

01-193-CD
GEORGE M. BARNEY -vs- THOMAS B. MILLER et al

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

GEORGE M. BARNEY,
Plaintiff

vs.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs,
executors, administrators, successors
and assigns, and all other person,
persons, firms, partnerships or
corporate entities in interest, or
their legal representatives,
Defendants

No. 2001 - 193 C. D.

TYPE OF CASE: Civil

TYPE OF PLEADING: Action to
Quiet Title

Filed on behalf of Plaintiff

Counsel of Record for this Party:
R. EDWARD FERRARO, ESQ.
Supreme Court No. 05880

FERRARO & YOUNG
Attorneys at Law
690 Main Street
Brockway, PA 15824
814/268-2202

FILED

W.A.S. FEB 07 2001
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William A. Shaw
Prothonotary

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

GEORGE M. BARNEY :
Plaintiff :
vs. :
No. 2001 - ____ C. D.
THOMAS B. MILLER and :
MALINDA J. MILLER, his wife, :
both deceased, their heirs, :
executors, administrators, successors :
and assigns, and all other person, :
persons, firms, partnerships or :
corporate entities in interest, or :
their legal representatives, :
Defendants :
ACTION TO QUIET TITLE

NOTICE TO DEFEND

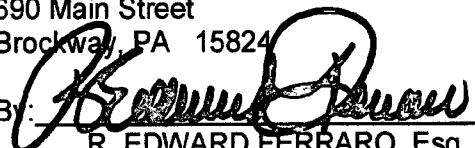
You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney, and filing in writing with the Court your defenses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

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

KEYSTONE LEGAL SERVICES, INC.
211½ East Locust Street
Clearfield, PA 16830
814/765-9646

Prothonotary's Office
Clearfield County Courthouse
North Second Street
Clearfield, PA 16830
814/765-2641, ext. 5988

FERRARO & YOUNG
Attorneys for Plaintiff
690 Main Street
Brockway, PA 15824

By: 
R. EDWARD FERRARO, Esq.

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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001 - _____ C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs,
executors, administrators, successors
and assigns, and all other person,
persons, firms, partnerships or
corporate entities in interest, or
their legal representatives,

Defendants

ACTION TO QUIET TITLE

COMPLAINT

AND NOW, comes GEORGE M. BARNEY by his Attorneys, FERRARO & YOUNG, and files the within Action To Quiet Title and respectfully sets forth the following:

1. GEORGE M. BARNEY, Plaintiff, is an adult individual who resides at 325 Sarah Street, Homer City, Indiana County, PA, 15748, and is of full age and sui juris.

2. THOMAS B. MILLER and MALINDA J. MILLER, his wife, both deceased, and their heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, or their legal representatives, whose whereabouts are unknown.

3. The purpose of this action is to quiet title to the following described real estate:

ALL that certain piece, parcel or tract of land situate, lying and being in **BELL TOWNSHIP**, Clearfield County, Pennsylvania, bounded and described as follows:

BOUNDED on the North by lands now or formerly of Atley Miller; on the South by lands now or formerly of Ellsworth Daisher; on the East by lands now or formerly of Frank Miller; and on the West by lands now or formerly of O. M. Bracken.

CONTAINING 17 acres.

4. Plaintiff's search of the records of Clearfield County, PA, reveal the chain of title for the above described property to be as listed on Exhibit "A", attached hereto and made a part hereof.

5. No third party has ever made any claims of any kind to ownership of, interest in, or claim to or upon the said tract of land.

6. This action is brought to clear any and all clouds on the title to the ownership and interest to the property described herein, which the herein named Defendants, their heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, or their legal representatives might claim, possess, or assert, pertaining to any alleged irregularities in the chain of title set forth on Exhibit "A", and more specifically, a Tax Sale and unrecorded Deeds in the chain of title, and to relinquish any right, title and interest these Defendants may have in and to the above described premises.

7. That the Plaintiff herein has been in open, notorious, continuous, hostile and adverse possession of the subject property to the exclusion of the Defendants and their predecessors and successors in title since his acquisition of the property on August 19, 1969, and as such has acquired the said property by adverse possession, thereby extinguishing any right, title or interest which the Defendants herein may have had in and to the subject property.

8. Plaintiff avers that any right, title and interest that the Defendants herein named, or their administrators, successors or assigns may have or assert in the premises has been divested and extinguished by the possession of the property and payment of the taxes.

9. This suit to quiet title is instituted under the terms and provisions of the Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, relating to the quieting of titles, and other pertinent rules of local procedure.

10. Defendants' whereabouts are unknown to the Plaintiff. The Clearfield County records have been searched regarding Estates and heirs of THOMAS B. MILLER & MALINDA J. MILLER, to no avail.

WHEREFORE, Plaintiff requests your Honorable Court to:

(a) Decree that title to the above described property be in the name of GEORGE M. BARNEY;

(b) Decree that the Defendants, their heirs, executors, administrators, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, or their legal representatives be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interest of the said Plaintiff, as set forth herein to the said premises, or impeaching, denying or in any other way attacking the said Plaintiff's title to the said premises;

(c) Make any other Order necessary for the granting of a proper relief, as it deems necessary, to equitably and legally recognize and preserve Plaintiff's rights in this matter.

Respectfully submitted,

FERRARO & YOUNG

By:


R. EDWARD FERRARO, Esq.
Attorney for Plaintiff

EXHIBIT "A"

CHAIN OF TITLE:

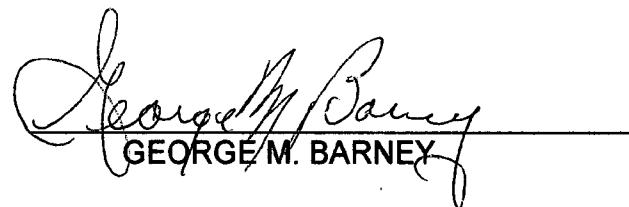
1. Unrecorded Deed from the Clearfield County Commissioners to R. H. White and Frank C. Elling for 17 acres sold as the property of Thomas B. Miller for unpaid real estate taxes.
2. Unrecorded Deed from R. H. White & Ruth I. White, his wife, and Frank C. Elling & Maude E. Elling, his wife, to A. G. Miller for 17 acres.
3. Deed from the Clearfield County Treasurer to Clearfield County Commissioners for unpaid 1947 real estate taxes in the names of R. H. White and Frank C. Elling for 17 acres, recorded in Deed Book 460, at page 499.
4. Deed from the Clearfield County Commissioners to William C. Chase for 17 acres, recorded in Deed Book 460, at page 501.
5. Deed from William C. Chase & Julia K. Chase, his wife, to Emery C. Mahaffey for 17 acres, recorded in Deed Book 460, at page 503.
6. Deed from Emery C. Mahaffey & Ruth Mahaffey, his wife, to Clair Tyger & Faye Tyger, his wife, for 17 acres, recorded in Deed Book 545, at page 458.
7. Deed from Clair Tyger & Faye Tyger, his wife, to George M. Barney & Delores J. Barney, his wife, for 17 acres (and a 27 acre 117 rod tract), recorded in Deed Book 551, at page 661. The said Delores J. Barney became deceased on February 19, 1998.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF JEFFERSON

ss:

GEORGE M. BARNEY being duly sworn according to law, deposes and states that the facts set forth in the within Complaint are true and correct to the best of his knowledge, information and belief.

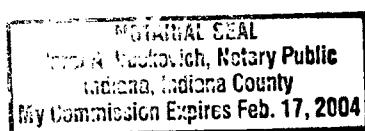

George M. Barney

Sworn to and subscribed before me

this 31 day of January, 2001.


Carol A. Buckovich

Notary Public



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

**GEORGE M. BARNEY,
Plaintiff**

vs.

No. 2001- 193 C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs,
executors, administrators, successors
and assigns, and all other person,
persons, firms, partnerships or
corporate entities in interest, or
their legal representatives.

Defendants

ACTION TO QUIET TITLE

AFFIDAVIT RE: DEFENDANTS

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF JEFFERSON

GEORGE M. BARNEY, being duly sworn according to law, deposes and says that the records in the Office of the Register of Wills of Clearfield County, PA, were examined and the following are the results of that examination:

1. There were no Estates opened for the Defendants listed in this Action to Quiet Title, therefore making it impossible to determine the names and addresses of their heirs, legatees or devisees;

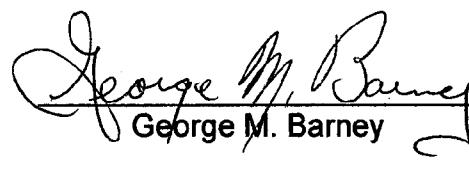
2. That there has not been any adverse conveyance of the real estate that is the subject of this Action to Quiet Title; and

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William A. Shaw
Prothonotary

3. That a good faith effort has been made to locate the whereabouts of the Defendants.


George M. Barney

Sworn to and subscribed before me

this 31st day of January, 2001.


Carol A. Vuckovich
Notary Public

NOTARIAL SEAL
Carol A. Vuckovich, Notary Public
Indiana, Indiana County
My Commission Expires Feb. 17, 2004

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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001 - 193 C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs,
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and assigns, and all other person,
persons, firms, partnerships or
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Defendants

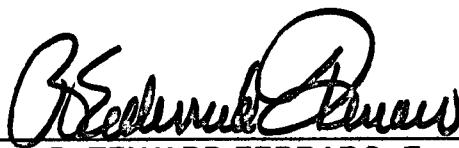
ACTION TO QUIET TITLE

MOTION FOR PUBLICATION

AND NOW, this 7th day of February, 2001, an

Affidavit having been executed and filed on behalf of the Plaintiff in the within matter,
that the whereabouts of the names Defendants are unknown, and his Attorneys,
FERRARO & YOUNG, move the Court for leave to serve the Complaint on the
Defendants generally by publication in such manner as the Court shall direct, as
provided by Pennsylvania Rules of Civil Procedure.

FERRARO & YOUNG

By: 
R. EDWARD FERRARO, Esq.
Attorney for Plaintiff

FILED

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FEB 07 2001

William A. Shaw
Prothonotary

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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001-193 C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
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and assigns, and all other person,
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their legal representatives,

Defendants

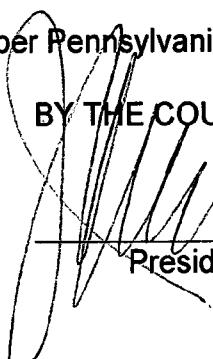
ACTION TO QUIET TITLE

ORDER FOR PUBLICATION

AND NOW, this 13th day of February, 2001, upon
consideration of the foregoing Motion for Publication, that the Plaintiff is granted
leave to make service of the Complaint on the Defendants by publication one time in
the Courier Express and one time in the Clearfield County Legal Journal, both in
general circulation in Clearfield County, PA, said publication to appear the week of

March 5, 2001, per Pennsylvania Rules of Civil Procedure.

BY THE COURT:


President Judge

FILED

FEB 14 2001

William A. Shaw
Prothonotary

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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001 - 193 C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
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their legal representatives,

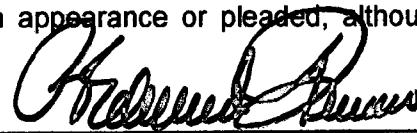
Defendants

ACTION TO QUIET TITLE

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF JEFFERSON ss:

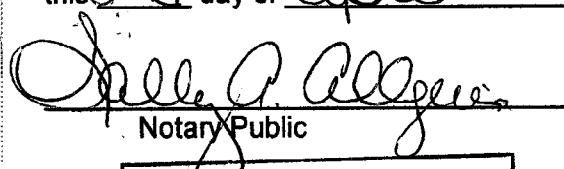
R. EDWARD FERRARO, ESQ., being duly sworn according to law, deposes and says that he is the Attorney of record for the Plaintiff in the above action and makes this Affidavit on his behalf, being authorized to do so, hereby swearing and attesting to the facts: That a Complaint – Action to Quiet Title endorsed with a Notice to Plead within twenty (20) days from the service thereof, was filed in the Office of the Prothonotary of Clearfield County, PA, on February 1, 2001; that service of the Complaint was done by publication in the Courier Express and Clearfield County Legal Journal, the originals of the Proofs of Publication are attached hereto and made a part hereof; that with the service by publication, that it was done since the whereabouts of the Defendants listed herein are unknown to the best of the knowledge of your Affiant; and that the Defendants have not filed an Answer thereto or otherwise entered an appearance or pleaded, although the time in which to do so has elapsed.



R. EDWARD FERRARO, Esq.

Sworn to and subscribed before me

this 2nd day of April, 2001.



Sally A. Allgeier
Notary Public

Notarial Seal
Sally A. Allgeier, Notary Public
Brockway Boro, Jefferson County
My Commission Expires Mar. 26, 2003

Member, Pennsylvania Association of Notaries

FILED

APR 03 2001

William A. Shaw
Prothonotary

PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
COURIER EXPRESS/TRI-COUNTY SUNDAY
PUBLISHED BY McLEAN PUBLISHING COMPANY,
DUBOIS PENNSYLVANIA

Under act 587, Approved May 16, 1929, P.L. 1784

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

SS:

Linda Smith, Advertising Director of the **Courier-Express/Tri-County Sunday**, of the County and State aforesaid, being duly sworn, deposes and says that the **Courier-Express**, a daily newspaper and the **Tri-County Sunday**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publication, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

5th.

day of March A.D., 2001

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, and/or **Tri-County Sunday**, a weekly newspaper, to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY

By *Linda Smith*

Sworn and subscribed to before me this

8th

day of March, 2001

THIS IS
NOT A
BILL

Notary Public
Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY
DuBois, PA

Notarial Seal
Joseph A. Greco, Notary Public
DuBois, Clearfield County
My Commission Expires July 18, 2002
Member, Pennsylvania Association of Notaries

TO R. Edward Ferraro-Civil Action-Barney vs. Miller
For publishing the notice or advertisement
attached hereto on the above stated dates.....\$ 184.32
Probating same.....\$ 4.25
Total.....\$ 188.57

Publisher's Receipt for Advertising Costs

The **Courier-Express**, a daily newspaper, and/or **Tri-County Sunday**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies

TO: The above named Defendants claiming any right, title or interest in the premises described herein.
THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs, executors, administrators, successors and assigns, and all other persons, and persons, firms, partnerships or corporate entities in interest, or their legal representatives.

Defendants

LEGAL NOTICE

ACTION TO
QUIET TITLE

vs.
GEORGE M. BARNEY,
plaintiff

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

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

KEYSTONE LEGAL SERVICES, INC.

211 1/2 East Locust Street
Clearfield, PA 16830
814/765-9646

Prothonotary's Office
Clearfield County Courthouse
North Second Street
Clearfield, PA 16830
814/765-2641, Ext. 5980

FERRARO & YOUNG
Attorneys for Plaintiff
690 Main Street
Brockway, PA 15824
814/268-2202

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

:
:
:

COUNTY OF CLEARFIELD

:

On this 26th day of March AD 2001, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of March 9, 2001, Vol. 13, No. 10. And that all of the allegations of this statement as to the time, place, and character of the publication are true.


Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.


Amy L. Woods
Notary Public
My Commission Expires

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

Member, Pennsylvania Ass'n of Notaries

Plaintiff. You may lose money or property or other rights important to you.

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

KEYSTONE LEGAL SERVICES, INC.,
211½ East Locust Street, Clearfield, PA
16830. 814/765-9646.

Prothonotary's Office, Clearfield County Courthouse, North Second Street, Clearfield, PA 16830. 814/765-2641, Ext. 5988.

FERRARO & YOUNG, Attorneys for Plaintiff, 690 Main Street, Brockway, PA 15824. 814/268-2202.

LEGAL NOTICE

TO: The above named Defendants claiming any right, title or interest in the premises described herein.

Plaintiff has brought an action claiming that he is the owner of ALL that certain piece, parcel or tract of land situate, lying and being in BELL TOWNSHIP, Clearfield County, Pennsylvania, bounded and described as follows: BOUNDED on the North by land now or formerly of Atty Miller, on the South by lands now or formerly of Ellsworth Dasher; on the East by lands now or formerly of Frank Miller, and on the West by lands now or formerly of O. M. Bracken, CONTAINING 17 acres.

Plaintiff is seeking an Order of the Court discharging any right, title or interest that the Defendants may have to the above real estate.

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

PROOF OF PUBLICATION

: STATE OF PENNSYLVANIA

: COUNTY OF CLEARFIELD

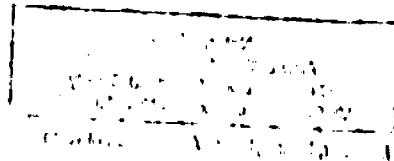
On this 26th day of March AD 2001, before me, the subscriber, a Notary Public in and for said County, said State, personally presented Gail A. Kellepelt, Ed.D. of the Clearfield County Public School District of the County of Clearfield County, and issued to the subscriber a true copy of the notice of satisfaction of judgment in said application in the regular issues of the newspaper of Clearfield, Vol. 12, No. 10, Aug. 11 to the subscriber of this statement as of the time, place, and character of the publication set forth.

FILED
Kellepelt, Esquire
22nd Floor
APR 03 2001

William A. Shaw
Prothonotary

Notary Public
PA Commission Expires

Bethel & Young
860 Main Street
Bloomsburg PA 17824



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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001 - 193 C.D.

THOMAS B. MILLER and
MALINDA J. MILLER, his wife,
both deceased, their heirs,
executors, administrators, successors
and assigns, and all other person,
persons, firms, partnerships or
corporate entities in interest, or
their legal representatives,

Defendants

ACTION TO QUIET TITLE

MOTION FOR JUDGMENT

AND NOW, April 2, 2001, an Affidavit having been filed by R. EDWARD FERRARO, ESQ., Attorney for Plaintiff, that the Complaint with Notice to Plead was served on all of the Defendants by publication in the Courier Express and the Clearfield County Legal Journal, said Proofs of Publication are attached to the Affidavit of Service, and the Defendants have not answered and the Plaintiff, by the said R. EDWARD FERRARO, ESQ. moves the Court to enter judgment in favor of the Plaintiff and against Defendants, and to grant the Plaintiff the relief prayed for in accordance with Pennsylvania Rules of Civil Procedure 1066. Plaintiff further request that your Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248, the thirty (30) days period provided Defendants by Pennsylvania Rules of Civil Procedure, Rule 1066(b)(1), to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiff set forth in his Complaint.

FERRARO & YOUNG

By:


R. EDWARD FERRARO, Esq.
Attorney for Plaintiff

FILED

APR 03 2001

William A. Shaw
Prothonotary

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APR 03 2001 C ✓

William A. Shaw
Prothonotary

THE JOURNAL OF

1924, DEC 17, 1924

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

GEORGE M. BARNEY,
Plaintiff

vs.

No. 2001 - 193 C.D.

THOMAS B. MILLER and
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and assigns, and all other person,
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corporate entities in interest, or
their legal representatives,
Defendants

ACTION TO QUIET TITLE

ORDER

AND NOW, this 3rd day of April, 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 R. EDWARD FERRARO, ESQ., Attorney
for Plaintiff herein, it is hereby ORDERED AND DECREED:

(a) That the title to ALL that certain piece, parcel or tract of land situate, lying and
being in **BELL TOWNSHIP**, Clearfield County, Pennsylvania, bounded and described as
follows:

BOUNDED on the North by lands now or formerly of Atley Miller; on the South by lands now
or formerly of Ellsworth Daisher; on the East by lands now or formerly of Frank Miller; and on
the West by lands now or formerly of O. M. Bracken.

CONTAINING 17 acres,

IS VESTED IN GEORGE M. BARNEY, Plaintiff herein, as prayed.

(b) That THOMAS B. MILLER and MALINDA J. MILLER, his wife, both deceased,
their heirs, executors, administrators, successors and assigns, and all other person, persons,
firms, partnerships or corporate entities in interest, or their legal representatives 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 Plaintiff as set forth in his Complaint,
from impeaching, denying, or in any other way attacking Plaintiff's title to said property; and
from issuing or maintaining any action attacking the same.

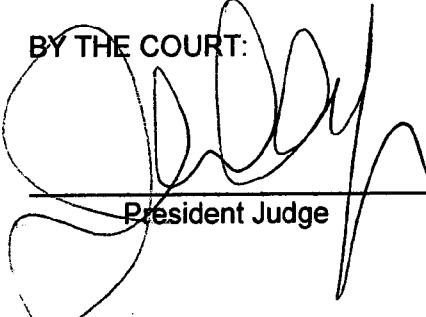
FILED

APR 03 2001

William A. Shaw
Prothonotary

(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 Rules of Civil procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of the Pennsylvania Rules of Civil Procedure No. 248, to eliminate any time period prescribed by the Pennsylvania Rules of Civil Procedure upon Order of Court.

BY THE COURT:



President Judge

FILED

1:23
APR 03 2001

William A. Shaw
Prothonotary

cc - R. E. Ferraro.

E