

01-209-CD  
P. JOSEPH VALIGORSKY, II et al -vs- FRED RAFFERTY et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees, administra-  
tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,

Defendants.

: No. 01 - 209 C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: COMPLAINT

: FILED ON BEHALF OF:

: P. JOSEPH VALIGORSKY, II, and  
: MARK A. PIASIO, Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY:

: PAULA M. CHERRY, ESQ.  
: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.  
: Attorneys at Law  
: One North Franklin Street  
: P.O. Box 505  
: DuBois, PA 15801-0505

: (814) 371-5800

**FILED**

FEB 12 2001

William A. Shaw  
Prothonotary

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

P. JOSEPH VALIGORSKY, II, and :  
MARK A. PIASIO, :  
Plaintiffs, : No. 01 - 209 - C.D.  
vs. :  
ACTION TO QUIET TITLE  
FRED RAFFERTY and LOIS RAFFERTY, :  
and all of their heirs, devisees, administra- :  
tors, executors and assigns, and all other :  
person, persons, firms, partnerships or :  
corporate entities in interests, :  
Defendants. :

NOTICE

TO: FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees,  
administrators, executors and assigns, and all other person, persons, firms,  
partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE  
PREMISES SITUATE IN BRADY TOWNSHIP, CLEARFIELD COUNTY,  
PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described as  
follows:

ALL that certain tract of land situate in the Township of Brady, Clearfield County,  
Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a birch, thence South 164 4/16 perches to a beech tree;  
thence East 100 perches, more or less, to a post; thence North 164 4/16  
perches, more or less, to a post; thence along the North line of Tract No.  
1998 a distance of 100 perches, more or less, to the place of beginning.  
CONTAINING 97 acres and being part of Survey No. 1998.

EXCEPTING AND RESERVING, however, from this conveyance a tract of 4 acres sold

by P.W. Drauker to Earl E. Aurand by Deed dated December 9, 1924, reference thereto the description will more fully and at large appear.

ALSO EXCEPTING AND RESERVING from the above set forth parcel of land all prior Deeds of Conveyance which may have been a portion of the above set forth premises and have been placed of record in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, prior to the recording of this Deed.

BEING assessed on the Clearfield County Assessment Map as Parcel No. 107-D07-000-00018.

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 Plaintiffs. 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.

COURT ADMINISTRATOR  
Clearfield County Courthouse  
2<sup>nd</sup> & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 Ex. 50-51

GLEASON, CHERRY AND CHERRY, L.L.P.  
Attorneys at Law  
One North Franklin Street  
P.O. Box 505  
DuBois, PA 15801-0505  
(814) 371-5800  
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

P. JOSEPH VALIGORSKY, II, and	:	
MARK A. PIASIO,	:	
	:	No. 01 - _____ C.D.
Plaintiffs,	:	
vs.	:	
	:	ACTION TO QUIET TITLE
FRED RAFFERTY and LOIS RAFFERTY,	:	
and all of their heirs, devisees, administra-	:	
tors, executors and assigns, and all other	:	
person, persons, firms, partnerships or	:	
corporate entities in interests,	:	
Defendants.	:	

COMPLAINT

The Plaintiffs in the above-entitled matter, P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, bring this Action to Quiet Title for the purpose of barring the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants, from asserting any right, title and interest or lien in and to the premises described in Exhibit "A", situate in Brady Township, Clearfield County, Pennsylvania, and aver the following cause of action:

1. The Plaintiff, P. JOSEPH VALIGORSKY, II, is an individual who resides at 902 Chestnut Avenue, DuBois, Clearfield County, Pennsylvania 15801.
2. The Plaintiff, MARK A. PIASIO, is an individual who resides at 705 Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801.

3. After diligent search, the Plaintiffs are unable to discover the whereabouts of the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

4. The premises more particularly described in Exhibit "A" was the same premises which were conveyed to Lois Smiley Rafferty by Deed of Blanche Draucker, Administratrix of the Estate of P.W. Draucker, deceased, dated June 17, 1937, and recorded in Clearfield County Deed Book Vol. 318, Page 356.

5. By Deed dated July 23, 1937, and recorded in Clearfield County Deed Book Vol. 321, Page 515, the said Lois Smiley Rafferty, conveyed an undivided one-half interest in the subject premises to Blanche Draucker.

6. The said Blanche Draucker died testate on March 13, 1969, and by the terms of her Last Will and Testament, which was duly probated in the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, did give, devise and bequeath the residue of her estate, which included the undivided one-half interest in the premises which is more particularly described in Exhibit "A" which is attached hereto and made a part hereof, to FRED RAFFERTY and LOIS RAFFERTY.

7. By Order of the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, dated December 5, 1969, and recorded in Clearfield County Deed Book Vol. 557, Page 162, the undivided one-half interest of Blanche Draucker in the subject premises, which is more particularly described in Exhibit "A" attached hereto and made a part hereof, was awarded to FRED RAFFERTY and LOIS RAFFERTY. Said Order of Court was

recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, on January 6, 1970.

8. By Deed dated March 3, 1970, and recorded in Clearfield County Deed Book Vol. 558, Page 382, the said Fred Rafferty and Lois Smiley Rafferty, a/k/a Lois Rafferty, conveyed the premises which is more particularly described in Exhibit "A" which is attached hereto and made a part hereof to FRED RAFFERTY and LOIS RAFFERTY.

9. The subject premises which are more particularly described in Exhibit "A", which is attached hereto and made a part hereof, were exposed to public sale by the Tax Claim Bureau of Clearfield County, Pennsylvania, for unpaid taxes for the years 1995 and 1996 on the 12<sup>th</sup> day of September, 1997.

10. The Law Firm of Gleason, Cherry and Cherry, L.L.P., on behalf of its clients, P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, purchased the subject premises, which is more particularly described in Exhibit "A" which is attached hereto and made a part hereof, at said tax sale on that date, which sale was confirmed by the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 97-1156-C.D.

11. By inadvertent error, the Tax Claim Bureau of Clearfield County, Pennsylvania, conveyed the subject premises to Gleason, Cherry & Cherry, Attorneys at Law, rather than to P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, the clients for whom the premises was purchased. Said Deed was dated November 7, 1997, and recorded in Clearfield County Deeds and Records Book Vol. 1887, Page 16, on November 13, 1997.

12. By Deed dated October 11, 2000, the said Gleason, Cherry & Cherry law firm, more correctly known as Gleason, Cherry and Cherry, L.L.P., conveyed the said premises

located in Brady Township, Clearfield County, Pennsylvania, which is more particularly described in Exhibit "A" attached hereto and made a part hereof, to P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, the clients for whom the land was purchased, correcting the inadvertent error of the Tax Claim Bureau in conveying the subject premises into the name of the law firm rather than into the specific clients for whom the land was purchased. Said Deed was recorded in the Office of the Register and Recorder of Deeds in and for Clearfield County, Pennsylvania, as Instrument No. 200019163.

13. The said FRED RAFFERTY and LOIS RAFFERTY, Defendants, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest were legally divested of all of their rights, title and interest in the premises located in Brady Township, Clearfield County, Pennsylvania, described in Exhibit "A" by virtue of the said tax sale conducted by the Tax Claim Bureau of Clearfield County, Pennsylvania, as aforesaid.

14. That one of the purposes of this Action is to quiet the title as to any interest that the said Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, may have in the said premises described in Exhibit "A" because of any defect that may exist in the title, because of any defect that may exist or may have existed in said tax sale conducted by the Tax Claim Bureau of Clearfield County, Pennsylvania, because of the premises being improperly assessed, not properly described, no proper notice of said tax sale to the record owners, or that said premises were sold as the property of one other than the record owners or legal heirs or assigns of the record owners, or



because the premises may not have been correctly described, or because of any other defect or for any other reason that may raise some question as to the validity of the title. Another purpose of this Action is to make the title to the premises described in Exhibit "A" marketable so that the same can be certified.

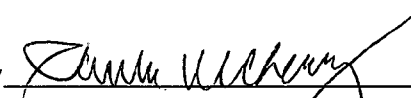
WHEREFORE, Plaintiffs request the Court to:

- (a) Determine that their rights are superior to the rights of the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;
- (b) Determine that the Plaintiffs have fee simple title to the premises described in Exhibit "A" as against the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;
- (c) Enjoin the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest from setting up any title to the premises described in Exhibit "A" and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises described in Exhibit "A"; and
- (d) Grant and decree whatever relief may seem equitable and proper.

AND they will ever pray.

GLEASON, CHERRY AND CHERRY, L.L.P.

By

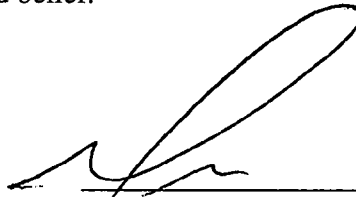
  
Attorneys for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA

:  
: SS.  
:

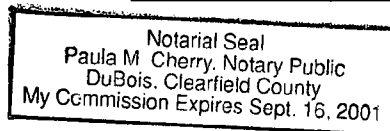
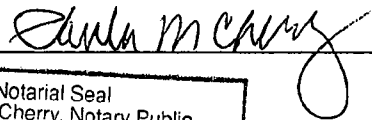
COUNTY OF CLEARFIELD

Personally appeared before me, the undersigned officer, a Notary Public in and for the county and state aforesaid, MARK A. PIASIO, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.



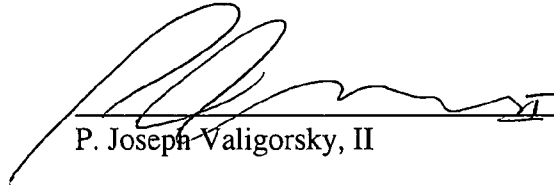
Mark A. Piasio

Sworn to and subscribed before me, this 12<sup>th</sup> day of February, 2001.

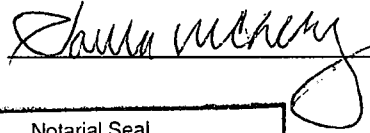


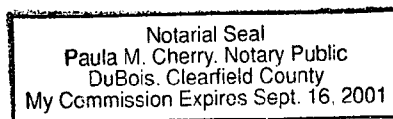
COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned officer, a Notary Public in and for the county and state aforesaid, P. JOSEPH VALIGORSKY, II, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

  
P. Joseph Valigorsky, II

Sworn to and subscribed before me, this 12<sup>th</sup> day of February, 2001.

  
Paula M. Cherry



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

P. JOSEPH VALIGORSKY, II, and	:	
MARK A. PIASIO,	:	
	:	No. 01 - _____ C.D.
Plaintiffs,	:	
vs.	:	
	:	ACTION TO QUIET TITLE
FRED RAFFERTY and LOIS RAFFERTY,	:	
and all of their heirs, devisees, administra-	:	
tors, executors and assigns, and all other	:	
person, persons, firms, partnerships or	:	
corporate entities in interests,	:	
Defendants.	:	

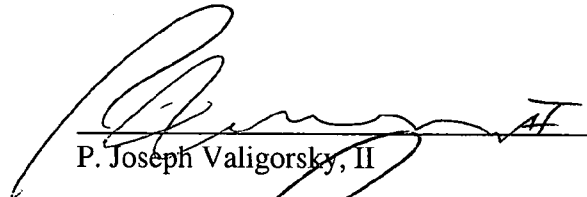
AFFIDAVIT


COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

Personally appeared before me, a Notary Public in and for the county and state aforesaid, P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, who, being duly sworn according to law, depose and say that after diligent search, including a search of the Clearfield County Courthouse records, telephone book, and post office, they are unable to find FRED RAFFERTY and LOIS RAFFERTY, and their heirs, devisees, administrators, executors and assigns and all other person, persons, firms, partnerships, or corporate entities in interest,

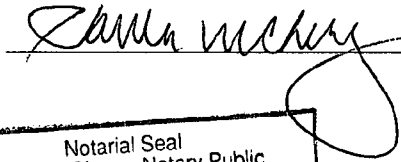
claiming such interest under the said FRED RAFFERTY and LOIS RAFFERTY.

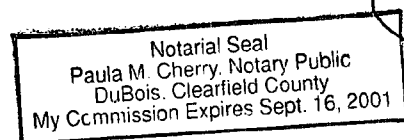
Further Deponents saith not.

  
P. Joseph Valigorsky, II

  
Mark A. Piasio

Sworn to and subscribed before me, this 12<sup>th</sup> day of February, 2001.

  
Paula M. Cherry



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

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees, administra-  
tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,  
Defendants.

No. 01 - 209 - C.D.

ACTION TO QUIET TITLE

ORDER

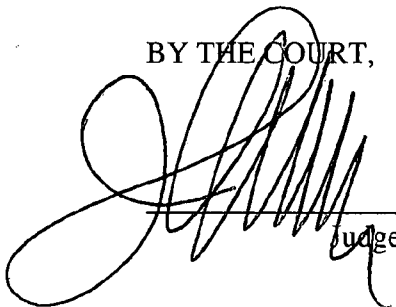
NOW, this 14<sup>th</sup> day of February, 2001, it appearing that an Action to Quiet Title has been filed in the above-entitled case and the identity and whereabouts of FRED RAFFERTY and LOIS RAFFERTY, and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are unknown, the Defendants shall be served with a copy of the Complaint by advertising the same one (1) time in the Courier-Express newspaper and one (1) time in the Clearfield County Legal Journal in accordance with the Notice attached to and made a part of the Complaint.

**FILED**

FEB 14 2001

William A. Shaw  
Prothonotary

BY THE COURT,



Judge

**FILED**

*[Handwritten initials]*

FEB 14 2001

*8/9/28/1cc atty*

William A. Shaw  
Prothonotary

*Cherry*

Exhibit "A"

**ALL** that certain tract of land situate in the Township of Brady, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a birch, thence South 164 4/16 perches to a beech tree; thence East 100 perches, more or less, to a post; thence North 164 4/16 perches, more or less, to a post; thence along the North line of Tract No. 1998 a distance of 100 perches, more or less, to the place of beginning. CONTAINING 97 acres and being part of Survey No. 1998.

EXCEPTING AND RESERVING, however, from this conveyance a tract of 4 acres sold by P.W. Drauker to Earl E. Aurand by Deed dated December 9, 1924, reference thereto the description will more fully and at large appear.

ALSO EXCEPTING AND RESERVING from the above set forth parcel of land all prior Deeds of Conveyance which may have been a portion of the above set forth premises and have been placed of record in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, prior to the recording of this Deed.

BEING assessed on the Clearfield County Assessment Map as Parcel No. 107-DC7-000-00018.



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

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO, Plaintiffs,  
vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees,  
administrators, executors and  
assigns, and all other person,  
persons, firms, partnerships or  
corporate entities in interest,  
Defendants.

No. 01- \_\_\_\_\_ C.D. Action to  
Quiet Title

C O M P L A I N T

To the Within Defendants:

YOU ARE HEREBY NOTIFIED TO PLEAD  
TO THE WITHIN COMPLAINT WITHIN  
TWENTY (20) DAYS FROM THE DATE OF  
SERVICE HEREOF.

GLEASON, CHERRY AND CHERRY, L.L.P.

By Shawn McChesney  
Attorneys for Plaintiffs

LAW OFFICES  
GLEASON, CHERRY & CHERRY, L.L.P.  
P. O. Box 505  
DU BOIS, PENNSYLVANIA 15801-0505  
ONE NORTH FRANKLIN STREET

**FILED**

FEB 12 2001

3:40 PM

William A. Shaw

Prothonotary

ndcc

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

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
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tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,  
Defendants.

No. 01 - 209 C.D.

ACTION TO QUIET TITLE

AFFIDAVIT

**FILED**

MAR 16 2001

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

William A. Shaw  
Prothonotary

Personally appeared before me, a Notary Public in and for the county and state aforesaid, PAULA M. CHERRY, ESQ., Attorney for P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, Plaintiffs, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead within Twenty (20) days from the date of publication was made on all of the Defendants by publication on February 16, 2001, in the Courier-Express newspaper, and the week of February 23, 2001, in the Clearfield County Legal Journal, proof of the same is hereto attached, in accordance with the Order of Court, and more than Twenty (20) days have elapsed since said

publications and that said Defendants have not filed an Appearance or any Answer to the Complaint, although the time in which to do so has expired.

Paula M. Cherry  
Paula M. Cherry

Sworn to and subscribed before me this 18<sup>th</sup> day of March, 2001

Karen L. Starch

RECORDERS OF DEEDS

My Commission Expires  
First Monday in January, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

R. JOSEPH VALIGORSKY, II, AND MARK A. PIASIO  
Plaintiffs

vs.  
FRED RAFFERTY and LOIS RAFFERTY and all of their heirs, devisees, administrators, executors and assigns, and all other persons, firms, partnerships or corporate entities in interests  
Defendants

No. 01-209 C.D.

ACTION TO QUIET TITLE

NOTICE

TO: FRED RAFFERTY and LOIS RAFFERTY, and all their heirs, devisees, administrators, executors and assigns, and all other persons, firms, partnerships or corporate entities in interest:  
YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE PREMISES SITUATE IN BRADY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described as follows:

All that certain tract of land situate in the Township of Brady, Clearfield County, Pennsylvania, bounded and described as follows, to wit:  
1. Beginning at a birch, thence South 164 4/16 perches to a beech tree, thence East 100 perches, more or less, to a post; thence along the North line of Tract No. 1998 a distance of 100 perches, more or less, to the place of beginning. CONTAINING 97. acres and being part of Survey No. 1998.

EXCEPTING AND RESERVING, however, from this conveyance a tract of 4 acres sold by P. W. Draucker to Earl E. Aurand by Deed dated December 9, 1924, reference thereto the description will more fully and at large appear.

ALSO EXCEPTING AND RESERVING from the above set forth parcel of land all prior Deeds of Conveyance which may have been a portion of the above set forth premises and have been placed of record in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, prior to September 12, 1997.

BEING assessed on the Clearfield County Assessment Map as Parcel No. 107-D07-000-00018.

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint, you must take action within Twenty (20) days from the date of publication of this Notice, to wit: on or before March 8, 2001, by entering 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 Plaintiffs in the Complaint. 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.

COURT ADMINISTRATOR

Clearfield County Courthouse

2nd & Market Streets

Clearfield, PA 16830

(814) 765-2641 EX. 50-51

GLEASON, CHERRY AND CHERRY, L.L.P.

Attorneys at Law

One North Franklin Street

P.O. Box 505

Dubois, PA 15801-0505

(814) 371-5800

Attorneys for Plaintiffs

2/16/01

**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

16th day of February 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

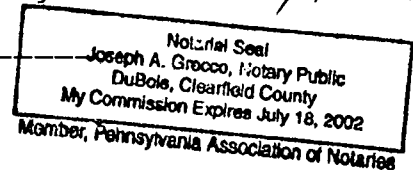
Sworn and subscribed to before me this 16th day of February, 2001



Joseph A. Grecco  
Notary Public

Statement of Advertising Cost  
**McLEAN PUBLISHING COMPANY**  
Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY**  
DuBois, PA



TO Gleason, Cherry & Cherry - Valigorsky & Piasio vs. Rafferty  
For publishing the notice or advertisement & Rafferty  
attached hereto on the above stated dates.....\$ 207.36  
Probating same.....\$ 4.25  
Total.....\$ 211.61

**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 that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801  
Established 1879, Phone 814-371-4200

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

By \_\_\_\_\_

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

\_\_\_\_\_  
**ATTORNEY FOR**

which is part of the bid packet.

The sealed bid must be in the hands of the District no later than February 21, 2001 at Noon.

The bids will be opened at a public meeting to be held on February 21, 2001 at 7:00 p.m. in the elementary conference room, West Branch Area School, R.R. 2, Box 194, Morrisdale, PA 16858.

Action will be taken on the bids at the regular monthly meeting on February 26, 2001 at 7:30 p.m. in the Elementary gym, West Branch Area School, R.R. 2, Box 194, Morrisdale, PA 16858.

WEST BRANCH AREA SCHOOL DISTRICT, Winifred H. Jones-Wenger, Solicitor, 333 Laurel Street, Phillipsburg, PA 16866, (814) 342-4330.

ADV: February 9th, 16th, 23rd.

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

P. JOSEPH VALIGORSKY, II and MARK A. PIASIO, Plaintiff vs. FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, executors, administrators, and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

**ACTION TO QUIET TITLE**

TO: FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, executors, administrators, and assigns, and all other person, persons, firms, partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE PREMISES SITUATE IN BRADY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described as follows:

ALL that certain tract of land situate in the Township of Brady, County of Clearfield, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a birch, thence South 164 4/16 perches to a beech tree; thence East 100 perches, more or less, to a post; thence North 164 4/16 perches, more or less, to a post; thence along the North line of Tract No. 1998 a distance of 100 perches, more or less, to the place of beginning.

EXCEPTING AND RESERVING, however, from this conveyance a tract of 4 acres sold by P. W. Drauker to Earl E. Aurand by Deed dated December 9, 1924, reference thereto the description will more fully and at large appear.

ALSO EXCEPTING AND RESERVING from the above set forth parcel of a

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land all prior Deeds of Conveyance which may have been a portion of the above set forth premises and have been placed of record in the office of the Register and Recorders of Deeds of Clearfield County, Pennsylvania, prior to September 12, 1997.

BEING assessed on the Clearfield County Assessment Map as Parcel No. 107-D07-000-00018.

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 claim 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 FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. COURT ADMINISTRATOR, CLEARFIELD COUNTY COURT-HOUSE, 2ND & Market Streets, Clearfield, PA 16830 (814) 765-2641, ext. 5982.

GLEASON, CHERRY & CHERRY, L.L.P., One North Franklin Street, P.O. Box 505, DuBois 15801.

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#### **SHERIFF'S SALE OF VALUABLE REAL ESTATE**

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, MARCH 2, 2001 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with

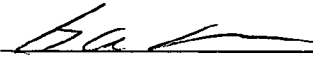
## PROOF OF PUBLICATON

STATE OF PENNSYLVANIA :

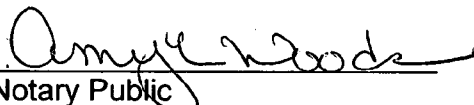
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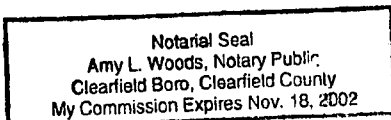
COUNTY OF CLEARFIELD :

On this 28th day of February 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 February 23, 2001, Vol. 13, No. 8. 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.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires



Member, Pennsylvania Association of Notaries

Gleason Cherry & Cherry  
P.O. Box 505  
DuBois, PA 15801



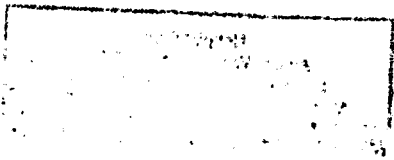
FILED

MAR 16 2001

3:00 PM

William A. Shaw  
Prothonotary

*[Signature]*



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

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees, administra-  
tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,

Defendants.

No. 01 - 209 C.D.

ACTION TO QUIET TITLE

MAR 16 2001

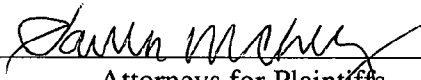
William A. Shaw  
Prothonotary

MOTION FOR JUDGMENT

AND NOW, this 16 day of March, 2001, an Affidavit having been filed by  
Plaintiffs, P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, by their attorney, PAULA  
M. CHERRY, ESQ., that the Complaint with Notice to Plead was served on all of the  
Defendants and the Defendants have not answered, the Plaintiffs, by their attorney, PAULA M.  
CHERRY, ESQ., move the Court to enter judgment in favor of the Plaintiffs and against the  
Defendants in the above-named case and to grant to the Plaintiffs the relief prayed for in  
accordance with Pennsylvania Rules of Civil Procedure 1066. Plaintiffs further request that the  
Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248,  
the Thirty (30) day period provided Defendants by Pennsylvania Rules of Civil Procedure,

Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

GLEASON, CHERRY AND CHERRY, L.L.P.

By   
Attorneys for Plaintiffs

FILED

MAR 16 2001

013001000  
William A. Shaw  
Prothonotary  
~~cert~~

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

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees, administra-  
tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,

Defendants.

No. 01 - 209 C.D.

ACTION TO QUIET TITLE

**FILED**

MAR 20 2001

William A. Shaw  
Prothonotary

ORDER

AND NOW, this 16 day of March, 2001, it appearing that service of the Complaint to Quiet Title in the above Action was made on all of the Defendants and by Affidavit of PAULA M. CHERRY, ESQ., Attorney for Plaintiffs, no Answer or Appearance has been filed to said Action, and on Motion of PAULA M. CHERRY, ESQ., Attorney for Plaintiffs, it is hereby ORDERED AND DECREED:

1. That the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are forever barred from asserting any right, title,

lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint in and to ALL that certain tract of land situate in the Township of Brady, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a birch, thence South 164 4/16 perches to a beech tree; thence East 100 perches, more or less, to a post; thence North 164 4/16 perches, more or less, to a post; thence along the North line of Tract No. 1998 a distance of 100 perches, more or less, to the place of beginning. CONTAINING 97 acres and being part of Survey No. 1998.

EXCEPTING AND RESERVING, however, from this conveyance a tract of 4 acres sold by P.W. Drauker to Earl E. Aurand by Deed dated December 9, 1924, reference thereto the description will more fully and at large appear.

ALSO EXCEPTING AND RESERVING from the above set forth parcel of land all prior Deeds of Conveyance which may have been a portion of the above set forth premises and have been placed of record in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, prior to September 12, 1997.

BEING assessed on the Clearfield County Assessment Map as Parcel No. 107-D07-000-00018.

and that title to said property is now vested in P. JOSEPH VALIGORSKY, II, and MARK A. PIASIO, Plaintiffs, as prayed.

2. That the rights of the Plaintiffs are superior to the rights of the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

3. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms,

partnerships or corporate entities in interest.

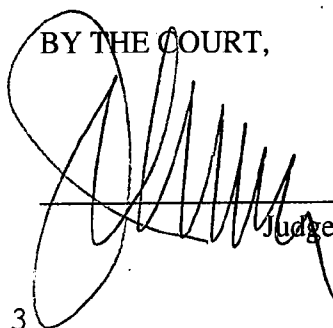
4. That the Defendants, FRED RAFFERTY and LOIS RAFFERTY, and all of their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are enjoined and forever barred from asserting any right, title or interest in and to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

5. That the Thirty (30) day provision of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified 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 Pennsylvania Rules of Civil Procedure upon Order of Court.

6. That these proceedings, or any authenticated copy thereof, shall at all times hereafter be taken as evidence of the facts declared and established thereby.

7. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT,



Judge

**FILED**

MAR 20 2001

01156146-ethy  
William A. Shaw  
Prothonotary

*E. C. C. C.*



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

P. JOSEPH VALIGORSKY, II, and  
MARK A. PIASIO,

Plaintiffs,

vs.

FRED RAFFERTY and LOIS RAFFERTY,  
and all of their heirs, devisees, administra-  
tors, executors and assigns, and all other  
person, persons, firms, partnerships or  
corporate entities in interests,  
Defendants.

No. 01 - 209 C.D.

ACTION TO QUIET TITLE

PRAECIPE

TO: WILLIAM A. SHAW, PROTHONOTARY

Dear Sir:

Please enter final judgment in favor of the above-named Plaintiffs and against the  
Defendants in accordance with Order of Court dated March 16, 2001.

GLEASON, CHERRY AND CHERRY, L.L.P.

**FILED**

MAR 16 2001

William A. Shaw  
Prothonotary

By Edna Mahley  
Attorneys for Plaintiffs

FILED

MAR 15 2001

03:00 PM

William A. Shaw  
Prothonotary

*WAS*