property hereinafter described is hereby condemned as a right-of-way and/or easement for purposes of expansion, enlargement and improvement of the water collection, water transport, water treatment and water distribution systems pursuant to the Municipal Authorities Act of 1945, as amended, 53 P.S. §301 et seq. and as authorized by Resolution adopted the 11th, day of July, 2000, by the said condemnor. A copy of said resolution is attached hereto and made a part hereof as Exhibit A. The original may be examined at the address of the condemnor.

3. The purpose of the condemnation is to expand the ground water and/or surface water transmission capability of the Authority and to enlarge, upgrade and renovate the said system of

: NO. 2000-  
00-886-CO

**FILED**

AUG 01 2000

6/23/2000  
William A. Shaw  
Prothonotary

PP  
8/2000  
3 COPIES TO ATT  
BY  
ATTY

distribution now operated and/or to be operated by the Condemnor in the future.

The further purpose of the Condemnation is to acquire a right of way in, over, across and through the subject property with the further right to construct, repair, and maintain facilities within the said right of way and/or easement and the further purposes of ingress, egress, and regress to and from Condemnor's pipeline and other facilities maintained by the Condemnor; and with the further right to construct, lay, maintain, and service the main transmission pipeline and other support facilities so as to permit the efficient collection and transmittal of water from the watershed and throughout the system of distribution. These rights shall include but shall not be limited to:

(a) A right-of-way for ingress to and egress from the premises; a right-of-way for establishing and maintaining a pole line or pole lines for extending electric power, and telecommunications facilities to the premises; and rights-of-way for subsurface power, communication, water and sewer lines to the premises; all rights-of-way to be over the said lands and adjoining lands of the Condemnor, and unless herein described by metes and bounds, to be by routes reasonably determined to be the most convenient to the Condemnor.

(b) The right of grading, conditioning, and installing drainage facilities, and seeding the soil of the premises, and the removal of all obstructions from the premises which may constitute a hindrance to the establishment and maintenance of Condemnor's facilities.

(c) The right to make alterations, attach fixtures, and erect additions, structures, or signs, in or upon the premises hereby condemned, which alterations, fixtures, additions, structures or signs so placed in or upon, or attached to the said premises shall be and remain the property of the Condemnor, and may be removed upon the date of expiration or termination of this use, or within ninety (90) days thereafter, by or on behalf of the Condemnor, or its grantees, or purchasers of said alterations, fixtures, additions, structures, or signs.

4. A description of the property condemned sufficient for its identification is set forth in the attached Exhibit B. On the same day as this declaration of taking is being filed with the prothonotary, plans showing the property condemned are being lodged for record in the office of the Recorder of Deeds of Clearfield County, Pennsylvania, in accordance with Section 404 of the Eminent Domain Code, 26 P. S. §1-404.

5. The nature of the title acquired in and to the property is a right-of-way and/or an easement over, across, upon and through that property described in Exhibit B and the roadway constructed therein.

6. A plan showing the condemned property may be inspected at the office of the condemnor which is located at Houtzdale, Pennsylvania.

7. The condemnor files with this declaration of taking an open ended bond without surety pursuant to Section 403(a) of the Eminent Domain Code 26 P.S. §1-403(a). Just compensation is made or secured by the filing of said bond. A copy of the bond is

attached hereto as Exhibit C.

HOUTZDALE MUNICIPAL AUTHORITY

DR BY Donald J. Gross

ATTEST:

MH Wall P. Hayward

VERIFICATION

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

DR Donald N. Kress

Dated:  
Mel D. Hayward  
July 27 2000

R E S O L U T I O N

AUTHORIZING THE SELECTION AND APPROPRIATION OF ANY AND ALL TEMPORARY AND/OR PEREMANT RIGHT OF WAYS AT VARIOUS WIDTHS AND LENGTHS OVER, ACROSS, UPON AND THROUGH LANDS OF CONDEMNNEES IN GULICH TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, AND AUTHORIZING ANY AND ALL NECESSARY ACTION INCLUDING THE FILING OF A DECLARATION OF TAKING AND ALL OTHER NECESSARY DOCUMENTS FOR THE ACQUISITION THEREOF TO COMPLETE THE DEVELOPMENT OF THE PROJECT KNOWN AS THE JANESVILLE PROJECT.

WHEREAS, the Houtzdale Municipal Authority is about to proceed with the enlargement, upgrading, and renovation of the water distribution system and of its facilities located throughout the Moshannon Valley; and

WHEREAS, in order to carry out the proposed purposes, it is necessary for the Houtzdale Municipal Authority to acquire rights of way and/or easements to certain land and properties for the purpose of laying, constructing, repairing and maintaining a water transmission line; and

WHEREAS, the Houtzdale Municipal Authority has been unable to agree with the owner or owners of the property to be acquired on the price or damages to be paid; and

WHEREAS, in accordance with Section 314 of the Municipal Authorities Act of 1945, (53 P.S. §314) as amended, the Authority is authorized to acquire an interest in property through Eminent Domain proceedings;

NOW THEREFORE BE IT RESOLVED, That the Houtzdale Municipal Authority, in accordance with the authority conferred by law, selects and appropriates for the purposes hereinabove set forth certain property consisting of a ten (10) foot construction easement and a ten (10) foot permanent easement in varying lengths over, across, upon and through lands of the owner and/or owners as designated and which lands are located in Gulich Township, Clearfield County, Pennsylvania.

RESOLVED, All title and private rights or easements of whatever nature of property owners in the hereinabove described property are hereby selected and appropriated for the purposes set forth herein in accordance with law.

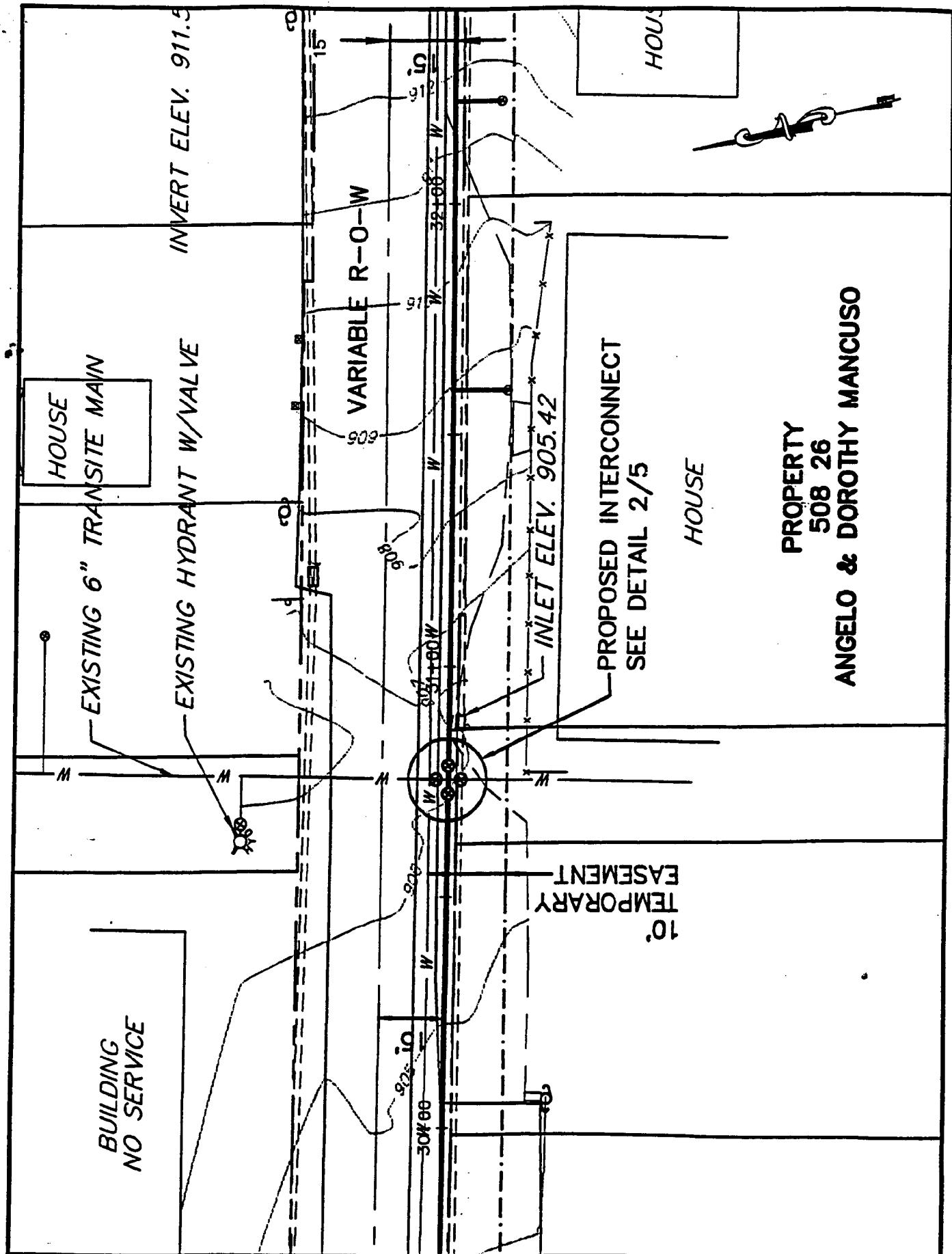
RESOLVED, The title to be acquired shall be a right-of-way and/or easement in the subject property.

RESOLVED, Counsel for the Houtzdale Municipal Authority and its proper officers are hereby authorized to file a declaration of taking and such other proceedings, including the entry of such bond as may be necessary or desirable to carry out the purpose of this resolution.

RESOLVED, That the institution of such proceedings, and any damages which may be agreed upon or awarded to any party in interest, including the owner or owners of said properties located within the area, shall be paid out of the funds of the Houtzdale Municipal Authority.

DR HOUTZDALE MUNICIPAL AUTHORITY  
By Donald N. Ross

MM ATTEST:  
Mark D. Hayward  
Secretary



**UNI-TEC  
CONSULTING  
ENGINEERS, INC.**

2227 CALIFORNIA AVENUE, STATE COLLEGE, PA. 16801 814-238-9221

PROPERTY 508 26  
STA 30+86 TO 32+02

**Exhibit B**

SCALE  
1" = 30'  
DRAWING NO.  
810403000  
SHEET NO.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR  
EASEMENT OVER, ACROSS, UPON AND THROUGH THAT  
CERTAIN PROPERTY, SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BY THE : NO. 2000-  
HOUTZDALE MUNICIPAL AUTHORITY, CONDEMNOR FOR  
PURPOSES OF EXPANDING ITS EXISTING GROUND WATER  
TRANSMISSION CAPABILITIES AND FOR OTHER  
PURPOSES INVOLVED IN THE UPGRADE AND RENOVATION  
OF ITS WATER COLLECTION, WATER DISTRIBUTION AND  
WATER TREATMENT SYSTEMS: :

CONDEEMNEE: RYAN NEAL ACEY

BOND

KNOW ALL MEN BY THESE PRESENTS, that a declaration of taking  
having been filed the 1st day of August, 2000, by the Houtzdale  
Municipal Authority, (Obligor), a non-profit corporation organized  
and existing under the laws of the Commonwealth of Pennsylvania,  
being held and firmly bound unto the Commonwealth of Pennsylvania  
("obligee") for the use and benefit of the owner or owners of the  
prpoerty condemned as hereinafter noted, and other proper parties  
in interest, for such amount of damages as the owner or owners of  
the property and other parties in interest shall be entitled to  
receive after the same shall have been agreed upon or assessed in  
the manner prescribed by law, by reason of the condemnation by  
obligor of certain land and improvements located in Gulich  
Township, Clearfield County, Pennsylvania, and described as  
follows:

BEGINNING at a stake at the Southwestern corner of Main  
Street and a sixteen foot alley; thence South Fifty-three  
degrees Fifteen minutes East (S 53 degrees 15 minutes E)  
a distance of Sixty (60') feet to a point, said point being  
a True Point of Beginning; thence, continuing along Main  
Street South Fifty-three degrees Fifteen minutes East  
(S 53 degrees 15 minutes E) a distance of Sixty (60') feet  
to a stake; thence along the Western side of Lot 26 South

Thirty-six degrees Forty-five minutes West (S 36 degrees 45 minutes W) Two hundred (200') feet to a stake; thence North Fifty-three degrees Fifteen minutes West (N 53 degrees 15 minutes W) a distance of Sixty (60') feet to a point; thence North Thirty-six degrees Forty-five minutes East (N 36 degrees 45 minutes E) a distance of Two Hundred (200') feet to a point on Main Street, being point of beginning.

BEING the same premises granted and conveyed unto the Condemnee by deed of Angelo J. Mancuso, et. ux. dated May 15, 1996 and entered for record in the office of the Recorder of deeds of Clearfield County, Pennsylvania in Deeds & Records Volume 1758, Page 414.

to which payment well and truly to be made, the obligor does bind itself and its successors, and assigns, firmly by these presents.

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

NOW THE CONDITION of this bond is such that if the obligor shall pay or cause to be paid such amount of damages as the said owner 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.

SEALED with the corporate seal and duly executed this 1st day of August , 2000.

DR HOUTZDALE MUNICIPAL AUTHORITY  
By Donald Ross

ATTEST:

Melito Fayard

(2)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR  
EASEMENT OVER, ACROSS, UPON AND THROUGH THAT  
CERTAIN PROPERTY, SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BY THE  
HOUTZDALE MUNICIPAL AUTHORITY, CONDEMNOR FOR  
PURPOSES OF EXPANDING ITS EXISTING GROUND WATER  
TRANSMISSION CAPABILITIES AND FOR OTHER  
PURPOSES INVOLVED IN THE UPGRADE AND RENOVATION  
OF ITS WATER COLLECTION, WATER DISTRIBUTION AND  
WATER TREATMENT SYSTEMS:

: NO. 2000- 886-CD

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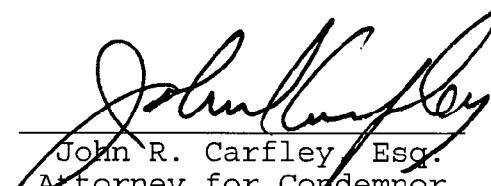
: :

CONDEEMNEE: RYAN NEAL ACEY

MEMORANDUM OF FILING OF NOTICE

TO THE PROTHONOTARY:

Notice of the above-captioned condemnation is recorded in the  
Office of the Recorder of Deeds of Clearfield County, Pennsylvania,  
as Instrument No. 200011212

  
John R. Carfley, Esq.  
Attorney for Condemnor  
222 Presqueisle Street  
Philipsburg, Pa., 16866  
(814) 342-5581  
ID# 17621

**FILED**  
0/230-PM  
AUG - 4 2000

William A. Shaw  
Prothonotary  
NO CC

*WAS*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR  
EASEMENT OVER, ACROSS, UPON AND THROUGH THAT  
CERTAIN PROPERTY, SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BY THE  
HOUTZDALE MUNICIPAL AUTHORITY, CONDEMNOR FOR  
PURPOSES OF EXPANDING ITS EXISTING GROUND WATER  
TRANSMISSION CAPABILITIES AND FOR OTHER  
PURPOSES INVOLVED IN THE UPGRADE AND RENOVATION  
OF ITS WATER COLLECTION, WATER DISTRIBUTION AND  
WATER TREATMENT SYSTEMS:

: NO. 2000-886-C0

100

CONDEEMNEE: RYAN NEAL ACEY

N O T I C E

TO: RYAN NEAL ACEY  
CONDEEMNEE  
610 Main Street  
Smithmill, Pa., 16680

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

1. A declaration of taking, a copy of which is attached as Exhibit "A", was filed on August 1, 2000, in the Court of Common Pleas of Clearfield County, Pennsylvania to the above term and number.

2. Your property has been condemned for purposes of acquiring a ten (10) foot construction easement and a ten (10) foot permanent right of way, 116 feet in length which right of way will be utilized in the upgrade and renovation of Condemnor's water distribution system and system of treatment. Plans of the property condemned are filed of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, and may be further examined at the offices of the Condemnor located in Houtzdale,

Clearfield County, Pennsylvania.

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



John R. Carfley  
John R. Carfley, Esq.  
Attorney for Condemnor  
222 Presqueisle Street  
Philipsburg, Pa., 16866  
(814) 342-5581  
ID# 17621

CERTIFICATE OF SERVICE

I do hereby certify that I have forwarded a copy of the foregoing instrument to Ryan Neal Acey, 610 Main Street, Smithmill, Pennsylvania, 16680, by placing the same in the United States Mail, postage prepaid, this 3rd day of August , 2000.



A handwritten signature in black ink, appearing to read "John R. Carfley".

John R. Carfley, Esq.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR  
EASEMENT OVER, ACROSS, UPON AND THROUGH  
CERTAIN PROPERTY, SITUATE IN GULICH  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA,  
BY THE HOUTZDALE MUNICIPAL AUTHORITY FOR  
PURPOSES OF EXPANDING ITS EXISTING GROUND  
WATER TRANSMISSION CAPABILITIES AND FOR OTHER  
PURPOSES INVOLVED IN THE THE UPGRADE AND  
RENOVATION OF ITS WATER COLLECTION, WATER  
DISTRIBUTION AND WATER TREATMENT SYSTEMS

IN NO. 00-886-CD  
No. 00-887-CD  
No. 00-888-CD

CONDEMNNEES: (1) Ryan Neal Acey (No. 00-886-CD)  
(2) Jeremy & Angela Yoder (No. 00-887-CD)  
(3) Jack Soupart (00-888-CD)

3  
CR  
**FILED**

OCT 06 2000

PETITION

William A. Shaw  
Prothonotary

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

The Petition of Houtzdale Municipal Authority respectfully  
represents:

1. Petitioner is a body politic organized as a general  
municipal authority by the Houtzdale Borough Council, Clearfield  
County, Pennsylvania, pursuant to the laws of the Commonwealth of  
Pennsylvania, more particularly described under the Municipal  
Authorities Act of May 2, 1945, as amended.

2. Your Petitioner is authorized by the Municipal Authorities  
Act to exercise the right of eminent domain and as a result thereof  
on July 11, 2000, by resolution duly passed and adopted at a  
regular meeting of the said body at which a quorum was present,  
condemned and appropriated certain premises in or near Gulich  
Township, Clearfield County, Pennsylvania.

3. The Condemnees are Ryan Neal Acey, Jeremy and Angela Yoder  
and Jack Soupart and are those individuals and/or business entities  
named in condemnation actions filed to the above terms and numbers.

the opportunity to accept the estimated just compensation pursuant to the procedure established by the condemnor.

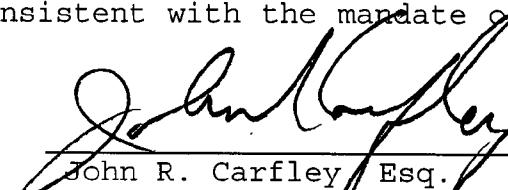
10. The estimated just compensation offered to each of these condemnees is as follows:

A. Ryan Neal Acey	\$ 58.00
B. Jeremy & Angela Yoder	122.50
C. Jack Soupart	110.50

11. Condemnor now requests this Honorable Court to grant permission to the Condemnor to escrow the above stated amounts with the Prothonotary of Clearfield County, pending application for release of said sums by the respective condemnees.

12. Condemnor further requests that said estimated just compensation be filed to the respective terms and numbers associated with the condemnation proceeding instituted as against each of the herein named condemnees.

WHEREFORE, Petitioner requests this Honorable Court to enter an order in the form attached hereto permitting Condemnor to deposit the estimated just compensation as herein stated with the Prothonotary of Clearfield County so as to insure the right of entry to the Condemnor without further action and to further order the issuance of a writ of possession where necessary to guarantee entry on the subject premises consistent with the mandate of the Eminent Domain Code.



John R. Carfley Esq.  
Attorney for Petitioner  
P. O. Box 249  
Philipsburg, Pa., 16866  
ID# 17621

Dated: October 2, 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE CONDEMNATION OF A RIGHT OF WAY AND/OR  
EASEMENT OVER, ACROSS, UPON AND THROUGH :  
CERTAIN PROPERTY, SITUATE IN GULICH :  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, :  
BY THE HOUTZDALE MUNICIPAL AUTHORITY FOR :  
PURPOSES OF EXPANDING ITS EXISTING GROUND :  
WATER TRANSMISSION CAPABILITIES AND FOR OTHER :  
PURPOSES INVOLVED IN THE THE UPGRADE AND :  
RENOVATION OF ITS WATER COLLECTION, WATER :  
DISTRIBUTION AND WATER TREATMENT SYSTEMS :  
: ~~NO. 00-886-CD~~  
: No. 00-887-CD  
: No. 00-888-CD

**FILED**

CONDEMNNEES: (1) Ryan Neal Acey (No. 00-886-CD)  
(2) Jeremy & Angela Yoder (No. 00-887-CD)  
(3) Jack Soupart (00-888-CD)

OCT 10 2000

William A. Shaw  
Prothonotary

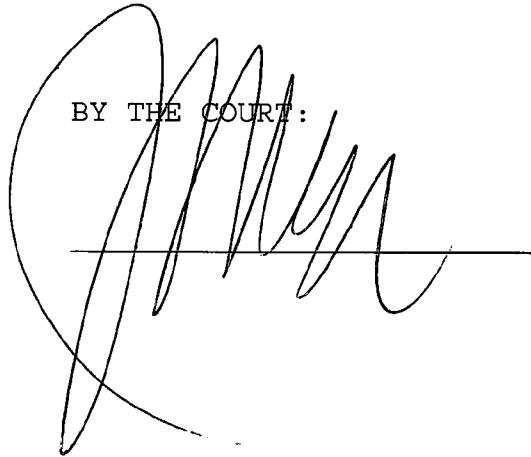
ORDER OF COURT

AND NOW, This <sup>9th</sup> day of October, 2000, upon consideration of the foregoing Petition, IT IS THE ORDER OF THIS COURT That the Condemnor, Houtzdale Municipal Authority, be and is hereby authorized to deposit with the Prothonotary of Clearfield County, estimated just compensation as outlined in its petition consistent with the provisions of the Eminent Domain Code. The estimated just compensation to be filed shall be in those amounts specified in Houtzdale Municipal Authority's Petition and shall be deposited with the Prothonotary and held as part of the proceedings docketed to the terms and numbers of the respective condemnation proceedings filed against the herein named condemnees.

Houtzdale Municipal Authority is further granted the right of entry to the said premises upon payment of these sums with a Writ of Possession to issue forthwith upon application of the Houtzdale Municipal Authority and without further court proceeding should said writ be necessary in order to insure possession of the

premises at such time, place and in such manner as the Authority  
shall require.

BY THE COURT:



(5)

JOHN R. CARFLEY  
ATTORNEY AT LAW  
222 PRESQUEISLE STREET  
P. O. BOX 249  
PHILIPSBURG, PENNSYLVANIA 16866

October 18, 2000

AREA CODE 814  
TELEPHONE 342-5581  
FAX 342-1127

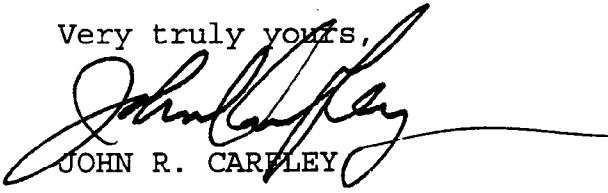
William Shaw,  
Prothonotary  
Court House  
Clearfield, Pa., 16830

RE: Houtzdale Municipal Authority  
vs. Ryan Neal Acey No. 00-886-CD

Dear Mr. Shaw:

Please find enclosed a check from the Houtzdale Municipal Authority in the amount of \$58.00 relative to the above captioned matter to be placed in your escrow account as per Judge Reilly's Order of October 9, 2000.

Very truly yours,



JOHN R. CARFLEY

JRC:sm

Encls.

CC: HMA

**FILED**

OCT 20 2000

of 12:50 p.m.  
William A. Shaw  
Prothonotary  
*E. K.*