

00-1177-CD In Re: Clearfield County  
Municipal Authority al

00

00-1177-CD  
Condemnation by Clfd. Co. Municipal Authority of Prop.  
of Sol E. Novey, et al. and t/d/b/a Novey Metal Co.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA Docket No. 00- -CD	IN RE: CONDEMNATION BY CLEARFIELD COUNTY MUNICIPAL AUTHORITY OF THE PROPERTY OF SOL E. NOVEY AND GLADYS M. NOVEY, Individually as Husband and Wife, and t/d/b/a NOVEY METAL COMPANY, LOCATED IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA	DECLARATION OF TAKING	<div>LAW OFFICE  DWIGHT KOERBER, JR. ATTORNEY-AT-LAW 110 NORTH SECOND STREET P. O. BOX 1320 CLEARFIELD, PENNSYLVANIA 16830</div>
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FILED  
SEP 20 2000  
William A. Shaw  
Prothonotary

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

IN RE: CONDEMNATION BY \*  
111 CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \*  
86 SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
116 NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

Docket No. 00-1177 -CD

Type of pleading:  
DECLARATION OF TAKING

Filed on behalf of:  
CONDEMNOR, Clearfield  
County Municipal  
Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.,  
Esquire  
Its Solicitor  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

SEP 20 2000  
6/1:20/ur  
William A. Shaw  
Prothonotary  
7 CEN TO ATT

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

IN RE: CONDEMNATION BY	*		
CLEARFIELD COUNTY MUNICIPAL	*		
AUTHORITY OF THE PROPERTY OF	*	Docket No. 00-	-CD
SOL E. NOVEY AND GLADYS M.	*		
NOVEY, Individually as	*		
Husband and Wife, and t/d/b/a	*		
NOVEY METAL COMPANY,	*		
LOCATED IN THE BOROUGH OF	*		
CLEARFIELD, CLEARFIELD COUNTY,	*		
PENNSYLVANIA	*		
	*		

DECLARATION OF TAKING

COMES NOW, Clearfield County Municipal Authority, by and through its Solicitor, Dwight L. Koerber, Jr., Esquire, and files the following Declaration of Taking:

1. Condemnor is Clearfield County Municipal Authority, a Pennsylvania municipal authority, with its offices at 650 Leonard Street, P. O. Box 868, Clearfield, PA 16830.

2. Condemnees are Sol E. Novey and Gladys M. Novey, Husband and Wife, with an address of 103 West Pauline Drive, Clearfield, PA 16830. In addition to their individual names, Condemnees also trade and do business under the name of Novey Metal Company.

3. This condemnation is authorized by the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L. 382, Section 11, as amended, Act of June 12, 1947, P.L. 571, Section 1, 53

P.S. Section 314.

4. This action is taken pursuant to Resolution approved by the Clearfield County Municipal Authority at its regular meeting held on August 14, 2000. Attached hereto as Appendix A is a true and correct copy of that Resolution. The said minutes and other documents pertaining to the authorization may be examined at the offices of the Clearfield County Municipal Authority located at 650 Leonard Street, Clearfield, PA 16830.

5. The purpose of the condemnation action taken is to enable the Clearfield County Municipal Authority to move forward in conjunction with a redevelopment project initiated under the auspices of the Clearfield County Industrial Development Authority covering the Harbison-Walker site in Clearfield Borough/Lawrence Township, Clearfield County, Pennsylvania, now known as the Clearfield County Technology Park. The site, recognized as a "brownfield", encompasses 55 acres and is zoned industrial. The project is moving forward in different segments, the present project being identified as Phase II, which embraces the properties that are the subject of the present Declaration of Taking.

6. The properties condemned by this taking are titled in the name of Sol E. Novey and Gladys M. Novey, with the properties more fully described as follows:

Assessment No.: 4.4-K08-261-09.  
Deed Book Reference: Volume 1133, page 437.  
Acreage: Bldg. & .629 acre.

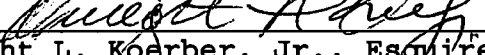
Assessment No.: 4.4-K08-261-14.  
Deed Book Reference: Volume 1158, page 196.  
Acreage: .141 acre.

7. The nature of the title acquired in the property condemned is fee simple.

8. A detailed map showing the brownfield redevelopment project undertaken at the former Harbison-Walker site can be obtained at the headquarters of the Clearfield County Municipal Authority and the Clearfield County Industrial Development Authority at 650 Leonard Street, Clearfield, PA 16830.

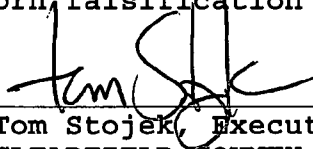
9. Just compensation will be paid through funds covered by a line of credit covering real estate acquisition with the Clearfield Bank & Trust Company, of Clearfield, Pennsylvania. Attached hereto as Appendix B is a bond specifying how the payment obligation will be secured.

Respectfully submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

VERIFICATION

I verify that the statements made in the foregoing Declaration of Taking 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.

  
\_\_\_\_\_  
Tom Stojek, Executive Director  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY

DATE: \_\_\_\_\_

9/18/00



**APPENDIX A**

Attached hereto is a copy of the Resolution of the  
Clearfield County Municipal Authority.

**RESOLUTION OF  
CLEARFIELD COUNTY MUNICIPAL AUTHORITY  
Clearfield County, Pennsylvania**

**August 14, 2000**

**A RESOLUTION AUTHORIZING THE FILING OF A DECLARATION OF TAKING FOR CERTAIN PROPERTY LOCATED AT THE FORMER HARBISON-WALKER SITE, IN CLEARFIELD BOROUGH, CLEARFIELD COUNTY, PENNSYLVANIA, NOW KNOWN AS THE CLEARFIELD COUNTY TECHNOLOGY PARK.**

WHEREAS, the Clearfield County Municipal Authority is a Pennsylvania municipal authority with its offices at 650 Leonard Street, Clearfield, PA 16830; and

WHEREAS, the Clearfield County Municipal Authority is currently involved in a redevelopment project, in conjunction with the Clearfield County Industrial Development Authority and the Clearfield County Economic Development Corporation, pertaining to an industrial site (referred to herein as "site"), formerly known as the Harbison-Walker Complex, now generally known as the Clearfield County Technology Park; and

WHEREAS, in order to provide for the extension and completion of redevelopment of the site, including demolition of existing structures, it is necessary for the Clearfield County Municipal Authority to acquire ownership and possession of certain real estate owned by SOL E. NOVEY AND GLADYS M. NOVEY/NOVEY METAL COMPANY, as set forth in Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1133, page 437, Parcel No. 4.4-K08-261-09; by Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1158, page 196, Parcel No. 4.4-K08-261-14; and by Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1687, page 162, Parcel No. 4.4-K08-261-26, such property being located in and part of the complex heretofore known as the Harbison-Walker site, now the Clearfield County Technology Park; and

WHEREAS, time and operation considerations require that the Clearfield County Municipal Authority move forward promptly and expeditiously in the acquisition of real estate necessary for the said project;

NOW THEREFORE, be it resolved by the Board of Directors of the Clearfield County Municipal Authority, Clearfield County, Pennsylvania, as follows:

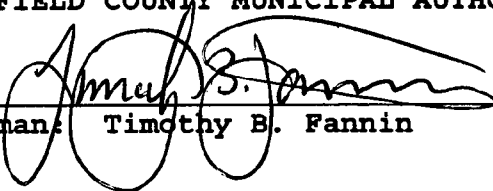
1. That the officers, executive director, solicitor, and agents of the Authority are hereby authorized to proceed to the full extent authorized by law, including actions under the Eminent Domain Code, to acquire the SOL E. NOVEY AND GLADYS M. NOVEY/NOVEY METAL COMPANY property as set forth in Deed Book 1133, page 437; Deed Book 1158, page 196; and Deed Book 1687, page 162, at the Recorder of Deeds of Clearfield County, Pennsylvania.

2. That the power and authority covered by this Resolution shall continue through the completion of all necessary and proper procedures related to or arising out of the Eminent Domain Code.

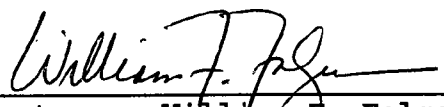
3. That a quorum of the Board of Directors of the Clearfield County Municipal Authority was present and a majority voted in favor of this Resolution.

IN WITNESS WHEREOF, the foregoing Resolution has been adopted on the 14th day of August, 2000.

CLEARFIELD COUNTY MUNICIPAL AUTHORITY

By:   
Chairman: Timothy B. Fannin

ATTEST:

  
Secretary: William F. Falger

**APPENDIX B**

Attached hereto is a copy of the bond to be filed in this matter.

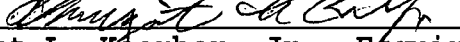
BOND

Condemnor hereby pledges as security for the payment of just compensation the funds issued by the Commonwealth of Pennsylvania, through the Department of Community and Economic Development, covering the brownfield redevelopment project identified as the Harbison-Walker site.

Condemnor also has available a line of credit with the Clearfield Bank & Trust Company, which corresponds to the redevelopment assistance fund that has been approved by the Office of Budget of the Commonwealth of Pennsylvania.

Condemnor warrants that it shall pay damages as shall be determined by law.

CLEARFIELD COUNTY MUNICIPAL AUTHORITY

By:   
Dwight L. Koerber, Jr., Esquire  
Its Solicitor

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA Docket No. 00- -CD	IN RE: CONDEMNATION BY CLEARFIELD COUNTY MUNICIPAL AUTHORITY OF THE PROPERTY OF SOL E. NOVEY AND GLADYS M. NOVEY, Individually as Husband and Wife, and t/d/b/a NOVEY METAL COMPANY, LOCATED IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA	NOTICE OF CONDEMNATION IN ACCORDANCE WITH SECTION 404 OF THE EMINENT DOMAIN CODE	<div>LAW OFFICE</div> <div>DWIGHT KOERBER, JR.</div> <div>ATTORNEY-AT-LAW</div> <div>110 NORTH SECOND STREET</div> <div>P. O. BOX 1320</div> <div>CLEARFIELD, PENNSYLVANIA 16830</div>
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: CONDEMNATION BY  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY OF THE PROPERTY OF  
SOL E. NOVEY AND GLADYS M.  
NOVEY, Individually as  
Husband and Wife, t/d/b/a  
NOVEY METAL COMPANY,  
LOCATED IN THE BOROUGH OF  
CLEARFIELD, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\*  
\*  
\*  
\*

Docket No. 00-1177-CD

Type of pleading:  
NOTICE OF CONDEMNATION  
IN ACCORDANCE WITH  
SECTION 404 OF THE  
EMINENT DOMAIN CODE

Filed on behalf of:  
CONDEMNOR, Clearfield  
County Municipal  
Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.,  
Esquire  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

SEP 20 2000

0/1:25/ur  
William A. Shaw  
Prothonotary

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00- -CD  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*

NOTICE OF CONDEMNATION IN ACCORDANCE WITH  
SECTION 404 OF THE EMINENT DOMAIN CODE


NOTICE IS HEREBY GIVEN in accordance with Section 404 of the  
Eminent Domain Code, 26 P.S. §10404, that a DECLARATION OF TAKING  
was filed on the 20th day of September, 2000, to the above  
court term and number by the Clearfield County Municipal  
Authority.

The properties condemned are set forth below:

Assessment No.: 4.4-K08-261-09.  
Deed Book Reference: Volume 1133, page 437.  
Acreage: Bldg. & .0629 acre.

Assessment No.: 4.4-K08-261-14.  
Deed Book Reference: Volume 1158, page 196.  
Acreage: .141 acre.

Respectfully submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA Docket No. 00-1177-CD	IN RE: CONDEMNATION BY CLEARFIELD COUNTY MUNICIPAL AUTHORITY OF THE PROPERTY OF SOL E. NOVEY AND GLADYS M. NOVEY, Individually as Husband and Wife, and t/d/b/a NOVEY METAL COMPANY, LOCATED IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA	MEMORANDUM OF RECORDING NOTICE OF CONDEMNATION	LAW OFFICE  DWIGHT KOERBER, JR. ATTORNEY-AT-LAW 110 NORTH SECOND STREET P. O. BOX 1320 CLEARFIELD, PENNSYLVANIA 16830
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FILED

013:00 pm  
SEP 20 2000

William A. Shaw  
Prothonotary

6240 att

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \*  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

Docket No. 00-1177-CD

Type of pleading:  
MEMORANDUM OF RECORDING  
NOTICE OF CONDEMNATION

Filed on behalf of:  
CONDEMNOR, Clearfield  
County Municipal  
Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.,  
Esquire  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

SEP 20 2000

William A. Shaw  
Prothonotary

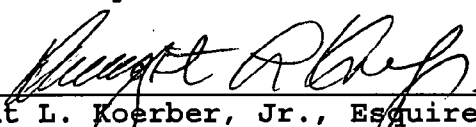
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: CONDEMNATION BY	*	
CLEARFIELD COUNTY MUNICIPAL	*	
AUTHORITY OF THE PROPERTY OF	*	Docket No. 00-1177-CD
SOL E. NOVEY AND GLADYS M.	*	
NOVEY, Individually as	*	
Husband and Wife, and t/d/b/a	*	
NOVEY METAL COMPANY,	*	
LOCATED IN THE BOROUGH OF	*	
CLEARFIELD, CLEARFIELD COUNTY,	*	
PENNSYLVANIA	*	

MEMORANDUM OF RECORDING NOTICE OF CONDEMNATION

NOW COMES, the Clearfield County Municipal Authority, by and through its Solicitor, Dwight L. Koerber, Jr., Esquire, in accordance with Section 404 of the Eminent Domain Code, 26 P.S. Section 1-404, and files this Memorandum that on the 20th day of September, 2000, a Notice of this condemnation was recorded with the Recorder of Deeds and Records at Instrument No. 200013954.

Respectfully submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
DATE: September 20, 2000

CERTIFICATE OF SERVICE

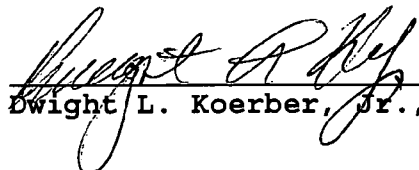
I hereby certify that on this 20th day of September,  
2000, a copy of the foregoing pleading was served by Hand  
Delivery upon the following:

Timothy E. Durant, Esquire  
201 North Second Street  
Clearfield, PA 16830

and by Certified Mail upon the following:

Mr. Sol E. Novey  
103 West Pauline Drive  
Clearfield, PA 16830  
Certified Mail: 7000-0600-0023-6401-1183

Mrs. Gladys M. Novey  
103 West Pauline Drive  
Clearfield, PA 16830  
Certified Mail: 7000-0600-0023-6401-1473

  
Dwight L. Koerber, Jr., Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA Docket No. 00-1177-CD	IN RE: CONDEMNATION BY CLEARFIELD COUNTY MUNICIPAL AUTHORITY OF THE PROPERTY OF SOL E. NOVEY AND GLADYS M. NOVEY, Individually as Husband and Wife, and t/d/b/a NOVEY METAL COMPANY, LOCATED IN THE BOROUGH OF CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA	AFFIDAVIT OF SERVICE	<div>FILED</div> <div>SEP 25 2000</div> <div>07237135</div> <div>William A. Shaw</div> <div>Prothonotary</div> <div>SEP Koerber</div> <div>LAW OFFICE DWIGHT KOERBER, JR. ATTORNEY-AT-LAW 110 NORTH SECOND STREET P. O. BOX 1320 CLEARFIELD, PENNSYLVANIA 16830</div>
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \*  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

Docket No. 00-1177-CD

Type of pleading:  
AFFIDAVIT OF SERVICE

Filed on behalf of:  
CONDEMNOR, Clearfield  
County Municipal  
Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.,  
Esquire  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

FILED

SEP 25 2000

William A. Shaw  
Prothonotary

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA:

:SS:

COUNTY OF CLEARFIELD :

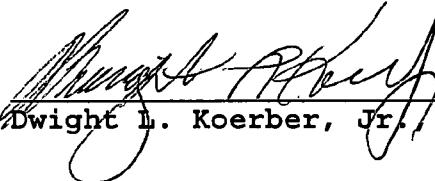
DWIGHT L. KOERBER, JR., ESQUIRE, being sworn according to  
law, deposes and states that the Notice of Condemnation, a copy  
of which is attached hereto as Exhibit 1, was served on September  
21, 2000,, as shown by the attached mailing receipts, upon the  
following by United States Certified Mail:

Mr. Sol E. Novey  
103 West Pauline Drive  
P. O. Box 485  
Clearfield, PA 16830


Certified Mail No.: 7000-0600-0023-  
6401-1183

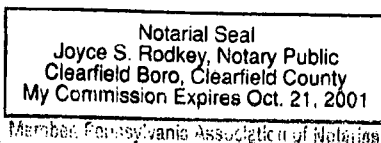
Mrs. Gladys M. Novey  
103 West Pauline Drive  
P. O. Box 485  
Clearfield, PA 16830

Certified Mail No.: 7000-0600-0023-  
6401-1473

  
Dwight L. Koerber, Jr., Esquire

Sworn to and subscribed  
before me this 25th day  
of September, 2000.

  
Notary Public



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

Article Sent To:  
**Mr. Sol E. Novey**

Postage	\$ 1.21
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.86</b>

**CLEARFIELD PA 16830**  
 SEP 20 2000  
 USPS

Name (Please Print Clearly) (to be completed by mailer)  
**Dwight L. Koerber, Jr., Esquire**  
 Street, Apt. No., or P.O. Box No.  
**P. O. Box 1320**  
 City, State, ZIP+4<sup>®</sup>  
**Clearfield, PA 16830**

PS Form 3800, July 1999 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:  
**Mr. Sol E. Novey**  
**103 W. Pauline Drive**  
**Clearfield, PA 16830**

**2. Article Number (Copy from service label)**  
**7000-0600-0023-6401-1183**

**COMPLETE THIS SECTION ON DELIVERY**

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

C. Signature  
**X** *[Signature]* ☐ Agent  
☐ Addressee

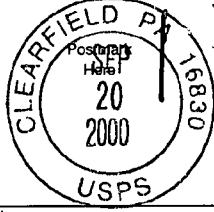
D. Is delivery address different from item 1? ☒ Yes  
 If YES, enter delivery address below: ☐ No  
**Box 485**

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789



U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To: Mrs. Gladys M. Novey	
Postage	\$ 1.21
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.86
	
Name (Please Print Clearly) (to be completed by mailer) Dwight L. Koerber, Jr., Esquire	
Street, Apt. No. or PO Box No. P. O. Box 1320	
City, State, ZIP+4 Clearfield, PA 16830	
PS Form 3800, July 1999 See Reverse for Instructions	

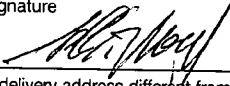
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery 
1. Article Addressed to:  Mrs..Gladys M. Novey 103 W. Pauline Drive Clearfield, PA 16830	C. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No Box 485
2. Article Number (Copy from service label) 7000-0600-0023-6401-1473	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789	

EXHIBIT 1

Attached hereto are copies of the Notices to Condemnees, which include a copy of the Declaration of Taking, served upon condemnees.

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
SOL E. NOVEY AND GLADYS M. \*  
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Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

**NOTICE**

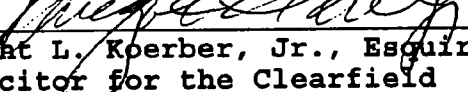
TO: SOL E. NOVEY  
103 West Pauline Drive  
Clearfield, PA 16830

YOU ARE HEREBY NOTIFIED in accordance with Section 405 of the Pennsylvania Eminent Domain Code, 26 P.S. §1-405, that a DECLARATION OF TAKING was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania, on September 20, 2000, in Docket No. 00-1177-CD, by the Clearfield County Municipal Authority, 850 Leonard Street, Clearfield, PA 16830, to which property you are the owner as known by the Authority, has been condemned.

A true and correct copy of the Declaration of Taking as filed is attached hereto as Appendix A.

The properties condemned are identified in the Declaration of Taking under paragraph 6.

YOU ARE FURTHER NOTIFIED that if you wish to challenge the power or the right of the Clearfield County Municipal Authority to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Clearfield County Municipal Authority, or the Declaration of Taking, you are required to file preliminary objections within thirty (30) days after service of this notice.

By:   
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
SOL E. NOVEY AND GLADYS M.  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

**NOTICE TO CONDEMNEE**  
**(Pursuant to 26 P.S. §1-405)**

TO: SOL E. NOVEY  
103 West Pauline Drive  
Clearfield, PA 16830

1. A Declaration of Taking was filed on September 20, 2000.
2. The Condemnees of the Declaration of Taking are Sol E. Novey and Gladys M. Novey, with an address of 103 West Pauline Drive, Clearfield, PA 16830. In addition to their individual names, Condemnees also trade and do business under the name of Novey Metal Company.
3. The property which is the subject of the Declaration of Taking is located in the Borough of Clearfield, Clearfield County, Pennsylvania, in an area generally known as the former Harbison Walker site.
4. The Condemnor is the Clearfield County Municipal Authority, with its offices at 650 Leonard Street, Clearfield, Clearfield County, Pennsylvania 16830.
5. This condemnation is authorized by the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L. 382, Section 11, as amended, Act of June 12, 1947, P.L. 571, Section 1, 53 P.S. Section 314.

6. This action is taken pursuant to Resolution approved by the Clearfield County Municipal Authority at its regular meeting held on August 14, 2000. A copy of the said Resolution is attached as Appendix A to the Declaration of Taking.

7. The purpose of the condemnation action taken is to enable the Clearfield County Municipal Authority to move forward in conjunction with a redevelopment project initiated under the auspices of the Clearfield County Industrial Development Authority covering the Harbison Walker site in Clearfield Borough/Lawrence Township, Clearfield County, Pennsylvania. The site, recognized as a "brownfield", encompasses 55 acres and is zoned industrial, with the project moving forward in different segments, the present project being identified as Phase II, which embraces the property that is the subject of the present Declaration of Taking.

8. Condemnees' properties that have been condemned through the subject Declaration of Taking are titled in the name of Sol E. Novey and Gladys M. Novey, and are located in the Borough of Clearfield, Clearfield County, Pennsylvania, with the properties more fully described as follows:

Assessment No.: 4.4-K08-261-09.  
Deed Book Reference: Volume 1133, page 437.  
Acreage: Bldg. & .629 acre.

Assessment No.: 4.4-K08-261-14.  
Deed Book Reference: Volume 1158, page 196.  
Acreage: .141 acre.

9. The nature of the title acquired in the properties is fee simple.

10. A detailed map showing the subject properties and the brownfield redevelopment project undertaken at the former Harbison Walker site can be obtained at the headquarters of the Clearfield County Municipal Authority and the Clearfield County Industrial Development Authority at 650 Leonard Street, Clearfield, PA 16830.

11. Just compensation will be paid through funds covered by a line of credit covering real estate acquisition with the Clearfield Bank & Trust Company, of Clearfield, Pennsylvania.

12. Condemnees are hereby informed that if they wish to challenge the power or the right of the Condemnor to appropriate

the condemned property, the sufficiency of the security, the procedure followed by the Condemnor or the Declaration of Taking, it shall file preliminary objections within thirty (30) days after being served with this notice of condemnation.

13. A certified copy of the Declaration of Taking in this matter is attached hereto as Appendix A.

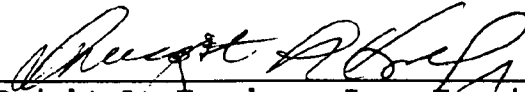
Respectfully submitted,

By: 

Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

VERIFICATION

I verify that the statements made in this document 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.

  
\_\_\_\_\_  
Dwight L. Koerber, Jr., Esquire  
DATE: September 20, 2000

**APPENDIX A**

Attached hereto is a certified copy of the Declaration of Taking.



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

IN RE: CONDEMNATION BY  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY OF THE PROPERTY OF  
SOL E. NOVEY AND GLADYS M.  
NOVEY, Individually as  
Husband and Wife, and t/d/b/a  
NOVEY METAL COMPANY,  
LOCATED IN THE BOROUGH OF  
CLEARFIELD, CLEARFIELD COUNTY,  
PENNSYLVANIA

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\*

Docket No. 00-1177-CD

**NOTICE**

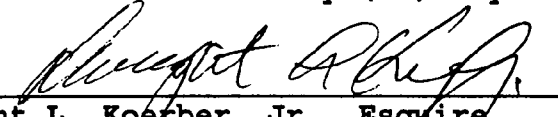
TO: GLADYS M. NOVEY  
103 West Pauline Drive  
Clearfield, PA 16830

YOU ARE HEREBY NOTIFIED in accordance with Section 405 of the Pennsylvania Eminent Domain Code, 26 P.S. §1-405, that a DECLARATION OF TAKING was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania, on September 20, 2000, in Docket No. 00-1177-CD, by the Clearfield County Municipal Authority, 850 Leonard Street, Clearfield, PA 16830, to which property you are the owner as known by the Authority, has been condemned.

A true and correct copy of the Declaration of Taking as filed is attached hereto as Appendix A.

The properties condemned are identified in the Declaration of Taking under paragraph 6.

YOU ARE FURTHER NOTIFIED that if you wish to challenge the power or the right of the Clearfield County Municipal Authority to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Clearfield County Municipal Authority, or the Declaration of Taking, you are required to file preliminary objections within thirty (30) days after service of this notice.

By:   
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

**NOTICE TO CONDEMNEE**  
**(Pursuant to 26 P.S. §1-405)**

**TO: GLADYS M. NOVEY**  
103 West Pauline Drive  
Clearfield, PA 16830

1. A Declaration of Taking was filed on September 20, 2000.
2. The Condemnees of the Declaration of Taking are Sol E. Novey and Gladys M. Novey, with an address of 103 West Pauline Drive, Clearfield, PA 16830. In addition to their individual names, Condemnees also trade and do business under the name of Novey Metal Company.
3. The property which is the subject of the Declaration of Taking is located in the Borough of Clearfield, Clearfield County, Pennsylvania, in an area generally known as the former Harbison Walker site.
4. The Condemnor is the Clearfield County Municipal Authority, with its offices at 650 Leonard Street, Clearfield, Clearfield County, Pennsylvania 16830.
5. This condemnation is authorized by the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L. 382, Section 11, as amended, Act of June 12, 1947, P.L. 571, Section 1, 53 P.S. Section 314.

6. This action is taken pursuant to Resolution approved by the Clearfield County Municipal Authority at its regular meeting held on August 14, 2000. A copy of the said Resolution is attached as Appendix A to the Declaration of Taking.

7. The purpose of the condemnation action taken is to enable the Clearfield County Municipal Authority to move forward in conjunction with a redevelopment project initiated under the auspices of the Clearfield County Industrial Development Authority covering the Harbison Walker site in Clearfield Borough/Lawrence Township, Clearfield County, Pennsylvania. The site, recognized as a "brownfield", encompasses 55 acres and is zoned industrial, with the project moving forward in different segments, the present project being identified as Phase II, which embraces the property that is the subject of the present Declaration of Taking.

8. Condemnees' properties that have been condemned through the subject Declaration of Taking are titled in the name of Sol E. Novey and Gladys M. Novey, and are located in the Borough of Clearfield, Clearfield County, Pennsylvania, with the properties more fully described as follows:

Assessment No.: 4.4-K08-261-09.  
Deed Book Reference: Volume 1133, page 437.  
Acreage: Bldg. & .629 acre.

Assessment No.: 4.4-K08-261-14.  
Deed Book Reference: Volume 1158, page 196.  
Acreage: .141 acre.

9. The nature of the title acquired in the properties is fee simple.

10. A detailed map showing the subject properties and the brownfield redevelopment project undertaken at the former Harbison Walker site can be obtained at the headquarters of the Clearfield County Municipal Authority and the Clearfield County Industrial Development Authority at 650 Leonard Street, Clearfield, PA 16830.

11. Just compensation will be paid through funds covered by a line of credit covering real estate acquisition with the Clearfield Bank & Trust Company, of Clearfield, Pennsylvania.

12. Condemnees are hereby informed that if they wish to challenge the power or the right of the Condemnor to appropriate

the condemned property, the sufficiency of the security, the procedure followed by the Condemnor or the Declaration of Taking, it shall file preliminary objections within thirty (30) days after being served with this notice of condemnation.

13. A certified copy of the Declaration of Taking in this matter is attached hereto as Appendix A.

Respectfully submitted,

By: 

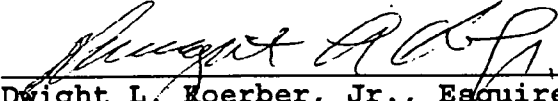
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

**APPENDIX A**

Attached hereto is a certified copy of the Declaration of Taking.

**VERIFICATION**

I verify that the statements made in this document 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.

  
\_\_\_\_\_  
Dwight L. Koerber, Jr., Esquire  
DATE: September 20, 2000

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

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \*  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

Docket No. 00-177 -CD

Type of pleading:  
DECLARATION OF TAKING

Filed on behalf of:  
CONDEMNOR, Clearfield  
County Municipal  
Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.,  
Esquire  
Its Solicitor  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

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

SEP 20 2000

Attest:

  
Prothonotary

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

IN RE: CONDEMNATION BY  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY OF THE PROPERTY OF  
SOL E. NOVEY AND GLADYS M.  
NOVEY, Individually as  
Husband and Wife, and t/d/b/a  
NOVEY METAL COMPANY,  
LOCATED IN THE BOROUGH OF  
CLEARFIELD, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
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\*

Docket No. 00-1177-CD

DECLARATION OF TAKING

COMES NOW, Clearfield County Municipal Authority, by and through its Solicitor, Dwight L. Koerber, Jr., Esquire, and files the following Declaration of Taking:

1. Condemnor is Clearfield County Municipal Authority, a Pennsylvania municipal authority, with its offices at 650 Leonard Street, P. O. Box 868, Clearfield, PA 16830.

2. Condemnees are Sol E. Novey and Gladys M. Novey, Husband and Wife, with an address of 103 West Pauline Drive, Clearfield, PA 16830. In addition to their individual names, Condemnees also trade and do business under the name of Novey Metal Company.

3. This condemnation is authorized by the Municipal Authorities Act of 1945, Act of May 2, 1945, P.L. 382, Section 11, as amended, Act of June 12, 1947, P.L. 571, Section 1, 53



P.S. Section 314.

4. This action is taken pursuant to Resolution approved by the Clearfield County Municipal Authority at its regular meeting held on August 14, 2000. Attached hereto as Appendix A is a true and correct copy of that Resolution. The said minutes and other documents pertaining to the authorization may be examined at the offices of the Clearfield County Municipal Authority located at 650 Leonard Street, Clearfield, PA 16830.

5. The purpose of the condemnation action taken is to enable the Clearfield County Municipal Authority to move forward in conjunction with a redevelopment project initiated under the auspices of the Clearfield County Industrial Development Authority covering the Harbison-Walker site in Clearfield Borough/Lawrence Township, Clearfield County, Pennsylvania, now known as the Clearfield County Technology Park. The site, recognized as a "brownfield", encompasses 55 acres and is zoned industrial. The project is moving forward in different segments, the present project being identified as Phase II, which embraces the properties that are the subject of the present Declaration of Taking.

6. The properties condemned by this taking are titled in the name of Sol E. Novey and Gladys M. Novey, with the properties more fully described as follows:

Assessment No.: 4.4-K08-261-09.  
Deed Book Reference: Volume 1133, page 437.  
Acreage: Bldg. & .629 acre.

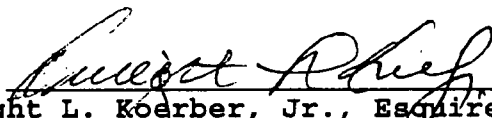
Assessment No.: 4.4-K08-261-14.  
Deed Book Reference: Volume 1158, page 196.  
Acreage: .141 acre.

7. The nature of the title acquired in the property condemned is fee simple.

8. A detailed map showing the brownfield redevelopment project undertaken at the former Harbison-Walker site can be obtained at the headquarters of the Clearfield County Municipal Authority and the Clearfield County Industrial Development Authority at 650 Leonard Street, Clearfield, PA 16830.

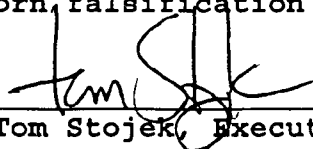
9. Just compensation will be paid through funds covered by a line of credit covering real estate acquisition with the Clearfield Bank & Trust Company, of Clearfield, Pennsylvania. Attached hereto as Appendix B is a bond specifying how the payment obligation will be secured.

Respectfully submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
Solicitor for the Clearfield  
County Municipal Authority

VERIFICATION

I verify that the statements made in the foregoing  
Declaration of Taking 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.

  
\_\_\_\_\_  
Tom Stojek, Executive Director  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY  
DATE: 9/19/00

**APPENDIX A**

Attached hereto is a copy of the Resolution of the  
Clearfield County Municipal Authority.

**RESOLUTION OF  
CLEARFIELD COUNTY MUNICIPAL AUTHORITY  
Clearfield County, Pennsylvania**

**August 14, 2000**

**A RESOLUTION AUTHORIZING THE FILING OF A DECLARATION OF TAKING FOR CERTAIN PROPERTY LOCATED AT THE FORMER HARBISON-WALKER SITE, IN CLEARFIELD BOROUGH, CLEARFIELD COUNTY, PENNSYLVANIA, NOW KNOWN AS THE CLEARFIELD COUNTY TECHNOLOGY PARK.**

WHEREAS, the Clearfield County Municipal Authority is a Pennsylvania municipal authority with its offices at 650 Leonard Street, Clearfield, PA 16830; and

WHEREAS, the Clearfield County Municipal Authority is currently involved in a redevelopment project, in conjunction with the Clearfield County Industrial Development Authority and the Clearfield County Economic Development Corporation, pertaining to an industrial site (referred to herein as "site"), formerly known as the Harbison-Walker Complex, now generally known as the Clearfield County Technology Park; and

WHEREAS, in order to provide for the extension and completion of redevelopment of the site, including demolition of existing structures, it is necessary for the Clearfield County Municipal Authority to acquire ownership and possession of certain real estate owned by SOL E. NOVEY AND GLADYS M. NOVEY/NOVEY METAL COMPANY, as set forth in Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1133, page 437, Parcel No. 4.4-K08-261-09; by Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1158, page 196, Parcel No. 4.4-K08-261-14; and by Deed recorded at the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book Volume 1687, page 162, Parcel No. 4.4-K08-261-26, such property being located in and part of the complex heretofore known as the Harbison-Walker site, now the Clearfield County Technology Park; and

WHEREAS, time and operation considerations require that the Clearfield County Municipal Authority move forward promptly and expeditiously in the acquisition of real estate necessary for the said project;

NOW THEREFORE, be it resolved by the Board of Directors of the Clearfield County Municipal Authority, Clearfield County, Pennsylvania, as follows:

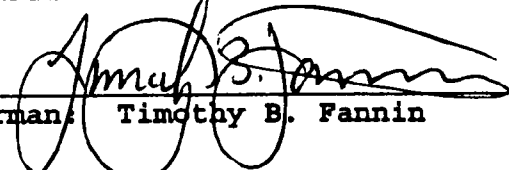
1. That the officers, executive director, solicitor, and agents of the Authority are hereby authorized to proceed to the full extent authorized by law, including actions under the Eminent Domain Code, to acquire the SOL E. NOVEY AND GLADYS M. NOVEY/NOVEY METAL COMPANY property as set forth in Deed Book 1133, page 437; Deed Book 1158, page 196; and Deed Book 1687, page 162, at the Recorder of Deeds of Clearfield County, Pennsylvania.

2. That the power and authority covered by this Resolution shall continue through the completion of all necessary and proper procedures related to or arising out of the Eminent Domain Code.

3. That a quorum of the Board of Directors of the Clearfield County Municipal Authority was present and a majority voted in favor of this Resolution.

IN WITNESS WHEREOF, the foregoing Resolution has been adopted on the 14th day of August, 2000.

CLEARFIELD COUNTY MUNICIPAL AUTHORITY

By:   
Chairman: Timothy B. Fannin

ATTEST:

  
Secretary: William F. Falger

APPENDIX B

Attached hereto is a copy of the bond to be filed in this matter.

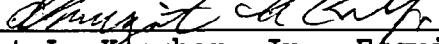
BOND

Condemnor hereby pledges as security for the payment of just compensation the funds issued by the Commonwealth of Pennsylvania, through the Department of Community and Economic Development, covering the brownfield redevelopment project identified as the Harbison-Walker site.

Condemnor also has available a line of credit with the Clearfield Bank & Trust Company, which corresponds to the redevelopment assistance fund that has been approved by the Office of Budget of the Commonwealth of Pennsylvania.

Condemnor warrants that it shall pay damages as shall be determined by law.

CLEARFIELD COUNTY MUNICIPAL AUTHORITY

By:   
Dwight L. Koerber, Jr., Esquire  
Its Solicitor



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

IN RE: CONDEMNATION BY CLEARFIELD  
COUNTY MUNICIPAL AUTHORITY OF THE  
PROPERTY OF SOL E. NOVEY AND  
GLADYS M. NOVEY, Individually as  
Husband and Wife, and t/d/b/a  
NOVEY METAL COMPANY, LOCATED IN  
THE BOROUGH OF CLEARFIELD,  
CLEARFIELD COUNTY, PENNSYLVANIA

PRAECIPE TO DISCONTINUE  
Docket No. 00-1177-CD

FILED

2-43

APR 17 2001

1cc  
Koeber  
E. Shaw

William A. Shaw  
Prothonotary

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY - AT - LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830

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

IN RE: CONDEMNATION BY  
CLEARFIELD COUNTY MUNICIPAL  
AUTHORITY OF THE PROPERTY OF  
SOL E. NOVEY AND GLADYS M.  
NOVEY, Individually as  
Husband and Wife, and t/d/b/a  
NOVEY METAL COMPANY,  
LOCATED IN THE BOROUGH OF  
CLEARFIELD, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
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\*  
\*

Docket No. 00-1177-CD

Type of Pleading:  
PRAECIPE TO DISCONTINUE

Filed on behalf of:  
CONDEMNOR:  
Clearfield County  
Municipal Authority

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

APR 17 2001

William A. Shaw  
Prothonotary

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

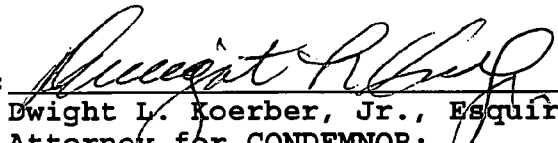
IN RE: CONDEMNATION BY \*  
✓CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
✓SOL E. NOVEY AND ✓GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
✓NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Please mark the docket in this proceeding to show  
"satisfied under the Eminent Domain Code". Attached hereto as  
Appendix A is a Release and Agreement signed by Condemnee  
concurring that the docket should be marked in this fashion.

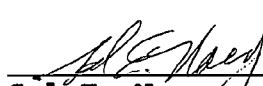
Respectfully Submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
Attorney for CONDEMNOR:  
Clearfield County Municipal  
Authority

## RELEASE AND AGREEMENT

We, the undersigned individuals, hereby release the Clearfield County Municipal Authority (CCMA), the Clearfield County Industrial Development Authority (CCIDA) and all of its officers, directors and agents, from any and all claims that we presently have, have had in the past or could have in the future under the Eminent Domain Code, relating to the real estate that we have owned in the Borough of Clearfield, Clearfield County, Pennsylvania, located at the Clearfield County Technology Park (formerly known as the Harbison-Walker Complex), provided that the rights, whatever they may be, of the undersigned concerning the property of Clearfield Metal Recycling, Inc., shall not be included in this release. We further agree to indemnify and hold the CCMA and the CCIDA harmless from any liens that arise out of our ownership of property, at the Clearfield County Technology Park, formerly the Harbison-Walker site.

This release is being signed in exchange for the payment of valuable consideration and our agreement to have the record in Docket No. 00-1177-CD of the Court of Common Pleas of Clearfield County marked as satisfied under the Eminent Domain Code.

  
Sol E. Novey

  
Gladys M. Novey

## ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA:

:SS:

COUNTY OF CLEARFIELD :

On this 18<sup>th</sup> day of January, 2001, before me, the undersigned officer, personally appeared SOL E. NOVEY and GLADYS M. NOVEY, known to me or satisfactorily proven to be the persons who, upon being duly sworn according to law, deposed and stated that they signed the foregoing **RELEASE AND AGREEMENT** knowingly, and for the purposes therein contained.

  
Notary Public

Notarial Seal  
Shaun Wisor, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires May 24, 2003

Member, Pennsylvania Association of Notaries

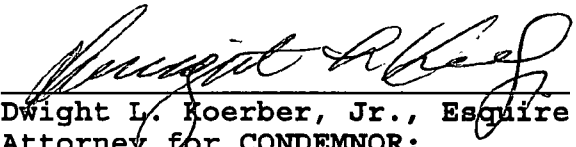
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

IN RE: CONDEMNATION BY \*  
CLEARFIELD COUNTY MUNICIPAL \*  
AUTHORITY OF THE PROPERTY OF \* Docket No. 00-1177-CD  
SOL E. NOVEY AND GLADYS M. \*  
NOVEY, Individually as \*  
Husband and Wife, and t/d/b/a \*  
NOVEY METAL COMPANY, \*  
LOCATED IN THE BOROUGH OF \*  
CLEARFIELD, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*

CERTIFICATE OF SERVICE

This is to certify that on the 17th day of April, 2001,  
the undersigned served a true and correct copy of the foregoing  
Praecipe to Discontinue in the above captioned matter upon  
Condemnee. Such document was served via United States First Class  
Mail upon the following:

Sol E. Novey and Gladys M. Novey  
103 Pauline Drive  
P. O. Box 485  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr., Esquire  
Attorney for CONDEMNOR:  
Clearfield County Municipal  
Authority