

01-823-CD  
IN RE: SANDY TOWNSHIP

61-827-47

RW 467A

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

S.R.-SEC. 0219-2-28

PROPOSED SCHEDULE OF DISTRIBUTION

COUNTY	Clearfield	PROPOSED SCHEDULE OF DISTRIBUTION						
S.R.-SEC.	0219-2-28							
Name(s) and Address(es) of Condemnee(s) and Location(s) of Property(ies)	Estimated Just Compensation	Type	Date of Record	Place of Record	Name of Lienor	Record Amount Due	Actual Amount Due	Net Due To Condemnee(s)
Grace R. Cherry, single, record owner 11 South State Street DuBois, PA 15801	\$7,000.00				NONE			
Toni M. Cherry & Paula M. Cherry Attorneys in Fact for Grace R. Cherry Gleason, Cherry & Cherry P.O. Box 505 DuBois, PA 15801								
LOCATION OF CONDEMNED PROPERTY Deed Book 1541 Page 380								
Share of Taxes	\$96.00							
TOTAL	\$7,096.00							

\*Subject to possible unliened, unpaid  
municipal claims and taxes.

Date: 10/31/2001

Time: 12:06 PM

Clearfield County Court of Common Pleas

Receipt

NO. 1833490

Received of: Commonwealth of Penna. Dept. of Transportation

\$ 7,096.00

Seven Thousand Ninety-Six and 00/100 Dollars

Unapplied receipt: 7096.00

01-823-CD

Deposit to General Account

IAT CBD&T

Payment Method: Cash

Amount Tendered: 7096.00

William A. Shaw, Prothonotary/Clerk of Courts

Clerk: BILLSHAW

Duplicate

By: \_\_\_\_\_

Deputy Clerk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION, OF THE  
RIGHT-OF-WAY FOR STATE  
ROUTE 0219, SECTION 228 R/W,  
IN THE TOWNSHIP OF SANDY

NO. 01-823-CD

EMINENT DOMAIN PROCEEDING  
IN REM

DECLARATION OF TAKING

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

This Declaration of Taking, based on the provisions of Article IV, Section 402, of the Eminent Domain Code, Act of June 22, 1964, P. L. 84, 26 P. S. 1-402, as amended, respectfully represents that:

1. The Condemnor is the Commonwealth of Pennsylvania, Department of Transportation, acting through the Secretary of Transportation.

2. The address of the Condemnor is:

Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212

3. The Department of Transportation is authorized by the provisions of Section 2003(e) of the Administrative Code of 1929, P. L. 177, 71 P. S. 513(e), as amended, to acquire by gift, purchase, condemnation or otherwise, land in fee simple or such other estate or interest as it shall determine, in the name of the Commonwealth for all transportation purposes.

**FILED**

MAY 30 2001

William A. Shaw  
Prothonotary

4. The within condemnation has been authorized by a plan signed by the Secretary of Transportation on May 1, 2001, entitled "Drawings and Authorizing Acquisition of Right-of-Way for State Route 0219, Section 228 R/W, also State Route 0219 Section N06 R/W, and State Route 0219 Section A03 R/W in Clearfield County", a copy of which plan was filed in the County Recorder's Office in Instrument No. 200107339 at Map File No. 2309 on May 16, 2001.

5. The purpose of the within condemnation is to acquire property for transportation purposes.

6. A Schedule of Property Condemned identifying and specifying the location of the property hereby condemned is attached hereto and made a part hereof.

7. Plans showing the property hereby condemned may be inspected in the Recorder's Office of the aforesaid County at the places indicated on the attached Schedule of Property Condemned or, if not shown thereon, on the day of the filing of this document being lodged for record or filed in said Recorder's Offices, where they may be inspected.

8. The nature of the title hereby condemned is fee simple and temporary construction easements.

9. In the event there are recoverable minerals (including gas and oil) within the areas, if any, hereby condemned in fee simple, the mineral rights (including rights to gas and oil) in those areas are hereby excepted and reserved from this condemnation, provided however, that the right of support of the areas condemned is included within the scope of this condemnation, and no access from the surface of such areas for removal purposes will be allowed without permission from the Commonwealth.

10. The payment of just compensation in this matter is secured by the Commonwealth's power of taxation.

11. I, Gary C. Fawver, P.E., Chief, Right of Way & Utilities Division, of the Department of Transportation, do hereby depose, swear and affirm that I am authorized by and do hereby execute this Declaration of Taking on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the averments contained and set forth herein are true and correct to the best of my knowledge, information and belief, and are made subject to penalties provided in 18 Pa. C. S. §4904, relating to false swearing to authorities.

WHEREFORE, fee simple title and temporary construction easements are hereby condemned from the properties identified on the attached Schedule of Property Condemned, as indicated on the plans referenced in paragraph 7 above.



\_\_\_\_\_  
Gary C. Fawver, P.E.,  
Chief, Right of Way & Utilities Division

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-823-CD

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT OF WAY FOR STATE  
ROUTE 0219, SECTION 228 R/W,  
IN THE  
TOWNSHIP OF SANDY

---

DECLARATION OF TAKING

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Stuart A. Liner  
Assistant Counsel  
ID No. 15290

Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION, OF THE RIGHT-  
OF-WAY FOR STATE ROUTE 0219,  
SECTION 228 R/W, IN THE  
TOWNSHIP OF SANDY

NO. 01-823-CJ

EMINENT DOMAIN PROCEEDING  
IN REM

PRAECIPE TO ENTER APPEARANCE

TO THE PROTHONOTARY OF SAID COURT:

Please enter the appearance of Michael J. Creighton, Assistant Counsel In Charge, 1209 State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania and Stuart A. Liner, Assistant Counsel, Office of Chief Counsel, Department of Transportation, P.O. Box 8212, Harrisburg, PA 17105-8212, as attorneys for the Commonwealth of Pennsylvania, Department of Transportation, Condemnor in the above-captioned proceedings.

Michael J. Creighton  
Michael J. Creighton  
Assistant Counsel In Charge

Stuart A. Liner  
Stuart A. Liner  
Assistant Counsel

Dated: May 24, 2001

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT OF WAY FOR STATE ROUTE  
0219, SECTION 228 R/W,  
IN THE  
TOWNSHIP OF SANDY

PRAECIPE TO ENTER APPEARANCE

Filed, \_\_\_\_\_, 20\_\_\_\_\_,  
\_\_\_\_ A.M.      \_\_\_\_ P.M.

Commonwealth of Pennsylvania  
Department of Transportation

Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212  
Telephone No. (717) 787-3128

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155

**SCHEDULE OF  
PROPERTY CONDEMNED  
(Declaration of Taking)**

Page 1 of 3

* TYPE OF DESCRIPTION	D - Deed Description	P - Plan lodged for recording with Notice of Condemnation	R - Plan now recorded in Recorder's Office
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CLAIM NO.	PARCEL NO.	NAME, MAILING ADDRESS, AND PROPERTY INTEREST OF CONDEMNNEES, AND LOCATION OF CONDEMNED PROPERTY	ATTACHED EXHIBIT NO. (IF ANY)	TYPE OF DESCRIPTION	PLAN (IF ANY) RECORDED IN
17000530000	18	<p>Grace R. Cherry, single, record owner  11 South State Street  Dubois, PA 15801</p> <p>Toni M. Cherry &amp; Paula M. Cherry  Attorneys in Fact for  Grace R. Cherry  Gleason, Cherry &amp; Cherry  P. O. Box 505  DuBois, PA 15801</p> <p><b>LOCATION OF CONDEMNED PROPERTY</b>  Deed Book 1541 Page 380</p> <p>NOTE: Name is not the same as that on the Plan Sheet because Joseph J. Cherry died vesting sole interest in his sister,  Grace R. Cherry</p>		R	Clearfield County Instrument No. 200107339 Map File No. 2309 Sheet 13, 14 & 48

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION



County:	Clearfield
Route-Section:	0218-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155

SCHEDULE OF  
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17000570000	22	<p>Dorothy Hook, single, record owner RD #1, Box 264 Brockport, PA 15823</p> <p>LOCATION OF CONDEMNED PROPERTY Deed Book 1063 Page 127</p>		R	<p>Clearfield Count Instrument No. 200107339 Map File No. 2309 Sheet 14 &amp; 48</p>

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
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**SCHEDULE OF  
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17000660000	33	<p>Cloyd B. Snyder and Shirley D. Snyder, aka Shirley T. Snyder, his wife, record owners  1254 South Brady Street  DuBois, PA 15801</p> <p>James R. Kramer and  Judy L. Kramer, husband &amp; wife  Owner by Installment Sale Land Contract  Deed Book 1686 Page 268  800 South Brady Street  DuBois, Pa 15801</p> <p>As their interests may appear.</p> <p><b>LOCATION OF CONDEMNED PROPERTY</b>  Deed Book 539 Page 18  Deed Book 787 Page 280</p>		R	Clearfield County Instrument No. 200107339 Map File No. 2309 Sheet 15 & 49

FILED

CC Comm.  
MAY 30 2001  
2001

W.A. Shaw  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION, OF THE RIGHT-  
OF-WAY FOR STATE ROUTE 0219,  
SECTION 228 R/W, IN THE  
TOWNSHIP OF SANDY

NO. 01-823-C TERM, 2001

EMINENT DOMAIN PROCEEDING  
IN REM

MEMORANDUM TO PROTHONOTARY

You are hereby informed that notice of the condemnation effected by the Declaration of  
Taking filed to the above term and number on May 30, 2001, was recorded in the office of the  
Recorder of Deeds of the above county as Inst. No. 200108096, Page(s)

The condemnation book and page number, file number, or microfilm number of any property  
plat filed or microfilmed separately from the said Notice of Condemnation is shown on the list of  
property condemned which is attached hereto.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY Gary J. Bujala  
for District Right of Way Administrator  
Engineering District No. 2-0

**FILED**

MAY 31 2001

William A. Shaw  
Prothonotary

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
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**COMPLETED SCHEDULE OF  
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(Declaration of Taking)**

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**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0218-228
State Proj. No.:	B-0219-06-228-0220
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**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
THE RIGHT-OF-WAY FOR STATE ROUTE  
0219, SECTION 228 R/W, IN THE TOWNSHIP  
OF SANDY

NO. 01-823-CD

TERM, 2001

EMINENT DOMAIN PROCEEDING IN REM

PROOF OF SERVICE

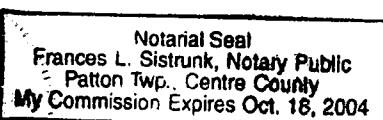
COMMONWEALTH OF PENNSYLVANIA:

:ss

COUNTY OF CLEARFIELD

:

Michael Hnat, being duly sworn accordance to law, deposes and says that he/she is District Right-of-Way Administrator of District 2-0, Department of Transportation, Commonwealth of Pennsylvania, and that on or before June 6, 2001, notice of the filing of the Declaration of Taking in the above matter was served on the condemnees affected thereby in compliance with Article IV, Section 405, of the Eminent Domain Code, Act of June 22, 1964, P.L. 84, as amended. A schedule of the condemnees so notified is attached hereto and made a part hereof.



Sworn to and subscribed before me

A handwritten signature of Frances L. Sistrunk in black ink.

Notary Public

My Commission Expires: 10/18/04

A handwritten signature of Gary J. Bogalid in black ink, followed by a horizontal line.

Gary J. Bogalid  
District Right-of-Way Administrator

**FILED**

JUN 08 2001

William A. Show  
Prothonotary

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
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**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0218-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155

**COMPLETED SCHEDULE OF  
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**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**



County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
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**COMPLETED SCHEDULE OF  
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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

REМИS Proj No.:	020045
County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155
Claim No.:	17000530000

RE: Declaration of Taking filed on **MAY 30 2001**  
to No. 01-823-CD Term, 2001  
In the Court of Common Pleas  
of Clearfield County

JUN - 4 2001

**COPY**

Grace R. Cherry  
c/o Toni & Paula Cherry  
P. O. Box 505  
DuBois, PA 15801

Dear Ms. Cherry:

Because the Pennsylvania Department of Transportation has been unable to reach an agreement with you for the purchase of the right-of-way required from your property for the above improvement, the Department has acquired the necessary interest by filing a Declaration of Taking to the above Court and Term Number. A copy of the Declaration of Taking is attached hereto, together with a memorandum explaining your rights as a condemnee under the Eminent Domain Code.

One of the most important of these rights is your right to receive payment of \$7,000.00, the amount to which the Department estimates you are entitled as just compensation. This payment will be made to you without jeopardizing in any way your right to petition the court to appoint a Board of Viewers to determine the amount of damages to which you are entitled. Your Right-of-Way Representative will visit you shortly to help you apply for your payment on account. We urge you to sign the necessary papers so that we can process your payment without delay.

If you do not apply for your payment on account within 30 days, the money will be deposited into court, where it will be held for you without interest. The money thus deposited may then be withdrawn only by your application to court.

Even though we have had to file a Declaration of Taking - and even after payment to you or into court of your estimate of just compensation - we remain willing and anxious to discuss your claim with you. Of course, it is our primary aim to settle your claim; however, it is also our responsibility to see that you are fully advised of your rights and how to protect them.

Sincerely yours,

Michael Hnat  
District Right-of-Way Administrator  
Engineering District 2-0

Your Right-of-Way Representative is:

Frances Sistrunk of Interstate Acquisition Services  
(814) 371-1962

ATTACHMENTS: (1) Declaration of Taking  
(2) Memorandum (Form R/W-475M)

Parcel No: 18  
Claim No: 17000530000  
Claimant: Cherry

DT Package + RW 475

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

6493  
 4732 0000 0000 1670 0000 1670

Cherry, Grace R.

Postage	\$ 76
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 416

Postmark  
Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)  
 CLO Tovi & Paula Cherry

Street, Apt. No., or PO Box No.  
 P.O. Box 505

City, State, ZIP+4  
 Dubois PA 15801

PS Form 3800 (February 2000) 22-587-111 See Reverse for Instructions

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by (Please Print Clearly),  <i>Toni M. Cherry</i></p> <p>B. Date of Delivery  <i>6-6-01</i></p> <p>C. Signature  <i>Toni M. Cherry</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No      If YES, enter delivery address below: <i>Dubois PA 15801</i></p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

2. Article Number (Copy from service label)

umber (Copy from service label) 7000 1620 0000 4732 6643

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

MAY 30 2001

REМИS Proj. No.:	020045
County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155
Claim No.:	17000570000

RE: Declaration of Taking filed on  
to No. 01-823-CD Term, 2001  
In the Court of Common Pleas  
of Clearfield County

JUN - 4 2001

COPY

Dorothy Hook  
RD #1, Rattlesnake Road  
Brockport, PA 15823

Dear Ms. Hook:

Because the Pennsylvania Department of Transportation has been unable to reach an agreement with you for the purchase of the right-of-way required from your property for the above improvement, the Department has acquired the necessary interest by filing a Declaration of Taking to the above Court and Term Number. A copy of the Declaration of Taking is attached hereto, together with a memorandum explaining your rights as a condemnee under the Eminent Domain Code.

One of the most important of these rights is your right to receive payment of \$1,800.00, the amount to which the Department estimates you are entitled as just compensation. This payment will be made to you without jeopardizing in any way your right to petition the court to appoint a Board of Viewers to determine the amount of damages to which you are entitled. Your Right-of-Way Representative will visit you shortly to help you apply for your payment on account. We urge you to sign the necessary papers so that we can process your payment without delay.

If you do not apply for your payment on account within 30 days, the money will be deposited into court, where it will be held for you without interest. The money thus deposited may then be withdrawn only by your application to court.

Even though we have had to file a Declaration of Taking – and even after payment to you or into court of your estimate of just compensation – we remain willing and anxious to discuss your claim with you. Of course, it is our primary aim to settle your claim; however, it is also our responsibility to see that you are fully advised of your rights and how to protect them.

Sincerely yours,

Michael Hnat  
District Right-of-Way Administrator  
Engineering District 2-0

Your Right-of-Way Representative is:

Melissa Kate Gray of Interstate Acquisition Services  
(814) 371-1962

ATTACHMENTS: (1) Declaration of Taking  
(2) Memorandum (Form R/W-475M)

٢٢ : آنچه از

Case No: 17000570005

Hock

22

AT Package & RW 475

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

HOCK

Postage	\$	76
Certified Fee		190
Return Receipt Fee (Endorsement Required)		150
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	416

Recipient's Name (Please Print Clearly) (to be completed by Mailing Office)

Street, Apt. No., or PO Box No.  
 R.J. #1 Rattlesnake Rd

City, State, ZIP+4  
 Brockport NY 14420

PS Form 3800, February 2000

See Reversal for Instructions

1 6 5 0  
4 7 3 2  
0 0 0 0  
0 7 0  
7 0 0 0

JULY 13 2001  
RECEIVED  
15823  
Here  
15823  
JULY 13 2001

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by (Please Print Clearly) <b>TERRELL HOOK</b></p> <p>B. Date of Delivery <b>7-5-81</b></p> <p>C. Signature <b>Terrell Hook</b></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: <b>RR 1 BOX 264</b></p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>1. Article Addressed to:</p> <p>Dorothy Hook Rd # 1 Rattlesnake Brockport NY 15823</p>			
<p>2. Article Number (Copy from service label)</p>			

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

REМИS Proj. No.:	020045
County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155
Claim No.:	17000660000

RE: Declaration of Taking filed on  
to No. 01-823-CD Term, 2001  
In the Court of Common Pleas  
of Clearfield County

JUN - 4 2001

**COPY**

Cloyd B. & Shirley D. Snyder  
1254 South Brady Street  
DuBois, PA 15801

James R. & Judy L. Kramer  
800 South Brady Street  
DuBois, PA 15801

Dear Mr. & Mrs. Snyder:

Because the Pennsylvania Department of Transportation has been unable to reach an agreement with you for the purchase of the right-of-way required from your property for the above improvement, the Department has acquired the necessary interest by filing a Declaration of Taking to the above Court and Term Number. A copy of the Declaration of Taking is attached hereto, together with a memorandum explaining your rights as a condemnee under the Eminent Domain Code.

One of the most important of these rights is your right to receive payment of \$5,000.00, the amount to which the Department estimates you are entitled as just compensation. This payment will be made to you without jeopardizing in any way your right to petition the court to appoint a Board of Viewers to determine the amount of damages to which you are entitled. Your Right-of-Way Representative will visit you shortly to help you apply for your payment on account. We urge you to sign the necessary papers so that we can process your payment without delay.

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Sincerely yours,

Michael Hnat  
District Right-of-Way Administrator  
Engineering District 2-0

Your Right-of-Way Representative is:

Melissa Kate Gray of Interstate Acquisition Services  
(814) 371-1962

ATTACHMENTS: (1) Declaration of Taking  
(2) Memorandum (Form R/W-475M)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

REМИS Proj. No.:	020045
County:	Clearfield
Route-Section:	0219-228
State Proj. No.:	B-0219-06-228-0220
Federal Proj. No.:	Q05-X022-155
Claim No.:	17000660000

RE: Declaration of Taking filed on  
to No. 01-823-CD Term, 2001  
In the Court of Common Pleas  
of Clearfield County

JUN - 4 2001

Cloyd B. & Shirley D. Snyder  
1254 South Brady Street  
DuBois, PA 15801

James R. & Judy L. Kramer  
800 South Brady Street  
DuBois, PA 15801

**COPY**

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Sincerely yours,

Michael Hnat  
District Right-of-Way Administrator  
Engineering District 2-0

Your Right-of-Way Representative is:

Melissa Kate Gray of Interstate Acquisition Services  
(814) 371-1962

ATTACHMENTS: (1) Declaration of Taking  
(2) Memorandum (Form R/W-475M)

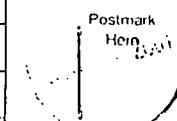
170006600000

maut:

Snyder / Kramer

DT Package + RW 475

3

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
SNYDER	
Postage	\$ 76
Certified Fee	190
Return Receipt Fee (Endorsement Required)	150
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 416
	
Recipient's Name (Please Print Clearly) (to be completed by mailer)	
Street, Apt. No., or PO Box No.	
1254 S. Brady St.	
City, State, ZIP+4	
DVRois PA 15801	

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>		
2199 4732 2744 0000 0000 0000 1691 0000	Kramer	
	Postage	\$ 76
	Certified Fee	190
	Return Receipt Fee (Endorsement Required)	150
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 410
Postmark Here		
Recipient's Name (Please Print Clearly) (to be completed by mailer)		
Street, Apt. No., or PO Box No.		
800 S. Brady St.		
15851		

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

---

1. Article Addressed to:

Clotie B. + Shirley D.  
Snyder  
1254 S. Brady St.  
DuBois PA 15801

<b>COMPLETE THIS SECTION ON DELIVERY</b>	
A. Received by (Please Print Clearly)	B. Date of Delivery
 6/5/01	
C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
<b>X</b> 	
D. Is delivery address different from item 1?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If YES, enter delivery address below:	

2. Article Number (Copy from service label)	7000 1670 0000
<b>SENDER: COMPLETE THIS SECTION</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	
<hr/> 1. Article Addressed To: <p>James R &amp; Judy L. Kramer 800 S. Brady St. Dubois PA 15801</p>	
<hr/> 2. Article Number (Copy from service label)	

4732 6629

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
*Edmund Siegfried 6/5/51*

C. Signature *Edmund Siegfried*  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UP

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT OF WAY, FOR STATE  
ROUTE 0219, SECTION 228, IN THE  
TOWNSHIP OF SANDY

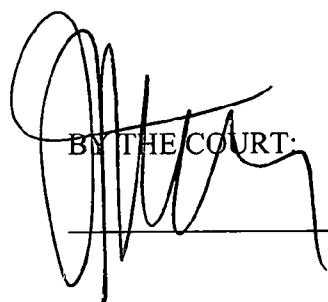
: No. 01-823-CD

CLAIM NO. 17000530000

: EMINENT DOMAIN ROCEEDINGS-IN REM

ORDER OF COURT

AND NOW, ~~Oct 29, 2001~~ upon presentation of the within Petition, it is hereby ordered and directed that the sum of \$7,096.00 representing the amount of just compensation estimated by the Commonwealth to be due the condemnee(s) on the subject property shown on the attached Proposed Schedule of Distribution, be paid into Court, in an interest bearing account to be held until further Order of Court directing payment of said amount to the said condemnee(s) and/or person(s) entitled thereto pursuant to Section 407, 521 and/or 522, of the Eminent Domain Code, 26 P.S. §§§1-407, 1-521 and or 1-522, as they may apply.

  
BY THE COURT:

**FILED**

OCT 3 2001  
010:00 AM Cm. of Pa.  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE : No. 01-823-CD  
COMMONWEALTH OF PENNSYLVANIA, :  
DEPARTMENT OF TRANSPORTATION, :  
OF RIGHT OF WAY, FOR STATE :  
ROUTE 0219, SECTION 228, IN THE :  
TOWNSHIP OF SANDY :  
CLAIM NO. 17000530000 : EMINENT DOMAIN ROCEEDINGS-IN REM

PETITION TO DEPOSIT ESTIMATED  
JUST COMPENSATION

**FILED**

OCT 2 6 2001

William A. Shaw  
Prothonotary

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

1. The Department of Transportation is a Department of the Commonwealth of Pennsylvania, with office at P.O. Box 8212, Harrisburg, PA 17105-8212.
2. On May 30, 2001 a Declaration of Taking was filed to the above captioned term and number by the Secretary of Transportation.
3. Although the condemnee(s) listed on the attached Proposed Schedule of Distribution was offered the full amount of the Commonwealth's estimated just compensation as payment pro tanto of their right of way damage claim, without prejudice to their right to proceed to a final determination of their just compensation between the parties, the Commonwealth has been unable to make payment because claimants have not applied for estimated just compensation.
4. A draft in the total amount of just compensation due the condemnee(s), as estimated by the Commonwealth, and the Commonwealth's pro-rata share of taxes on the subject property made payable to the Prothonotary of this Court is attached hereto.
5. I, Stuart A. Liner, Assistant Counsel, do hereby depose, swear, and affirm that I am authorized by and do hereby execute this Petition to Deposit Estimated Just Compensation on

behalf of the Commonwealth, Department of Transportation, and that the averments contained and set forth herein are true and correct to the best of my knowledge, information and belief, and are made subject to the penalties provided in 18 Pa. C.S. §4904, relating to false swearing to authorities.

WHEREFORE, in order to assure possession of the condemnees' property, if required, by your Petitioner to which it is entitled under Section 407, of the Eminent Domain Code, 26 P.S. §1-407, your Petitioner prays that your Honorable Court direct payment of the aforesaid estimated just compensation and the Commonwealth's pro-rata share of the taxes on the subject property into Court, to be held until further Order of Court directing payment of said amount to the said condemnee(s) and/or person(s) entitled thereto pursuant to, Sections 407, 521 and/or 522, of the said Code, 26 P.S. §§1-407, 1-521 and/or 1-522, as they may apply.

Respectfully submitted,

BY Stuart A. Liner  
Stuart A. Liner  
Assistant Counsel  
ID No. 15290  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212  
Telephone: 717-787-3128

## COMMONWEALTH OF PENNSYLVANIA

## DEPARTMENT OF TRANSPORTATION

PROPOSED SCHEDULE OF DISTRIBUTION

COUNTY	Clearfield	SR. SEC.	0219-228	Name(s) and Address(es) of Condemnee(s) and Location(s) of Property(ies)	Estimated Just Compensation	Type	Date of Record	Place of Record	Name of Lienor	Record Amount Due	Actual Amount Due	Net Due To Condemnee(s)
Grace R. Cherry, single, record owner 11 South State Street DuBois, PA 15801												
Toni M. Cherry & Paula M. Cherry Attorneys in Fact for Grace R. Cherry Gleason, Cherry & Cherry P.O. Box 505 DuBois, PA 15801												
LOCATION OF CONDEMNED PROPERTY Deed Book 1541 Page 380												
Share of Taxes  TOTAL  \$7,096.00												

\*Subject to possible unliened, unpaid  
municipal claims and taxes.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE	:	No. 01-831-CD
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	
OF RIGHT OF WAY, FOR STATE	:	
ROUTE 0219, SECTION 228, IN THE	:	
TOWNSHIP OF SANDY	:	
	:	
CLAIM NO. 17000530000	:	EMINENT DOMAIN PROCEEDINGS-IN REM

SWORN STATEMENT AS TO NOTICE OF  
PRESENTATION OF PETITION  
TO DEPOSIT ESTIMATED  
JUST COMPENSATION

I, Stuart A. Liner, Assistant Counsel, do hereby depose, swear, and affirm that I am authorized by and do hereby execute this sworn statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the statements contained and set forth herein are true and correct to the best of my knowledge, information and belief, and are made subject to the penalties provided by 18 Pa. C.S. §4909, relating to false swearing to authorities.

That on or before August 14, 2001 the parties in interest known to the condemnor, including the condemnee, were notified that a Petition to Deposit Estimated Just Compensation to the above term and number would be presented to the Court of Common Pleas of the above county after August 16, 2001 in order to be in compliance with the twenty day notice requirement of Section 1-522 of the Eminent Domain Code. The said parties were furnished with a copy of the said Petition and Proposed Schedule of Distribution

pertaining to the particular compensation in which each was interested.

The names and addresses of the parties so notified, and the date and manner in which notice was furnished to them are noted on the said attached Schedule.

Stuart A Liner

Stuart A. Liner  
Assistant Counsel  
ID No. 15290  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212  
Telephone: 717-787-3128

CERTIFIED MAIL  
County: Clearfield  
SR. 0219, SECTION 228  
CLAIM NO. 17000530000  
FILED TO NO. 01-823-CD

**SCHEDULE OF PARTIES NOTIFIED  
OF PRESENTATION OF  
PETITION TO DEPOSIT ESTIMATED  
JUST COMPENSATION**

## **NAMES AND ADDRESSES**

**DATE PARTIES IN INTEREST  
RECEIVED CERTIFIED MAIL**

Toni M. Cherry and Paula M. Cherry, Esquire  
GLEASON, CHERRY & CHERRY  
P.O. Box 505  
DuBois, PA 15801  
(Grace R. Cherry)

$$C = \frac{1}{2} \ln \frac{1}{1 - \frac{1}{2} \alpha}$$

**FILED**

Oct 2 6 2001  
Hilliard C. Wright  
William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

**Office of Chief Counsel  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania 15222  
(412) 565-7555 (Office)  
(412) 565-7888 (Fax)**

October 24, 2001

William Shaw, Prothonotary  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

**Re: Clearfield County  
S.R. 0219-228  
Claim No. 17000530000  
CHERRY, Grace R.  
No. 01-823-CD**

Dear Mr. Shaw:

Enclosed please find an original and two copies of a Petition to Deposit Estimated Just Compensation in regard to the above-captioned matter. Also enclosed is the Commonwealth's check number 37587484 payable to Grace R. Cherry in the amount of \$7,096.00.

Would you kindly present said Petition and Order of Court to the Judge and after he has signed the Order, would you deposit the check with the Prothonotary. After this has been done, would you kindly conform the two copies and return them to me in the enclosed self-addressed stamped envelope.

If you any questions or problems concerning this, please do not hesitate to contact me. Thank you very much for your cooperation and assistance in this matter.

Very truly yours,

Michael J. Creighton  
Assistant Counsel-in-Charge

MJC:hcm

Enclosures: as stated

Date: 9/9/2009  
Time: 2:02 PM  
Page 2 of 16

**Clearfield County Court of Common Pleas**  
Trust Account Balances Report  
CT COMMON PLEAS,  
All Judges  
Zero Balances Excluded  
As of 09/09/2009

User: BILLSHAW

Trust for Commonwealth of Pennsylvania	Case Number	Filing Date	Judge	Current Balance
	2001-00823-CD	5/30/2001	No Judge	8034.88
Date	Transaction	Received	Transferred	Balance
10/31/2001	16 Receipt	7096.00		7096.00
12/31/2001	17 Interest	32.61		7128.61
3/29/2002	18 Interest	49.08		7177.69
6/28/2002	19 Interest	52.40		7230.09
9/30/2002	20 Interest	45.54		7275.63
12/31/2002	21 Interest	34.77		7310.40
3/31/2003	22 Interest	30.82		7341.22
6/5/2003	Beginning balance			7341.22
10/15/2003	1821620 Interest	27.92		7369.14
10/15/2003	1821621 Interest	2303.00	Voided	7369.14
10/21/2003	1821636 Interest	23.03		7392.17
1/15/2004	1821647 Interest	23.10		7415.27
4/12/2004	1821667 Interest	22.50		7437.77
7/20/2004	1821678 Interest	20.40		7458.17
10/11/2004	1821696 Interest	20.67		7478.84
1/10/2005	1821711 Interest	21.44		7500.28
4/6/2005	1821728 Interest	24.52		7524.80
7/6/2005	1821742 Interest	27.03		7551.83
10/7/2005	1821752 Interest	30.58		7582.41
1/10/2006	1821779 Interest	34.87		7617.28
7/10/2006	1821794 Interest	75.33		7692.61
10/16/2006	1821818 Interest	40.22		7732.83
1/10/2007	1821842 Interest	40.54		7773.37
5/2/2007	1821863 Interest	39.87		7813.24
7/20/2007	1821900 Interest	39.80		7853.04
10/5/2007	1821910 Interest	40.18		7893.22
1/15/2008	1821934 Interest	37.27		7930.49
4/8/2008	1821968 Interest	27.95		7958.44
7/16/2008	1821988 Interest	16.53		7974.97
10/15/2008	1822012 Interest	16.08		7991.05
1/13/2009	1822033 Interest	16.11		8007.16
4/8/2009	1822056 Interest	14.72		8021.88
7/10/2009	1822078 Interest	13.00		8034.88

9 - 25 - 09

12.45

8042.33

Closure 9-25-09

175055



CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER: CLEARFIELD BANK & TR CO

9/25/09

PAY TO THE  
ORDER OF PROTHONOTARY OF CLEARFIELD COUNTY

EXACTLY \*\*8,047 AND 33/100 DOLLARS \$ 8,047.33

**CASHIER'S CHECK**

THE PURCHASE OF AN INDEMNITY BOND, WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED OR STOLEN.

AUTHORIZED SIGNATURE

Bonnie Lachey

00000175055 031306294 19000027

175055



CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER: CLEARFIELD BANK & TR CO

DATE 9/25/09

PROTHONOTARY OF CLEARFIELD COUNTY  
EXACTLY \*\*8,047 AND 33/100 DOLLARS

\$ 8,047.33

CUSTOMER - FILE COPY

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE  
*BL*  
NOT NEGOTIABLE

**Clearfield County Court of Common Pleas**

NO. 0020368

**DISBURSEMENT**

Friday, September 25, 2009

Paid to: Grace R. Cherry, Estate \$8047.33

Gleason, Cherry and Cherry.  
One North Franklin Street  
DuBois PA 15801

Eight Thousand Forty-Seven and 33/100 Dollars

Case: 2001-00823-CD

Subject: IN RE: Township of Sandy, et al.

For: Trust 8047.33 William A. Shaw, Prothonotary/Clerk of Courts  
By: \_\_\_\_\_  
Deputy Clerk

Clerk: BILLSHAW

**NOT NEGOTIABLE**

175055



REMITTER: CLEARFIELD BANK & TR CO

DATE 9/25/09

PROTHONOTARY OF CLEARFIELD COUNTY  
EXACTLY ~~\*\*8,047 AND 33/100 DOLLARS~~

\$ ~~8,047.33~~

CUSTOMER · FILE COPY

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE

*BC*  
NOT NEGOTIABLE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA,  
DEPARTMENT OF  
TRANSPORTATION, OF  
RIGHT-OF-WAY FOR STATE  
ROUTE 0219, SECTION 228,  
IN THE TOWNSHIP OF SANDY  
CLAIM NO. 17000530000

: No. 01-823 C.D.  
:  
: Type of Case: EMINENT DOMAIN  
: PROCEEDINGS - IN REM  
:  
: Type of Pleading: PETITION TO PAY  
: THE CLAIMANT THE UNDISTRIBUTED  
: ESTIMATED JUST COMPENSATION  
: DEPOSITED INTO COURT TOGETHER  
: WITH ACCRUED INTEREST  
:  
: Filed on Behalf of: TONI M. CHERRY and  
: PAULA M. CHERRY, Petitioners  
:  
: 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  
09/3/13 BOL  
SEP 24 2009  
NO CC

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE :  
COMMONWEALTH OF :  
PENNSYLVANIA, : NO. 01-823 C.D.  
DEPARTMENT OF :  
TRANSPORTATION, OF : EMINENT DOMAIN PROCEEDINGS  
RIGHT-OF-WAY FOR STATE : IN REM  
ROUTE 0219, SECTION 228, :  
IN THE TOWNSHIP OF SANDY :  
: :  
CLAIM NO. 17000530000 :  
:

**PETITION TO PAY THE CLAIMANT THE UNDISTRIBUTED  
ESTIMATED JUST COMPENSATION DEPOSITED INTO COURT  
TOGETHER WITH ACCRUED INTEREST**

TO THE HONORABLE FREDRIC J. AMMERMAN, PRESIDENT JUDGE OF SAID COURT:

Petitioners, TONI M. CHERRY and PAULA M. CHERRY, by and through their attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., respectfully represent that:

1. Petitioners were the Agents and Powers of Attorney for GRACE R. CHERRY during her lifetime and are the named Co-Executrices of the Estate of GRACE R. CHERRY under the terms of the Last Will and Testament of GRACE R. CHERRY who died on July 18, 2002.
2. That at the time of her death, the said GRACE R. CHERRY was the owner of real property which abuts State Route 0219 in Sandy Township, Clearfield County, Pennsylvania.

3. The DEPARTMENT OF TRANSPORTATION ("COMMONWEALTH") is a Department of the COMMONWEALTH OF PENNSYLVANIA, with offices at P.O. Box 8212, Harrisburg, Pennsylvania 17105-8212.

4. On May 30, 2001, the COMMONWEALTH filed a Declaration of Taking, condemning, *inter alia*, certain real property owned by GRACE R. CHERRY.

5. On October 29, 2001, upon Petition of the COMMONWEALTH, this Honorable Court ordered and directed that the sum of SEVEN THOUSAND NINETY-SIX DOLLARS (\$7,096.00), representing the just compensation estimated by the COMMONWEALTH to be due GRACE R. CHERRY in the above-captioned case, be deposited into the Court.

6. At the time the Petition to Deposit Estimated Just Compensation was filed, the parties did not reach an agreement as to payment of estimated just compensation.

7. The sum of SEVEN THOUSAND NINETY-SIX DOLLARS (\$7,096.00) together with accrued interest remains deposited into the Court.

8. No fee shall be charged against these funds. 26 P.S. §1-522(b); *City of Pittsburgh v. Imler Supply Company*, 471 A.2d 591 (Pa. Cmwlth. 1984).

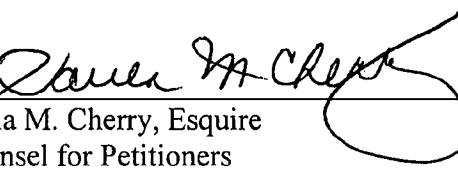
9. The COMMONWEALTH does not oppose the payment of the undistributed estimated just compensation together with interest to Petitioners.

WHEREFORE, your Petitioners respectfully request that this Honorable Court order and direct the sum of SEVEN THOUSAND NINETY-SIX DOLLARS (\$7,096.00) together with accrued interest, representing the amount of estimated just compensation due to condemnee which remains undistributed, together with any accrued interest, be paid to

Petitioners, without escheat, as provided in Section 1-522 of the Eminent Domain Code, 26  
P.S. §1-522, as amended.

Respectfully submitted,

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

By   
Paula M. Cherry, Esquire  
Counsel for Petitioners  
One North Franklin Street  
P.O. Box 505  
DuBois, PA 15801-0505

(814) 371-5800

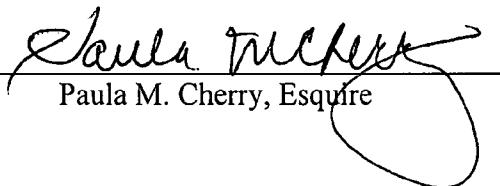
### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Pay Claimant the Undistributed Estimated Just Compensation Deposited into the Court Together with Accrued Interest was served this 23<sup>rd</sup> day of September, 2009, via facsimile transmission to 412-565-7778 and via United States first class mail, postage prepaid, upon the following:

Andrew Rapach, Esquire  
Commonwealth of Pennsylvania  
Governor's Office of General Counsel  
Office of Chief Counsel  
1209 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

Facsimile No. 412-565-7778

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

By   
Paula M. Cherry, Esquire

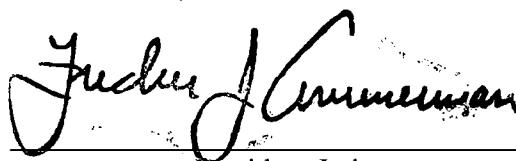
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE :  
COMMONWEALTH OF :  
PENNSYLVANIA, : NO. 01-823 C.D.  
DEPARTMENT OF :  
TRANSPORTATION, OF : EMINENT DOMAIN PROCEEDINGS  
RIGHT-OF-WAY FOR STATE : IN REM  
ROUTE 0219, SECTION 228, :  
IN THE TOWNSHIP OF SANDY :  
: CLA  
CLAIM NO. 17000530000 :  
:

O R D E R

AND NOW, this 24<sup>th</sup> day of September, 2009, upon presentation of the Petition to Pay Claimant, it is ORDERED AND DECREED that the sum of SEVEN THOUSAND NINETY-SIX DOLLARS (\$7,096.00) representing the amount deposited into the Court as estimated just compensation due Claimant together with any accrued interest, shall be paid by check made payable to GRACE R. CHERRY ESTATE and delivered to the Law Firm of GLEASON, CHERRY AND CHERRY, L.L.P., Counsel for Petitioners, and mark the record accordingly.

BY THE COURT:

  
\_\_\_\_\_  
President Judge

FILED 2cc  
03/13/2010 Atty Cherry  
SEP 24 2009 w/ CIRCUIT 1261

William A. Shaw COPY TO  
Prothonotary/Clerk of Courts Atty Rappaport

Date: 9/25/2009

Time: 12:20 PM

Page 1 of 1

## Clearfield County Court of Common Pleas

User: BILLSHAW

## Trust Report

Commonwealth of Pennsylvania

2001-00823-CD

Date	Transaction	Received	Transferred	Balance
10/31/2001	16 Receipt	7096.00		7096.00
12/31/2001	17 Interest	32.61		7128.61
3/29/2002	18 Interest	49.08		7177.69
6/28/2002	19 Interest	52.40		7230.09
9/30/2002	20 Interest	45.54		7275.63
12/31/2002	21 Interest	34.77		7310.40
3/31/2003	22 Interest	30.82		7341.22
10/15/2003	1821620 Interest	27.92		7369.14
10/15/2003	1821621 Interest	2303.00	Voided	7369.14
10/21/2003	1821636 Interest	23.03		7392.17
1/15/2004	1821647 Interest	23.10		7415.27
4/12/2004	1821667 Interest	22.50		7437.77
7/20/2004	1821678 Interest	20.40		7458.17
10/11/2004	1821696 Interest	20.67		7478.84
1/10/2005	1821711 Interest	21.44		7500.28
4/6/2005	1821728 Interest	24.52		7524.80
7/6/2005	1821742 Interest	27.03		7551.83
10/7/2005	1821752 Interest	30.58		7582.41
1/10/2006	1821779 Interest	34.87		7617.28
7/10/2006	1821794 Interest	75.33		7692.61
10/16/2006	1821818 Interest	40.22		7732.83
1/10/2007	1821842 Interest	40.54		7773.37
5/2/2007	1821863 Interest	39.87		7813.24
7/20/2007	1821900 Interest	39.80		7853.04
10/5/2007	1821910 Interest	40.18		7893.22
1/15/2008	1821934 Interest	37.27		7930.49
4/8/2008	1821968 Interest	27.95		7958.44
7/16/2008	1821988 Interest	16.53		7974.97
10/15/2008	1822012 Interest	16.08		7991.05
1/13/2009	1822033 Interest	16.11		8007.16
4/8/2009	1822056 Interest	14.72		8021.88
7/10/2009	1822078 Interest	13.00		8034.88
9/25/2009	1822096 Interest	12.45		8047.33
9/25/2009	20368 Disbursement	-8047.33		<b>-.00</b>

1261

CLEARFIELD COUNTY PROTHONOTARY 7-83  
[REDACTED] William A. Shaw  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830

60-629/313

September 25<sup>th</sup> 2009

PAY  
TO THE  
ORDER OF Grace R. Cherry Estate

\$ 8,047.33

Eight Thousand Forty Seven and 33/100

DOLLARS

IMMA



Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR 01-823-CD Eminent Domain

10313062941 1 2 26577 211 1261

SECURITY WARNING: THE FACE OF THIS DOCUMENT FEATURES A COLORED BACKGROUND AND MICROPRINT BORDERS - THE REVERSE SIDE FEATURES ARTIFICIAL WATERMARKS

175055



CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER: CLEARFIELD BANK & TR CO

9/25/09

PAY TO THE  
ORDER OF PROTHONOTARY OF CLEARFIELD COUNTY

EXACTLY \*\*8,047 AND 33/100 DOLLARS

\$ \$8,047.33

### CASHIER'S CHECK

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED OR STOLEN

AUTHORIZED SIGNATURE

000001750550 10313062940 1900000271

175055



REMITTER: CLEARFIELD BANK & TR CO

DATE 9/25/09

PROTHONOTARY OF CLEARFIELD COUNTY  
EXACTLY \*\*8,047 AND 33/100 DOLLARS

\$ \$8,047.33

CUSTOMER - FILE COPY

### CASHIER'S CHECK

AUTHORIZED SIGNATURE

NOT NEGOTIABLE