

00-887-CD  
HOMEDALE MUNICIPAL AUTHORITY -vs- JEREMY YODER et al

154803



CLEARFIELD BANK  
TRUST COMPANY

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

CLEARFIELD CO PROTHONOTARY  
EXACTLY \*\*131 AND 04/100 DOLLARS

CUSTOMER FILE COPY

00-887-00

\$ 131.04

Be  
AUTHORIZED SIGNATURE  
**NOT NEGOTIABLE**

**CASHIER'S CHECK**

7  
1  
CLEARFIELD COUNTY PROTHONOTARY

7-83

1195

~~Allen Bartz~~ 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

DOLLARS



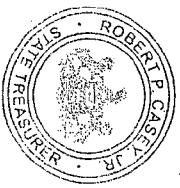
Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR ESTATEHOLDING CASES 00-886, 887 + 888-CD

IMMA

A handwritten signature of William Shaw.

10313062941 1 2 26577 211 1195



REPORT OF ABANDONED AND UNCLAIMED PROPERTY

FILE THIS COPY ON OR BEFORE APRIL 15

COMMONWEALTH OF PENNSYLVANIA  
TREASURY DEPARTMENT

HOLDER NAME

REPORTING YEAR \_\_\_\_\_

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.

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

(1)

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:

CONDEMNEE: JEREMY YODER and ANGELA YODER

DECLARATION OF TAKING

: NO. 2000-  
00-887-C

: **FILED**

AUG 01 2000

0/2:35 1 was  
William A. Shaw PD  
Prothonotary

80.-  
BY ATTY

3 cent to Atty

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

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

OR  
BY Donald Ross

ATTEST:

Merle D 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.

*Mark D. Hayward*

Dated: 7-21-00

Donald W. Ross

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.

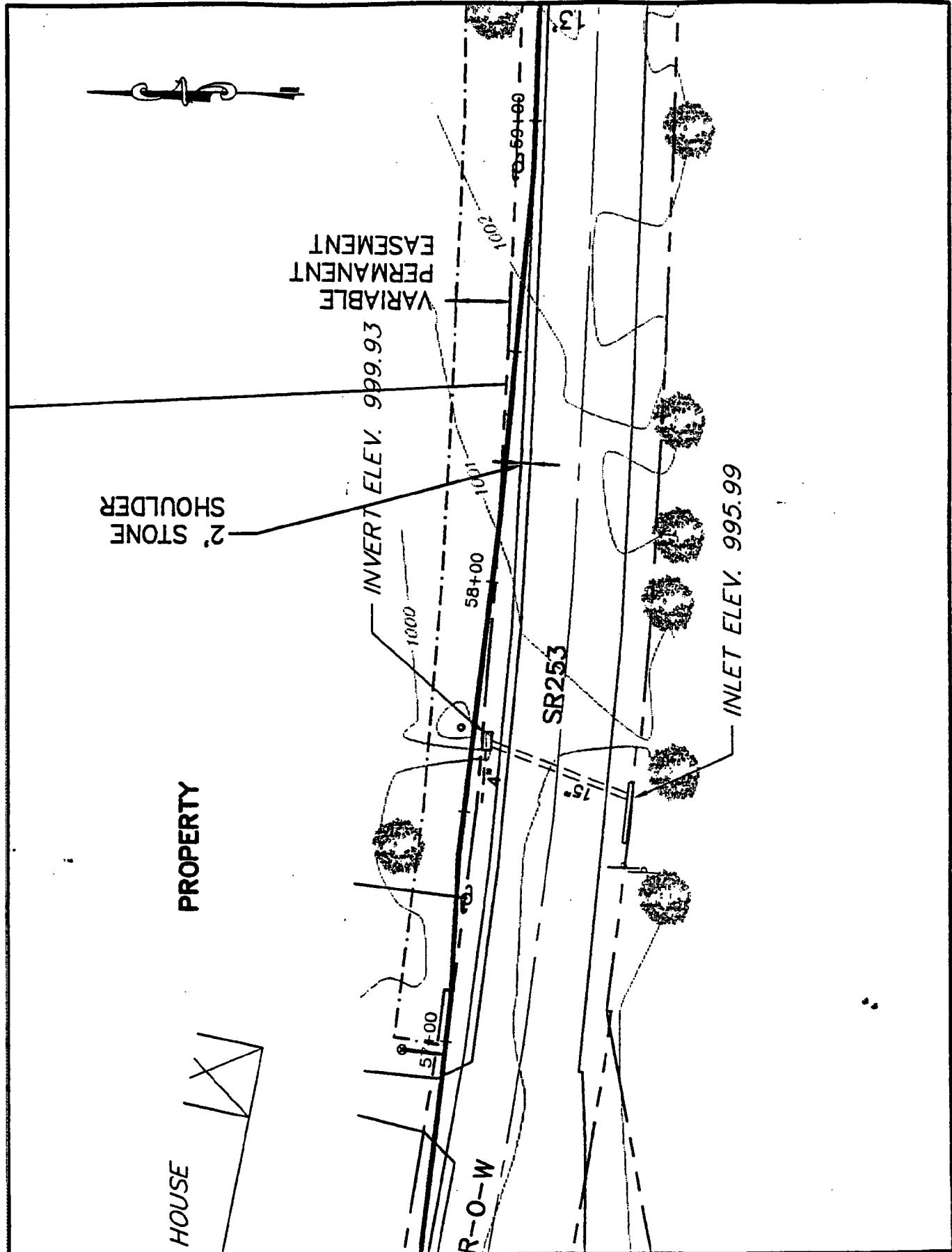
RESOLVED, The title to be acquired shall be a right-of-way and/or easement in the subject property.

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.

HOUTZDALE MUNICIPAL AUTHORITY  
DR By Donald Kessell

ATTEST:  
M<sup>H</sup> Merle D. Hayward  
Secretary



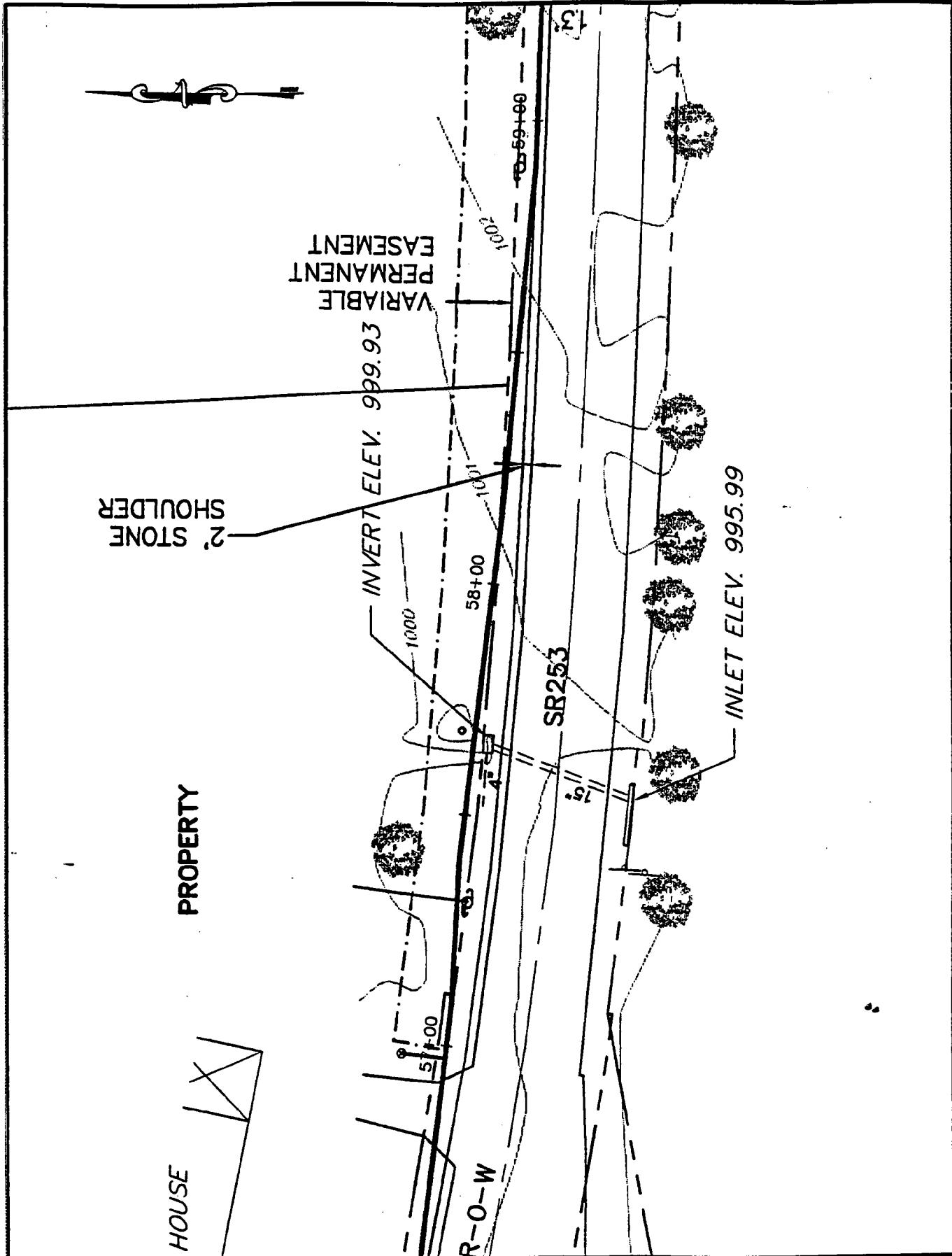
UNI-TEC  
CONSULTING  
ENGINEERS, INC.

2007 GATO AVENUE STATE COLLEGE, PA. 16801 814-238-6223

PROPERTY  
STA 56+98 TO 58+43

Exhibit B

SCALE  
1"=30'  
DRAWING NO.  
1810403000  
SHEET NO.  
1 OF 1

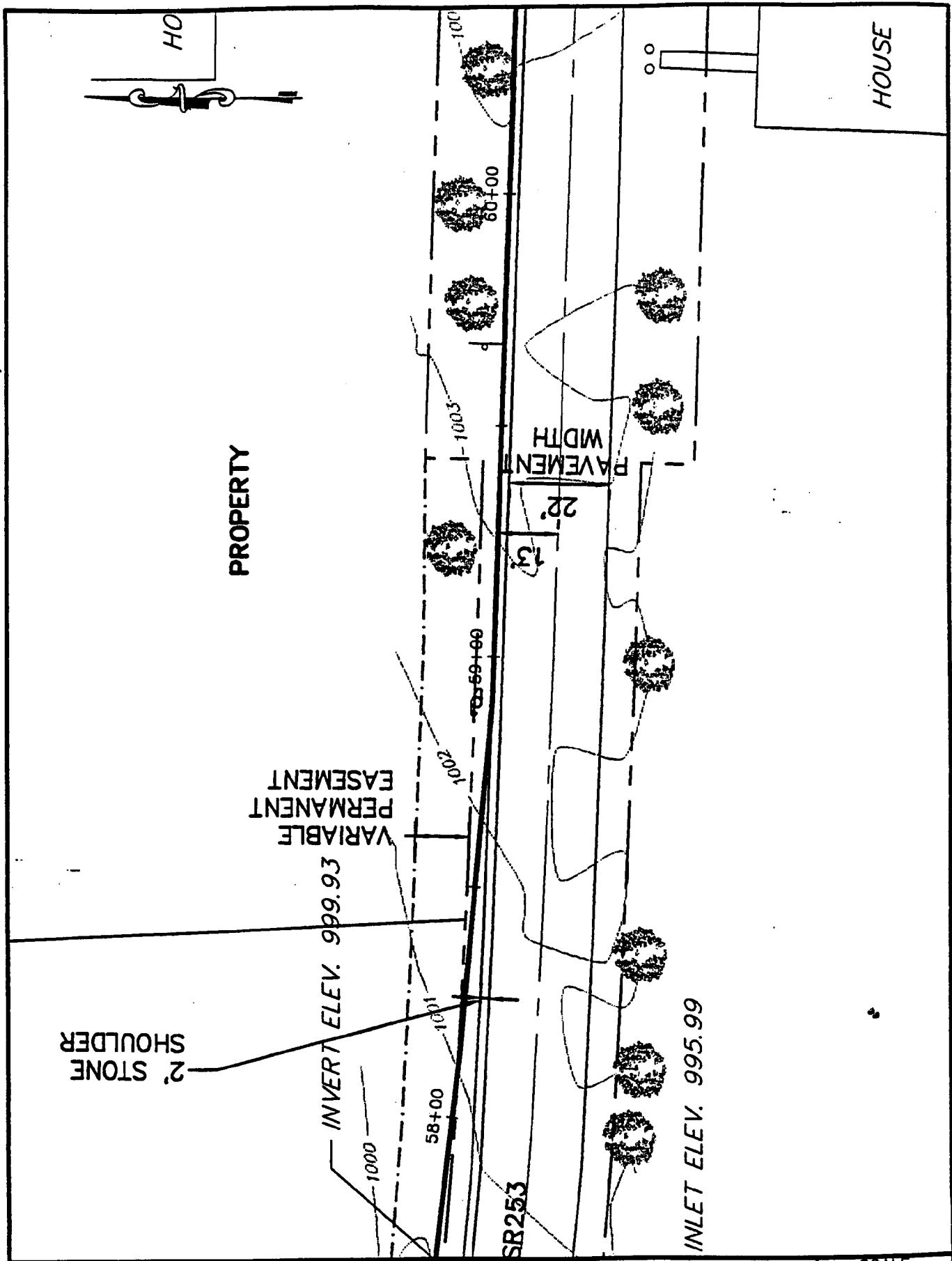


UNI-TEC  
CONSULTING  
ENGINEERS, INC.

2007 CATO AVENUE STATE COLLEGE, PA 16801 814-238-6223

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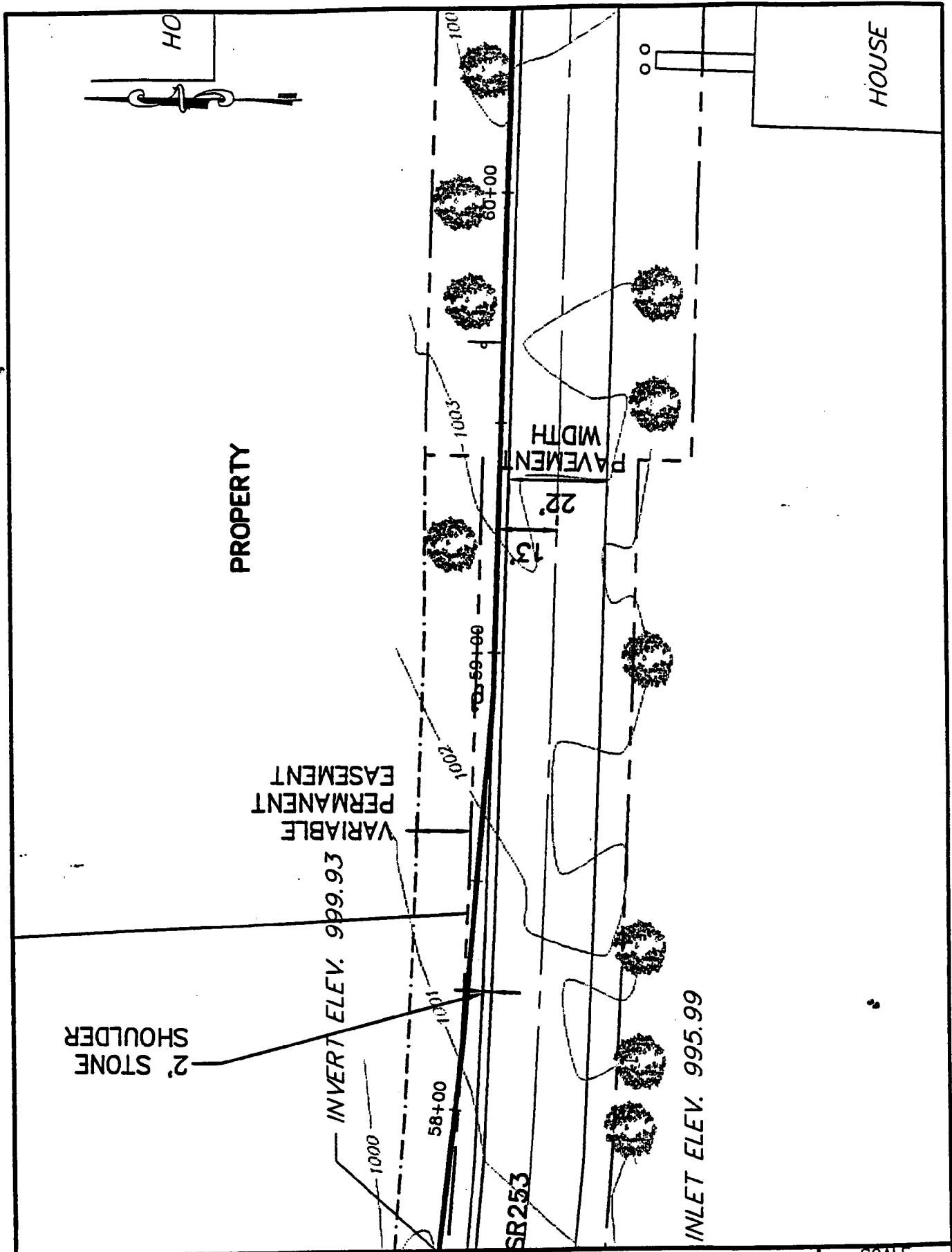


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**UNI-TEC  
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2007 CATO AVENUE STATE COLLEGE, PA 16801 814-238-6223

PROPERTY  
STA 58+43 TO 59+43

SCALE 1"=30'
DRAWING NO.
1810403000
SHEET NO.
1 OF 1

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: :

CONDEMNEE: JEREMY YODER and ANGELA YODER

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  
property 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 an iron pin on the northerly right of way of  
State Route No. S.R. 0253, and being in the center of a farm lane  
leading to lands formerly of Luke Millward now Bungo, and being  
eight (8) feet east of lands now or formerly of Anna Seckinger;  
thence along said 8 foot wide strip of land N 04° 18' 00" E a  
distance of 427.02 feet to an iron pin on the east side of said 8

foot wide strip of land, and being a corner also of Bungo; thence along said lands of Bungo S 73° 22' 45" E a distance of 789.85 feet to an iron pin on line of lands now or formerly of Dolores and Earl Lender; thence along said lands of Lender S 19° 22' 02" W a distance of 462.77 feet to an iron pin on the northerly right of way line of S.R. 0253; thence along said right of way line N 69° 34' 11" W a distance of 678.05 feet to an iron pin in the center of said farm lane and marking the place of beginning. Containing 7.383 acres as shown on a plan prepared by Stephen W. Norfolk, P.L.S., titled "Lot Survey for William D. and Shelley V. Cunningham, Showing Millward Farm Lane", and dated May 14, 1996, said plan appears of record in Clearfield County Recorder's Office in Map File No. 1188.

BEING the same premises granted and conveyed unto the Condemnee by deed of William D. Cunningham et. ux. dated June 14, 2000, and entered for record in the office of the Recorder of deeds of Clearfield County, Pennsylvania as Instrument No. 200008349.

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 Marsh

ATTEST:

<sup>mH</sup>  
Malcolm Hayward

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:

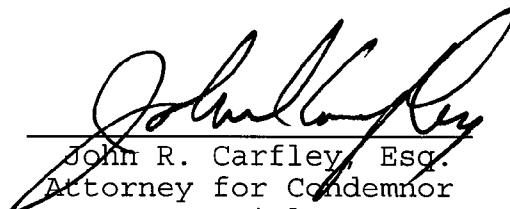
: NO. 2000- 887-CD

CONDEEMNEE: JEREMY YODER and ANGELA YODER

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. 200011213

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

FILED

012:30 PM  
AUG - 4 2000

William A. Shaw  
Prothonotary  
NDC to Ctt  


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,  
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PURPOSES OF EXPANDING ITS EXISTING GROUND WATER  
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PURPOSES INVOLVED IN THE UPGRADE AND RENOVATION  
OF ITS WATER COLLECTION, WATER DISTRIBUTION AND  
WATER TREATMENT SYSTEMS:

: NO. 2000-887-C0

**COPY**

CONDEEMNEE: JEREMY YODER and ANGELA YODER

N O T I C E

TO: Jeremy Yoder and Angela Yoder  
CONDEEMNEE  
HC1, Box 103  
Smithmill, Pa., 16680

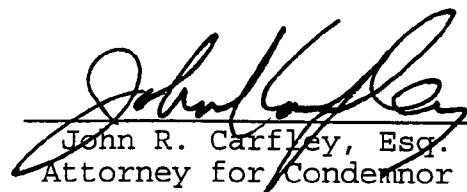
In accordance with Section 405 of the Eminent Domain Code of  
1964, 26 P. S. §1-405, Houtzdale Municipal Authority notifies you  
that:

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, 245 feet more or less 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.

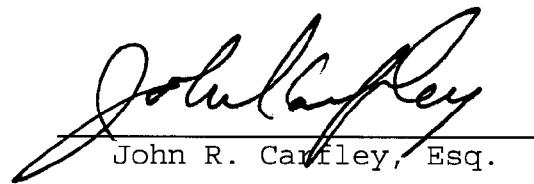
3. If you wish to challenge the power or right of Houtzdale Municipal Authority to appropriate the condemned property, the sufficiency of the security, the procedure followed by the condemnor, or the declaration of taking, you are required to file preliminary objections within 30 days after being served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



John R. Carfley, 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 Jeremy Yoder and Angela Yoder, HC1, Box 103, Smithmill, Pennsylvania, 16680, by placing the same in the United States Mail, postage prepaid, this 3rd day of August, 2000.



John R. Carfley, Esq.

(3)  
GA

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 06 2000

William A. Shaw  
Prothonotary

PETITION

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.

4. As part of its corporate municipal mandate HMA has undertaken to extend certain waterlines located within its service area and in particular has engaged in activities relative to the Janesville Waterline Extension Project.

5. Pursuant to its municipal mandate HMA saw fit to file certain condemnations to the above terms and numbers in order to secure easements and/or rights of way over, across, through and under the properties of the condemnees named herein which rights of way are imperative to the extension of the waterline and the ability of HMA to fulfill its duty to its customers by finalizing the construction and dedication of this waterline.

6. On the 3rd day of August, 2000, declarations of taking were filed against these condemnees and on September 6, 2000, correspondence was directed to all of the above named condemnees offering the payment of the estimated just compensation for the condemnation of their respective ownership rights.

7. Thirty (30) days have elapsed since the filing of the Declarations of Taking as against each of these named condemnees and no preliminary objections have been filed in these proceedings.

8. The Eminent Domain Code provides that upon the expiration of thirty (30) days from the date of the filing of the Declaration of Taking Condemnor may gain right of entry and/or possession of the condemned premises provided that an offer of payment of estimated just compensation for the rights condemned has been tendered.

9. The said offers have been extended as aforesaid but to date none of the condemnees listed above have availed themselves of

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

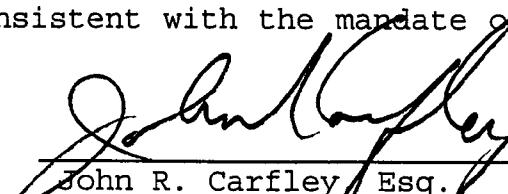
10. The estimated just compensation offered to each of these condemnees is as follows:

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  
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DISTRIBUTION AND WATER TREATMENT SYSTEMS

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

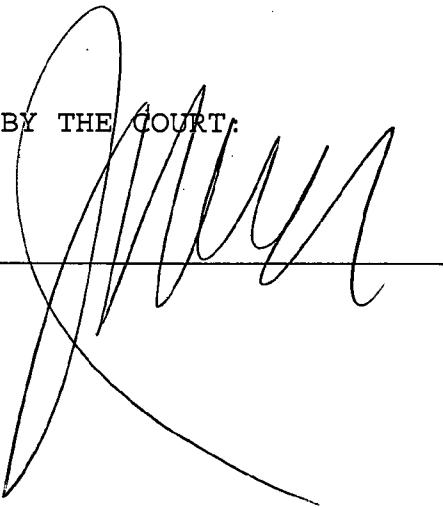
ORDER OF COURT

AND NOW, This 9<sup>th</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:

A handwritten signature consisting of a large, stylized 'C' at the top, followed by a series of jagged, downward-sweeping lines that resemble a 'W' or a series of 'M's. The signature is written in black ink on a white background, with a horizontal line extending from the bottom of the 'C' to the right.

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

(5)

October 18, 2000

AREA CODE 814  
TELEPHONE 342-5581  
FAX 342-1127

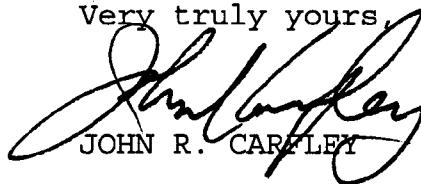
William Shaw,  
Prothonotary  
Court House  
Clearfield, Pa., 16830

RE: Houtzdale Municipal Authority  
vs. Jeremy & Angela Yoder  
No. 00-887-CD

Dear Mr. Shaw:

Please find enclosed a check from the Houtzdale Municipal Authority in the amount of \$122.50 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  
01 12:50 p.m.

William A. Shaw  
Prothonotary