

00-1276-CD  
STEPHEN D. SPERLING, JR. etux -vs- JOHN THOMAS HYKES etal

c

Date: 10/30/2000

Clearfield County Court of Common Pleas

NO. 0050156

Time: 11:47 AM

Receipt

Page 1 of 1

Received of: Torretti, Querino R. (attorney for Sperling, Dayn \$ 0.00

Zero and 00/100 Dollars

Case: 2000-01276-CD	Plaintiff: Sperling, Stephen D. Jr.	Amount
Quiet Title Action		0.00
Paid Prior to Full Court		
<b>Total:</b>		<b>0.00</b>

Payment Method: Cash

William A. Shaw, Prothonotary/Clerk of Courts

Clerk: OLDCASE

By: \_\_\_\_\_  
Deputy Clerk

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

(84) STEPHEN D. SPERLING, JR. and : 00-1276-00  
(24) DAYNA J. SPERLING, husband : No. \_\_\_\_\_, 2000, CD  
and wife, :  
Plaintiffs : ACTION TO QUIET TITLE  
vs. :  
Type of Pleading: Complaint  
: Filed on Behalf of:  
: Plaintiffs  
: Counsel of Record for This  
: Party:  
(54) JOHN THOMAS HYKES, CLARA : Querino R. Torretti, Esq.  
(24) HYKES MORRIS, WILLIAM B. : Supreme Court ID #23996  
HOPKINS, a/k/a WILLIAM BAIRD : 600 E. Main Street  
HOPKINS, SALLY C. HOPKINS, : PO Box 218  
a/k/a SALLY CASE HOPKINS, : Reynoldsville, PA 15851  
(32) ELLEN M. HOPKINS, a/k/a : (814) 653-2243  
(102) ELLEN MARIE HOPKINS, and :  
(102) WILLIAM PETER HOPKINS, a/k/a :  
W. PETER HOPKINS, :  
Defendants :

FILED

OCT 16 2000

William A. Shaw  
Prothonotary

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. _____, 2000, CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
	:	
vs.	:	
	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS, a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS,	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS, a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS, a/k/a	:	
W. PETER HOPKINS,	:	

**NOTICE**

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint is served, by entering a written appearance personally or by Attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

KEYSTONE LEGAL SERVICES  
211 East Locust Street  
Clearfield, PA 16830  
(814) 765-9646

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. _____, 2000, CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
	:	
vs.	:	
	:	
	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS, a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS,	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS, a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS, a/k/a	:	
W. PETER HOPKINS,	:	

**COMPLAINT**

AND NOW, come the Plaintiffs, Stephen D. Sperling, Jr. and Dayna J. Sperling, and by their attorney, Querino R. Torretti, Esquire, aver the following cause of action:

1. The Plaintiff, Stephen D. Sperling, Jr., is a sui juris adult who resides at 215 Main Street, Falls Creek, PA 15840.

2. The Plaintiff, Dayna J. Sperling, is a sui juris adult who resides at 215 Main Street, Falls Creek, PA 15840.

3. The real property interest which is subject to this Action To Quiet Title is a fee simple interest in all those certain pieces or parcels of land situate, lying, and being in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

ALL the land described as five lots Nos. 4, 5, 6, 7, and 8 situate in Falls Creek Borough Annex of Sandy Township, Clearfield County, Pennsylvania, designated as property of A.C. Hopkins Estate, as vested in Carl Slayton by Deed of the County Commissioners of Clearfield County as recorded at Clearfield, Pennsylvania, in Deed Book No. 440, page 221 and particularly described as follows:

Bounded on the North and Northeast by Reed Street; on the South by an alley and on the West by an alley. These lots are identified on the Hopkins and Reed Plan of Lots recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on November 9, 1899 in Miscellaneous Docket P, Page 252.

That this realty bears Clearfield County Map Number 128-A02-664-28.

4. The realty in question was acquired by Stephen D. Sperling, Jr. and Dayna J. Sperling, husband and wife, the Plaintiffs, via a Deed from Richard Liedl, dated August 26, 1999 and recorded in Clearfield County in the Office of the Recorder of Deeds as Instrument Number 199915107.

5. The realty in question was acquired by Richard Liedl via a Deed from Mary J. Hannah, Executrix, of the William H. Liedl Estate, dated July 17, 1992 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 1473 on page 542.

6. That William H. Liedl died testate on August 12, 1991. His Last Will and Testament was probated on August 29, 1991 with Mary J. Hannah and Andrew J. Nichol qualifying as Co-Executors of said Will.

7. The realty in question was acquired by William H. Liedl and Olga Liedl, husband and wife, via a Deed from Olga Liedl, formerly Olga Elnitsky and William H. Liedl, wife and husband, dated April 8, 1970 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 560 on page 104. Said Olga Liedl predeceased William H. Liedl with the result the subject realty vested solely in William H. Liedl by operation of law.

8. The realty in question was acquired by Olga Elnitsky, a single individual, via a Deed from Elmer E. Slayton and Genevieve A. Slayton, husband and wife, dated January 21, 1958 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 465 on page 348.

9. The realty in question was acquired by Elmer E. Slayton and Genevieve A. Slayton, husband and wife, via a Deed from themselves dated February 12, 1955 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 440 on page 495.

10. The realty in question was acquired by Elmer E. Slayton by testate succession as a result of the death of his father, C.E. Slayton, who died testate on November 13, 1954.

11. The realty in question was acquired by Carl Slayton via a Deed from Clearfield County Commissioners, dated August 23, 1943 and recorded in Clearfield County in the

Office of the Recorder of Deeds in Deed Book Volume 440 on page 221.

12. The realty in question was sold at a tax sale by H.F. Bigler, Jr., Treasurer of Clearfield County, Pennsylvania, to the Clearfield County Commissioners via a Deed dated December 31, 1937 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 440 on page 219. Said realty was assessed in the name of A.C. Hopkins Estate and was sold as seated land for unpaid taxes for the calendar years 1934 and 1935.

13. That at the time of the acquisition of the realty by the Clearfield County Commissioners in 1937, the record owners of the subject realty were as follows: William P. Hopkins and Donald S. Hopkins as to an 11/16 interest and the Clara A. McKee heirs, namely, Lillian Viola Hykes, Mildred McKee Kramer, John Thomas Hykes, Clara Hykes Morris, and Elizabeth McCloud as to a 5/16 interest.

14. That a 11/16 interest in the realty in question was acquired by William P. Hopkins and Donald S. Hopkins, via a Deed from The Trustees of the Albert Hopkins Estate, dated June 9, 1931 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 300 on page 231.

15. That a 3/16 interest in the realty in question was acquired by The Trustees of the Albert Hopkins Estate, via a Deed from Charles H. McKee, dated October 12, 1911 and



recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 185 on page 136.

16. That an 8/16 interest in the realty in question was acquired by Albert Hopkins, a/k/a Albert C. Hopkins, via a Deed from John F. Reed and his wife, Amanda, dated June 29, 1894 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 83 on page 368. This interest devolved to the Trustees of Albert Hopkins' estate upon his death on June 9, 1911.

17. That said Clara A. McKee died testate on August 30, 1935 and by her Last Will and Testament, devised a 5/16 interest in the subject realty to her heirs: Lillie Viola Hykes, Mildred McKee Kramer, John Thomas Hykes, Clara Hykes Morris, and Elizabeth McCloud.

18. That Charles H. McKee became deceased in Allegheny County, Pennsylvania, and by his Will, devised all his estate, including a 5/16 interest in the subject realty to his wife, Clara A. McKee. A copy of said Will was recorded in Clearfield County, Pennsylvania, in Will Book "L" at page 420.

19. That a 5/16 interest in the subject realty was acquired by Charles H. McKee via a Deed from John F. Reed and his wife, Amanda, dated September 6, 1911 and recorded in Clearfield County in the Office of the Recorder of Deeds in Deed Book Volume 185 on page 54.

20. As to the interest of the Clara A. McKee heirs:

Clara A. McKee died testate on August 30, 1935 and by her Last Will and Testament, an Exemplification of which is recorded in Clearfield County, Pennsylvania, in Will Book R at page 108, devised that residue of her property (which would include any interest in the realty the subject of this suit) to be held in trust during the life of her adopted daughter, Lillie Viola Hykes, as to a  $\frac{3}{5}$  interest and to be held in trust during the life of her adopted daughter, Mildred McKee Kramer, as to a  $\frac{2}{5}$  interest with the remaindermen being her grandson, John Thomas Hykes, her granddaughter, Clara Hykes Morris, and Elizabeth McCloud. Any interest of Lillie Viola Hykes terminated on February 2, 1973, when she died a resident of Pittsburgh, Pennsylvania. Any interest of Mildred McKee Kramer terminated when she became deceased, having died prior to Lillie Viola Hykes. The interest of Elizabeth McCloud in the remainder lapsed upon her death in 1967, a resident of New Concord, Ohio. The interest in the remainder devolved solely to John Thomas Hykes and Clara Hykes Morris who both survive. John Thomas Hykes currently resides at 2211 Park Avenue, St. Louis, MO 63104 and Clara Hykes Morris currently resides at 864 Clearview Avenue, London, Ontario, Canada N6H24. The devolution of the remainder interest set forth above is further substantiated by two Decrees of the Orphans' Court of Clearfield County, both dated December 17, 1976 whereby the remainder interest of certain of the residue of Clara A. McKee's realty vested in only John Thomas Hykes and Clara

Hykes Morris. Said Decrees are respectively filed in the Office of the Recorder of Deeds of Clearfield County in Deed Book Volume 733 on page 128 and in Deed Book Volume 733 on page 131.

21. As to the interest of William P. Hopkins and Donald S. Hopkins: the same eventually vested in William B. Hopkins, a/k/a William Baird Hopkins; Sally C. Hopkins, a/k/a Sally Case Hopkins; Ellen M. Hopkins, a/k/a Ellen Marie Hopkins; and William Peter Hopkins, a/k/a W. Peter Hopkins. The interest of these parties was conveyed to the Plaintiffs herein, Stephen P. Sperling, Jr. and Dayna J. Sperling, husband and wife, via a Quit-Claim Deed from Jesse P. Long, Attorney-in-Fact, for the aforementioned parties and heretofore recorded in the Office of the Recorder of Deeds of Clearfield County.

22. That the Plaintiffs and their predecessors in interest have adversely possessed the subject premises so as to have acquired title to the same in fee.

23. Plaintiffs' predecessors in interest made adverse entry upon the subject premises on August 23, 1943, and their successors in interest, including the Plaintiffs, have continued adverse possession until the present.

24. That for a period of time in excess of twenty-one (21) years, the Plaintiffs and their predecessors in interest, have continuously, openly, visibly, hostilely, distinctly, adversely, and exclusively possessed the subject premises.

25. That the Plaintiffs claim adversely to all the Defendants.

26. That this action is brought to affirm Plaintiffs' title in fee to the subject premises as the result of adverse possession.

27. This action is brought to clear any and all clouds on the title to the ownership and interest to the property herein described, which the herein named Defendants might claim, possess, or assert pertaining to any alleged irregularities in the chain of title herein set forth.

28. That this suit to quiet title is brought in accordance with the Court's general power to quiet title pursuant to Pennsylvania Rules of Civil Procedure 1061 to 1066, inclusive.

29. The Defendants are all the parties known to the Plaintiffs who may have any record interest in said property by virtue of a search of the records at the Clearfield County Courthouse and as a result of various diligent good faith efforts to ascertain the identity of any parties in interest, their continued existence and/or their current addresses.

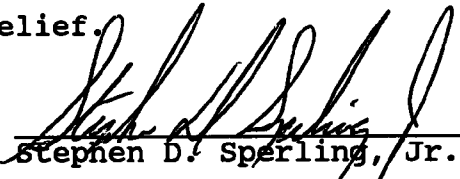
WHEREFORE, the Plaintiffs request the Court to decree that title to said property is in the Plaintiffs in fee simple and absolutely; and that the Defendants be forever barred from asserting any title to the said premises, and

from impeaching, denying, or in any other way attacking  
Plaintiffs' title to the premises.

Querino R. Torretti, Esq.  
Querino R. Torretti, Esquire  
Attorney for Plaintiffs  
600 Main Street, PO Box 218  
Reynoldsville, PA 15851

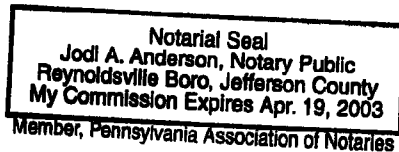
COMMONWEALTH OF PENNSYLVANIA:  
SS  
COUNTY OF JEFFERSON :

Stephen D. Sperling, Jr., being duly sworn according to law, deposes and says that the facts set forth in the foregoing pleading are true and correct to the best of his knowledge, information, and belief.

  
\_\_\_\_\_  
Stephen D. Sperling, Jr.

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of September, 2000.

  
\_\_\_\_\_  
Notary Public



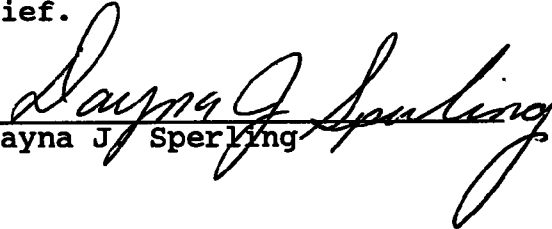
COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF JEFFERSON

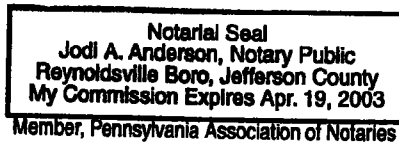
:

Dayna J. Sperling, being duly sworn according to law, deposes and says that the facts set forth in the foregoing pleading are true and correct to the best of her knowledge, information, and belief.

  
Dayna J. Sperling

Sworn to and subscribed  
before me this 5<sup>th</sup> day  
of October, 2000.

  
Notary Public



for services  
to be rendered to the undersigned  
Document

Debra J. Anderson

01/31/01 Document  
Reinstated/Reinstated/Attorney  
for service.

Deputy Prothonotary

RECEIVED

OCT 16 2000  
William A. Shaw  
Prothonotary

at Torrance

Pa

90.00

6 cc Atty



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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. <u>1276</u> , 2000, CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	Type of Pleading: Praecipe
	:	To Reinstate Complaint
	:	
	:	Filed on Behalf of:
	:	Defendants
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	Counsel of Record for This
HOPKINS, SALLY C. HOPKINS	:	Party:
a/k/a SALLY CASE HOPKINS,	:	Jesse P. Long, Esquire
ELLEN M. HOPKINS a/k/a	:	246 W. Mahoning Street
ELLEN MARIE HOPKINS, and	:	Punxsutawney, PA 15767
WILLIAM PETER HOPKINS a/k/a	:	(814) 938-5200
W. PETER HOPKINS,	:	
Defendants	:	

FILED

JAN 31 2001

William A. Shaw  
Prothonotary

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. <u>1276</u> , 2000, CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

PRAECIPE TO REINSTATE COMPLAINT

To The Prothonotary:

Pursuant to Pa. R.C.P. No. 401(b)(1), please reinstate the  
Complaint in the above-captioned matter.

  
Querino R. Torretti, Esquire  
Attorney for Plaintiffs

FILED

JAN 31 2001  
01/10/31/att  
William A. Shaw  
Proratory  
pd \$7.00

Reinstated

Reinstated  
to Atty Torrelli

1-31-01 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

William A. Shaw  
Deputy Proratory

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
	:	Type of Pleading: Affidavit
vs.	:	
	:	
	:	Filed on Behalf of:
	:	Plaintiffs
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	Counsel of Record for This
HOPKINS, SALLY C. HOPKINS	:	Party:
a/k/a SALLY CASE HOPKINS,	:	Querino R. Torretti, Esquire
ELLEN M. HOPKINS a/k/a	:	Supreme Court ID #23996
ELLEN MARIE HOPKINS, and	:	600 E. Main Street
WILLIAM PETER HOPKINS a/k/a	:	PO Box 218
W. PETER HOPKINS,	:	Reynoldsville, PA 15851
Defendants	:	(814) 653-2243

FILED

MAR 1 6 2001

William A. Shaw  
Prothonotary

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD

QUERINO R. TORRETTI, being duly sworn according to law deposes and says that he is the attorney for the Plaintiffs in the above-captioned action and makes this Affidavit on their behalf, being authorized to do so. That a Complaint in an Action To Quiet Title endorsed with Notice To Defendant Within Twenty (20) Days from service thereof, was filed in the Office of the Prothonotary of Clearfield County, Pennsylvania, on the 16th day of October, 2000, at No. 00-1276 CD. That said Complaint set forth six (6) named Defendants. That Defendant, John Thomas Hykes, residing outside the Commonwealth at 2211 Park Avenue, St.

Louis, Missouri, was served on October 24, 2000 with a True Copy of the Complaint, via Certified Mail, Restricted Delivery. See attached hereto the Certified Mail Receipt and Domestic Return Receipt relative to said service. That Defendant, William B. Hopkins, residing outside the Commonwealth at Box 8055, Spokane, Washington, was served on October 23, 2000 with a True Copy of the Complaint, via Certified Mail, Restricted Delivery. See attached hereto the Certified Mail Receipt and Domestic Return Receipt relative to said service. That Defendant, W. Peter Hopkins, residing outside the Commonwealth at 704 Woodland Avenue, S.E., Atlanta, Georgia, was served on November 8, 2000 with a True Copy of the Complaint, via Certified Mail, Restricted Delivery. See attached hereto the Certified Mail Receipt and Domestic Return Receipt relative to said service. That Defendant, Clara Hykes Morris, residing outside the Commonwealth at 864 Clearview Avenue, London, Ontario, Canada, was served on November 27, 2000 with a True Copy of the Complaint, via Registered Mail, Restricted Delivery. See attached hereto the Receipt for Registered Mail and Registered Letter form relative to said service. That the Complaint filed in this matter was reinstated on January 31, 2001 by Clearfield County Prothonotary, William A. Shaw. That Defendant, Sally C. Hopkins, residing outside the Commonwealth at 215 Puakea Place, Kula, Hawaii, was served on February 14, 2001 with a True Copy of the Reinstated Complaint, via Certified Mail, Restricted Delivery. See attached hereto the Certified Mail Receipt and Domestic Return Receipt relative to said service. The service effected against the

Rules of Civil Procedure 403 and 404(2). That Defendant, Ellen M. Hopkins, was sent by regular mail a True Copy of the Reinstated Complaint and an Acceptance Of Service under cover of a letter dated February 7, 2001. See hereto attached a photocopy of said letter. That Defendant, Ellen M. Hopkins, executed the Acceptance Of Service on February 10, 2001 and returned the same to Attorney Querino R. Torretti. See hereto attached the Original of said Acceptance Of Service. Defendant, Ellen M. Hopkins' execution of a Acceptance Of Service constitutes service pursuant to Pennsylvania Rule of Civil Procedure 404(3). Service in this manner is permitted and provided for under Georgia law. That the Complaint served on each Defendant contained a Notice To Defend instructing the party to take action within twenty (20) days after the Complaint was served. That more than twenty (20) days have elapsed since each Defendant was served. None of these Defendants has filed an Answer to the Complaint.

  
Querino R. Torretti, Esquire  
Attorney for Plaintiffs

Sworn to and subscribed  
before me this 13<sup>th</sup> day  
of March, 2001.

  
Notary Public

Notarial Seal  
Jodi A. Anderson, Notary Public  
Reynoldsville Boro, Jefferson County  
My Commission Expires Apr. 19, 2003  
Member, Pennsylvania Association of Notaries

**U.S. Postal Service  
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Mr. John Thomas Hykes

Postage	\$ .99
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	2.75
<b>Total Postage &amp; Fees</b>	<b>\$ 6.39</b>

Postmark  
- Here

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

Mr. John Thomas Hykes

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

2211 Park Avenue

City, State, ZIP+4

St. Louis MO 63104

PS Form 3800, July 1999

See Reverse for Instructions

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☒ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. John Thomas Hykes  
2211 Park Avenue  
St. Louis, MO 63104

4a. Article Number

7099 3400 0009 3052 9971

4b. Service Type

- ☐ Registered ☒ Certified  
☐ Express Mail ☐ Insured  
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

10-24-11

8. Addressee's Address (Only if requested and fee is paid)

Received By: (Print Name)

John T. HYKES

Signature: (Addressee or Agent)

*[Signature]*

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



POST 0556 252E 6000 004E 6000

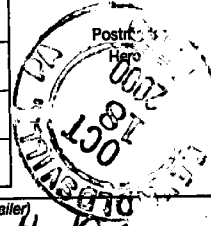
# U.S. Postal Service CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Mr. William Baird Hopkins

Postage	\$ .99
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	2.75
Total Postage & Fees	\$ 6.39



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

Mr. William Baird Hopkins

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

Box 8055

City, State, ZIP+4

Spokane WA 99203

PS Form 3800, July 1999

See Reverse for Instructions

Is your RETURN ADDRESS completed on the reverse side?

## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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- ☐ Addressee's Address
- ☒ Restricted Delivery

Consult postmaster for fee.

### 3. Article Addressed to:

Mr. William Baird Hopkins  
Box 8055  
Spokane, WA 99203

### 4a. Article Number

7099 3400 0009 3252 9990

### 4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered                     | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured              |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

### 7. Date of Delivery

### 5. Received By: (Print Name)

William B. Baird Hopkins

### 3. Signature: (Addressee or Agent)

X

### 8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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

Postage \$ .99  
 Certified Fee 1.40  
 Return Receipt Fee (Endorsement Required) 1.25  
 Restricted Delivery Fee (Endorsement Required) 2.75  
 Total Postage & Fees \$ 6.39

Postmark Here

Recipient To:  
W. PETER HOPKINS

City, State, ZIP+4  
704 WOODLAND AVENUE, S.E.  
ATLANTA, GA 30316

PS Form 3811, July 1999

Is your RETURN ADDRESS completed on the reverse side?

Complete items 1 and/or 2 for additional services.  
 Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1. ☐ Addressed Return Receipt  
 2. ☒ Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
MR. W. PETER HOPKINS  
JOELLEN M. HOPKINS  
704 WOODLAND AVENUE, SE  
ATLANTA, GA 30316

4a. Article Number  
7099 3400 0009 3252 9877

4b. Service Type  
☐ Registered ☒ Certified  
☐ Express Mail ☐ Insured  
☐ Return Receipt for Merchandise ☐ COD

5. Received By: (Print Name)  
W. P. Hopkins

6. Signature: (Addressee or Agent)  
X W. P. Hopkins

7. Date of Delivery  
11/28/00

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102596-97-B-0179 Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER: I also wish to receive the

Registered No. **RR013878 826 US**

Date Stamp

To Be Completed By Post Office	Reg. Fee \$ <b>6.20</b>	Special Delivery \$
	Handling Charge \$	Return Receipt \$ <b>1.25</b>
	Postage \$ <b>1.00</b>	Restricted Delivery \$
	Received by <b>Gibbs</b>	

Domestic Insurance  
Is Limited To  
\$25,000; International  
Indemnity Is Limited  
(See Rev. 10-1)

Customer Must Declare Full Value \$ **0**

☒ With Postal Insurance  
☐ Without Postal Insurance

To Be Completed By Customer (Please Print)  
All Entries Must Be in Ballpoint or Typewritten

FROM	<b>Quercia R. Torretti, Esq.</b> <b>600 E. Main St., PO Box 214</b> <b>Reynoldsville, PA 15851</b>
TO	<b>Clara Hykes Morris</b> <b>464 Clearview Ave.</b> <b>London Ontario Canada N6H2Y4</b>

PS Form 3806,  
February 1995

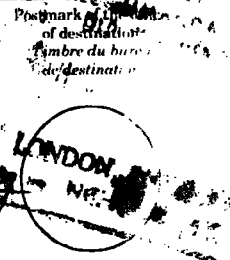
Receipt for Registered Mail

(Customer Copy)  
(See Information on Reverse)

To be filled out by the office of origin.  
A remplir par le bureau d'origine.

Registered article Envoi recommandé	<input checked="" type="checkbox"/> Letter Lettre	<input type="checkbox"/> Printed Matter Imprimé	<input type="checkbox"/> Other Autre	<b>RR0138</b>
<input type="checkbox"/> Insured parcel Colis avec valeur déclarée	Insured value Valeur déclarée \$			
Office of mailing bureau de dépôt <b>Reynoldsville</b>	Date of posting Date de dépôt	No. <b>RR013 826</b>		
Addressee (Name or firm) Nom ou raison sociale du destinataire <b>Clara Hykes Morris</b>				
Street and No. Rue et No. <b>464 Clearview Ave.</b>				
Place and country Lieu et Pays <b>London Ontario Canada N6H2Y4</b>				
<p>This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the employee of the office of destination, and returned by the first mail directly to the sender.</p> <p>Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.</p>				
<input checked="" type="checkbox"/> The article mentioned above was duly delivered. L'envoi mentionné ci-dessus a été dûment livré.		Date <b>2000/11/22</b>		
Signature of the addressee Signature du destinataire <b>Clara Morris</b>		Signature of the employee of the office of destination Signature de l'agent du bureau de destination <b>[Signature]</b>		

To be completed at destination.  
A compléter à destination.



Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

Sally C. Hopkins  
215 Puakea Place  
Kula, HI 96790

**4a. Article Number**

7000 0600 0028 4732 6131

**4b. Service Type**

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

**7. Date of Delivery**

1/14/01

**Received By: (Print Name)**

SALLY C. HOPKINS

**Signature (Addressee or Agent)**

X Sally C. Hopkins

**8. Addressee's Address (Only if requested and fee is paid)**

PS Form 3811, December 1994

102595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

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

7000 0600 0028 4732 6131

Sally C. Hopkins

Postage	\$ 1.76
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.16</b>

Postmaster Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
Sally C. Hopkins  
Street, Apt. No. or PO Box No.  
215 Puakea Place  
City, State, ZIP+4  
Kula, HI 96790

LAW OFFICES

*Querino R. Torretti*

Mary L. Pothoven  
Associate

ATTORNEY AT LAW  
600 E. MAIN STREET  
P. O. Box 218  
REYNOLDSVILLE, PENNSYLVANIA 15851

TELEPHONE  
814-653-2243

FAX  
814-653-8319

February 7, 2001

Ms. Ellen M. Hopkins  
704 Woodland Avenue, S.E.  
Atlanta, GA 30316

Re: Sperling v. Hykes, et al.

Dear Ellen:

Please see herein enclosed the Original and one photocopy of an Acceptance of Service. Also please see herein enclosed a True Copy of the Complaint filed in the above-indicated matter which was reinstated affective January '31, 2001. Would you kindly sign and date both the Original and the photocopy of the Acceptance of Service and return to me in the stamped, self-addressed envelope herein enclosed. Your attention to this is appreciated. I thank you for your help in assisting me to resolve a title problem on behalf of my clients.

Cordially yours,

Querino R. Torretti

Encls.  
QRT|jaa

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	Type of Pleading: Acceptance
	:	Of Service
	:	
	:	Filed on Behalf of:
JOHN THOMAS HYKES, CLARA	:	Defendant, Ellen M. Hopkins
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

ACCEPTANCE OF SERVICE

TO THE PROTHONOTARY:

I, Ellen M. Hopkins a/k/a Ellen Marie Hopkins, hereby accept service of the Complaint filed in the above-indicated matter, which had been filed against me as well as others. I hereby accept service as of this 10<sup>th</sup> day of February, 2001.

  
Ellen M. Hopkins Defendant

FILED

MAR 16 2001

W. B. Ellis - atty  
William A. Shaw  
Prothonotary

Exs Forc #1



8

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	Type of Pleading: Motion For
	:	Judgment
	:	
	:	Filed on Behalf of:
	:	Plaintiffs
	:	
JOHN THOMAS HYKES, CLARA	:	Counsel of Record for This
HYKES MORRIS, WILLIAM B.	:	Party:
HOPKINS a/k/a WILLIAM BAIRD	:	Querino R. Torretti, Esquire
HOPKINS, SALLY C. HOPKINS	:	Supreme Court ID #23996
a/k/a SALLY CASE HOPKINS,	:	600 E. Main Street
ELLEN M. HOPKINS a/k/a	:	PO Box 218
ELLEN MARIE HOPKINS, and	:	Reynoldsville, PA 15851
WILLIAM PETER HOPKINS a/k/a	:	(814) 653-2243
W. PETER HOPKINS,	:	
Defendants	:	

**FILED**

MAR 16 2001

William A. Shaw  
Prothonotary

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

MOTION FOR JUDGMENT

AND NOW, the 13<sup>th</sup> of March, 2001, an Affidavit having been filed by the Plaintiffs that the Complaint and Notice To Plead was served on all of the Defendants, and the Defendants have not answered, the Plaintiffs, by their attorney, Querino R. Torretti, Esquire, moves the Court to enter judgment in favor of the Plaintiffs and against the Defendants and to grant the Plaintiffs the relief prayed for in accordance with Pennsylvania Rules of Civil Procedure No. 1066. Plaintiffs further request that the Honorable Court modify in accordance with Pennsylvania Rule of Civil Procedure 248, the thirty (30) day period provided Defendants by Pennsylvania Rule of Civil Procedure 1066(b), to assert any right, title or interest in the land inconsistent with the interests or claims the Plaintiffs set forth in their Complaint.

  
\_\_\_\_\_  
Querino R. Torretti, Esquire  
Attorney for Plaintiffs

FILE

MAR 16 2001

0/2 28/11<< alk

William A. Shaw  
Prothonotary

*E. J. Fretti*

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

STEPHEN D. SPERLING, JR. and  
DAYNA J. SPERLING, husband  
and wife,

Plaintiffs

vs.

JOHN THOMAS HYKES, CLARA  
HYKES MORRIS, WILLIAM B.  
HOPKINS a/k/a WILLIAM BAIRD  
HOPKINS, SALLY C. HOPKINS  
a/k/a SALLY CASE HOPKINS,  
ELLEN M. HOPKINS a/k/a  
ELLEN MARIE HOPKINS, and  
WILLIAM PETER HOPKINS a/k/a  
W. PETER HOPKINS,

Defendants

:  
: No. 00-1276 CD  
:  
: ACTION TO QUIET TITLE  
:  
: Type of Pleading: Order  
:  
:  
: Filed on Behalf of:  
: Plaintiffs  
:  
: Counsel of Record for This  
: Party:  
: Querino R. Torretti, Esquire  
: Supreme Court ID #23996  
: 600 E. Main Street  
: PO Box 218  
: Reynoldsville, PA 15851  
: (814) 653-2243

**FILED**

MAR 20 2001

William A. Shaw  
Prothonotary

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

STEPHEN D. SPERLING, JR. and	:	
DAYNA J. SPERLING, husband	:	No. 00-1276 CD
and wife,	:	
Plaintiffs	:	ACTION TO QUIET TITLE
	:	
vs.	:	
	:	
JOHN THOMAS HYKES, CLARA	:	
HYKES MORRIS, WILLIAM B.	:	
HOPKINS a/k/a WILLIAM BAIRD	:	
HOPKINS, SALLY C. HOPKINS	:	
a/k/a SALLY CASE HOPKINS,	:	
ELLEN M. HOPKINS a/k/a	:	
ELLEN MARIE HOPKINS, and	:	
WILLIAM PETER HOPKINS a/k/a	:	
W. PETER HOPKINS,	:	
Defendants	:	

ORDER

AND NOW March 20, 2001, an Affidavit Of Service of the Complaint with Notice To Plead, having been filed, and no answer having been made by the Defendants, the Court, upon Motion of Querino R. Torretti, Esquire, Attorney for Plaintiffs, hereby ORDERS AND DECREES:

a) that the title to the following parcel of realty located in Sandy Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL the land described as five lots Nos. 4, 5, 6, 7, and 8 situate in Falls Creek Borough Annex of Sandy Township, Clearfield County, Pennsylvania, designated as property of A.C. Hopkins Estate, as vested in Carl Slayton by Deed of the County Commissioners of Clearfield County as recorded at Clearfield, Pennsylvania, in Deed Book No. 440, page 221 and particularly described as follows:

Bounded on the North and Northeast by Reed Street; on the South by an alley and on the West by an alley. These lots are identified on the Hopkins and Reed Plan of Lots recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on November 9, 1899 in Miscellaneous Docket P, Page 252.

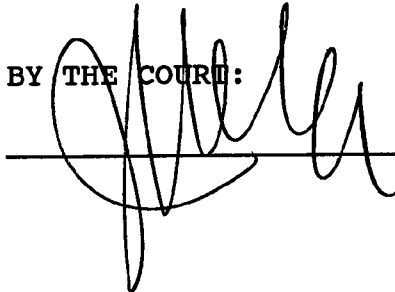
That this realty bears Clearfield County Map Number 128-A02-664-28.

is vested in Stephen D. Sperling, Jr. and Dayna J. Sperling, husband and wife, as prayed.

b) That John Thomas Hykes, Clara Hykes Morris, William B. Hopkins a/k/a William Baird Hopkins, Sally C. Hopkins a/k/a Sally Case Hopkins, Ellen M. Hopkins a/k/a Ellen Marie Hopkins, and William Peter Hopkins a/k/a W. Peter Hopkins be and are hereby forever barred from asserting any right, title or interest in and to the above described premises inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint, from impeaching, denying, or in any other way attacking Plaintiffs' title to said property; and from issuing or maintaining any action attacking the same.

c) That the thirty (30) day provision in Pennsylvania Rules of Civil Procedure 1066(b)(1) be modified so as to eliminate the said thirty (30) day rule of Pennsylvania Rule of Civil Procedure No. 248, to eliminate any time period prescribed by the Pennsylvania Rule of Civil Procedure upon Order of Court.

BY THE COURT:



P.J.

FILED

MAR 20 2001

m1133/kc atty Torueth  
William A. Shaw  
Prothonotary *WAS*