

01-839-CD
IN RE: SANDY TOWNSHIP

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

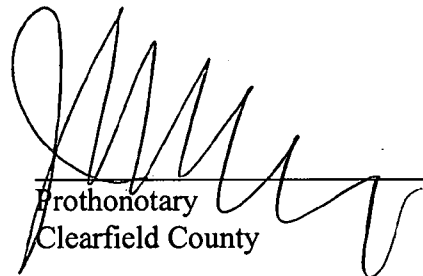
IN RE: CONDEMNATION BY THE :
COMMONWEALTH OF :
PENNSYLVANIA, DEPARTMENT OF :
TRANSPORTATION OF THE RIGHT :
OF WAY FOR STATE ROUTE 0219, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
:
J. B. GREEN, JR., t/d/b/a U STOR IT :

RULE RETURNABLE

TO BRIAN FEGLEY:

A Rule is issued, returnable in 5 days to Show Cause Why Possession Should Not be Granted to the Commonwealth of Pennsylvania, Department of Transportation of a storage unit located at U Stor It, 14 Smithfield Street, DuBois, PA 15801.

Should you wish to defend this Rule you must file an answer within five (5) days or the Rule will be made absolute. Rule issued this 10th day of October, 2001.


Prothonotary
Clearfield County

FILED

OCT 11 2001

William A. Shaw
Prothonotary

FILED

OCT 11 2001

10:21 a.m.

William A. Shaw

Prothonotary

4 CC 4th Creighton

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
J. B. GREEN, JR., t/d/b/a U STOR IT :

ORDER

AND NOW, this _____ day of _____, 2001, it is
hereby ordered that the Prothonotary is directed to post this Rule to Show Cause on the
subject property of Brian Fegley located within the property of J. B. Green, Jr., t/d/b/a U
Stor It at 14 Smithfield Street, DuBois, PA 15801. It is further ordered that, after 5 days,
if the Rule is not returned, the property will be delivered to the Commonwealth of
Pennsylvania, Department of Transportation accompanied by officials of the Sheriff's
Department of Clearfield County, to be moved to a location of the Commonwealth of
Pennsylvania, Department of Transportation's choosing. Costs to be paid by the
Commonwealth of Pennsylvania, Department of Transportation.

BY THE COURT:

_____. J.

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
J. B. GREEN, JR., t/d/b/a U STOR IT :

RULE TO SHOW CAUSE WHY WRIT OF POSSESSION
SHOULD NOT ISSUE

AND NOW, comes the Commonwealth of Pennsylvania, Department of
Transportation by and through its attorney, Michael J. Creighton, and files the within rule
and in support thereof avers the following:

1. On June 1, 2001 at 01-839 CD a declaration of taking was filed condemning
the property of J. B. Green, Jr., t/d/b/a U Stor It, Record Owner, Sole Proprietor.
2. On or before June 4, 2001 a notice of the declaration of taking was served on
the condemnee as evidenced by Proof of Service filed at the above number and term.
3. No preliminary objections were filed to the declaration of taking.
4. On or about June 11, 2001 payment of the estimate of just compensation in the
amount of \$141,845.00 was paid to the named condemnee.
5. Located on the property are storage units rented by tenants from the
condemnee which contain unknown materials within.

FILED

OCT 04 2001

William A. Shaw
Prothonotary

6. Brian Fegley, at the time of condemnation, rented a storage unit on the property. Fegley was in default of his rental agreement as evidenced by Magistrate Notice of Judgment attached as Exhibit "A".

7. Fegley, at his last known address, was delivered, a 90 day Notice to Vacate followed by a 30 day Notice to Vacate (Exhibit "B"). Said notices went unclaimed which then required the same to be posted on the property.

8. 26 P.S. 1-407 mandates the delivery of possession of the property after payment of the estimated just compensation following a declaration of taking.

9. Fegley's whereabouts are unknown and the Commonwealth of Pennsylvania, Department of Transportation seeks the Court's permission to take possession of the goods stored in the storage unit and remove and store the same at a different location.

10. 26 P.S. 1-407 mandates the issuance of a rule returnable in 5 days for possession of the property after compliance by the Commonwealth of Pennsylvania, Department of Transportation with the requirements of paragraph 8, which has been done.

WHEREFORE, the Commonwealth of Pennsylvania, Department of Transportation respectfully requests of this Honorable Court, through the Prothonotary as required by 26 P.S. 1-407, to issue a rule returnable on Brian Fegley, to be posted on the subject property. Thereafter, the Commonwealth of Pennsylvania, Department of Transportation respectfully requests this Honorable Court to enter an order delivering possession to the Commonwealth of Pennsylvania, Department of Transportation of the subject property, as monitored by the Sheriff's Department of Clearfield County and to

remove said goods to a storage location off the premises. Costs to be paid by the
Commonwealth of Pennsylvania, Department of Transportation.

Respectfully submitted,

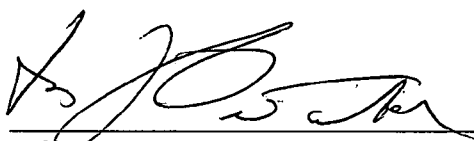
A handwritten signature in dark ink, appearing to read "Michael J. Creighton", is written over a horizontal line.

Michael J. Creighton
Attorney for
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
1209 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-7555

VERIFICATION

I verify that the statements made in the foregoing document are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

October 1, 2001
Date



Jeffrey L. Giltenboth

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **109 NORTH BRADY STREET**

P.O. BOX 452

DUBOIS, PA

Telephone: **(814) 371-5321**

15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

U STOR IT

P.O. BOX 581

DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

VS.

NAME and ADDRESS

PEGLEY, BRIAN

203 MAIN STREET APT.# 3D

RIDGWAY, PA 15853

Docket No.: **CV-0000552-00**

Date Filed: **7/27/00**



U STOR IT - JACK GREEN
P.O. BOX 581
DUBOIS, PA 15801

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **U STOR IT**

☒ Judgment was entered against: (Name) **PEGLEY, BRIAN**

in the amount of \$ **1,050.50** on:

(Date of Judgment) **10/24/00**

☐ Defendants are jointly and severally liable.

(Date & Time)

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/Act 5 of 1996 \$

☐ Levy is stayed for _____ days or ☐ generally stayed.

☐ Objection to levy has been filed and hearing will be held:

| | |
|----------------------|--------------------|
| Amount of Judgment | \$ 1,000.00 |
| Judgment Costs | \$ 50.50 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |
| Total | \$ 1,050.50 |

Post Judgment Credits \$

Post Judgment Costs \$

Certified Judgment Total \$

Date:

Place:

Time:

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

10-24-00 Date **Re Sheld**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date

, District Justice

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

| | |
|----------------------|--------------------------------|
| County: | Clearfield / Township of Sandy |
| Route-Section: | 0219-A03 |
| State Project No.: | 2-0219-06-A03-0220 |
| Federal Project No.: | Q12-0049-127 |
| Parcel No.: | 68. |
| Claim No.: | 17000810150 |

NOTICE TO VACATE

AUG 01 2001

COPY

Brian Fegley
203 Main Street, Apt 3D
Ridgway, PA 15853

Dear Mr. Fegley:

On June 1, 2001 you were given an Advance Notice of Moving Date. This notice was the Department's assurance that you would not be required to vacate the referenced property and/or move your personal property for at least ninety days from the date of the notice.

The purpose of this letter is to advise you that the Department must now obtain actual possession of the property in order to clear the right-of-way. Accordingly, this is your NOTICE TO VACATE the referenced property no later than September 1, 2001. Any lease agreement between you and the Department will be terminated, and you will be required to vacate the property by this date. Please notify your Relocation Advisor, identified below, of your moving plans, and if applicable, make arrangements to turn over your keys to the property as soon as you have moved.

In the meantime, if you have any questions concerning this notice, the Department's project, or your relocation, please contact your Relocation Advisor at the telephone number indicated below.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hnat".

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

Your Relocation Advisor is: Melissa Kate Gray of Interstate Acquisition Services

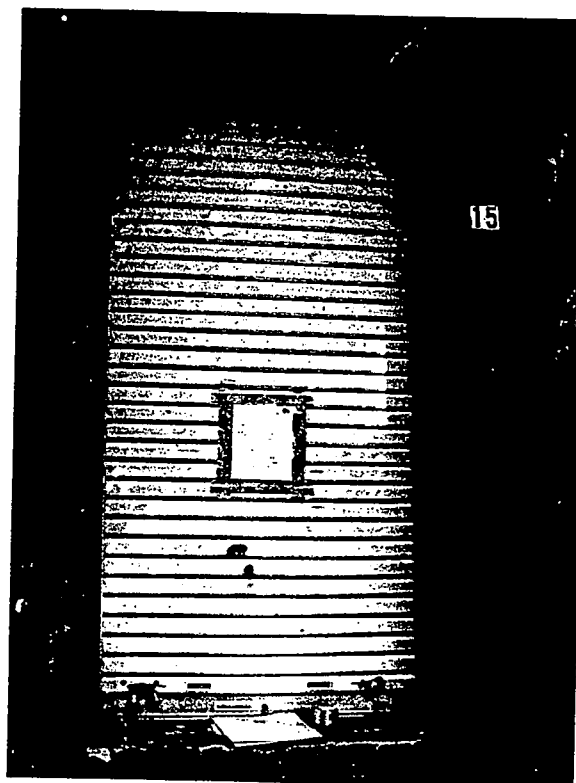
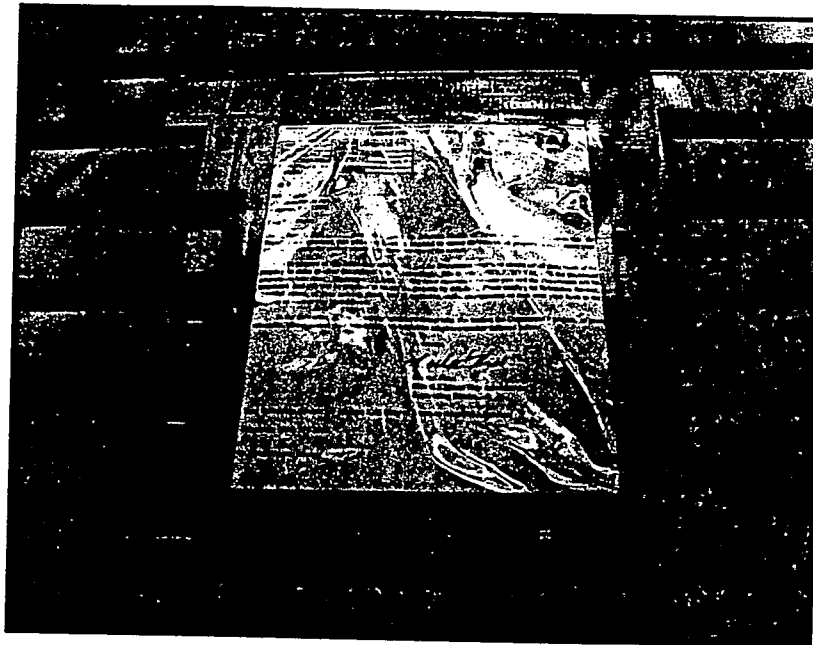
Telephone: (814) 371-1962

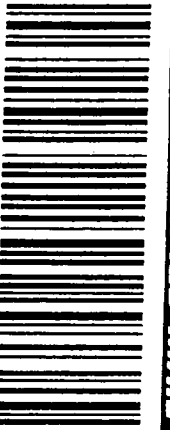
cc: District Property Manager

POSTING OF 30 DAY NOTICES

Claimant: Fegley, Brian
Claim No.: 17000810150
U-Stor-It

Date: August 1, 2001





7000 1670 0000 4732 4304

RETURN RECEIPT
REQUESTED



Interstate Acquisition Services
215 North Brady Street, DuBois, PA 15801

~~Brian Fogley
203 Main Street, Apt 3D
Bridgeport, PA 15853~~



0000

U.S. POSTAGE
PAID
DuBois, PA
15801-01
JUN 13
RMDUNT
\$3.95
00067413-02

RTS
RETURN TO SENDER

- ☐ INSUFFICIENT ADDRESS
- ☐ ATTEMPTED NOT KNOWN
- ☐ NO SUCH NUMBER/STREET
- ☐ UNDELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD

unclaimed

RECEIVED

NAME

[Handwritten signature]

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



| | |
|----------------------|--------------------------------|
| County: | Clearfield / Township of Sandy |
| Route-Section: | 0219-A03 |
| State Project No.: | 2-0219-06-A03-0220 |
| Federal Project No.: | Q12-0049-127 |
| Parcel No.: | 68 |
| Claim No.: | 17000810150 |

ADVANCE NOTICE
OF
MOVING DATE

JUN 13 2001

Brian Fogley
203 Main Street, Apt 3D
Ridgway, PA 15853

Dear Mr. Fogley:

The Department of Transportation is acquiring the property which you occupy in connection with the referenced highway project. One of the most important concerns which you may have is when the Department will require possession of the property. At this time, we do not know the exact date when the property will be needed; however this notice is provided to you as the Department's assurance that you WILL NOT be required to vacate this property and/or move your personal property, in any event, for at least ninety (90) days from JUN 01 2001.

Additionally, when the time approaches, a representative of the Department will inform you of the date the property will be needed. At that time you will be given a written NOTICE TO VACATE which will indicate the date by which you must move. If you elect to move before you receive the final Thirty (30) - Day Notice to Vacate, please notify this office.

The Department of Transportation provides Relocation Advisory Assistance to help you find a suitable replacement property. The Relocation Advisor, whose name, address, and telephone number are listed below, will contact you with information to help you plan your relocation, including:

- Listings of residential or commercial properties available for purchase or lease.
- Names and addresses of moving companies, real estate agencies, financial institutions, and building contractors. You will have the option of selecting the firm(s) you wish to deal with; the Department makes no recommendations or referrals.
- Local mortgage requirements.
- Names and addresses of local or state social service agencies which may be able to assist you with specific problems.
- A review of your entitlements to certain relocation assistance payments.

In the meantime, if you need additional information concerning this notice or your relocation, feel free to contact your Relocation Advisor at the telephone number listed below.

Sincerely,

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

Your Right-of-Way Representative is:

Melissa Kate Gray of Interstate Acquisition Services

Telephone: (814) 371-1962

cc: District Property Manager

U STOR IT
P.O. BOX 581
DUBOIS, PA 15801
371-7226

Tenant Information:

Name Brian Fesley
Address RR 4 - Box 193
City, State, Zip DuBois, PA 15801
Telephone Home 372-2385 Work _____

Rental Information:

Storage Building A Unit Number 15 (on #13) ^(63.60)
Type of Goods Stored Household Goods
Starting Date 3/6/00
Approximate Number of Months about 2-3 months

Rental Cost Data:

Rental Fee 4240 Month
Pro-rated Amount to First of _____ = \$ _____
Total Amount Now Due = \$ 4240
Payment Received \$ 4240 ☒ Cash ☐ Check

How did you find out about our facility?

☐ Newspaper ☐ Yellow Pages
☐ Friend ☐ Other

Tenant Brian Fesley

U STOR IT Jack H

1. It is understood and agreed that the monthly rental for each month is due and payable by the first day of each month at the following address:

U STOR IT
P.O. Box 581
DuBois, PA 15801

2. This agreement is made between the abovesigned Landlord and Tenant for the lease by Tenant of that storage space shown above, located within the U STOR IT storage facility in Sandy Township, Clearfield County, Pa.

FILED

OCT 04 2001

mlb/44 | ACS
William A. Shaw
Prothonotary

Dept. Trans.

[Signature]

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 A03, IN THE
TOWNSHIP OF SANDY AND CITY
OF DUBOIS

NO. 01-839-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

JUN 01 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 Authorizing Acquisition of Right-of-Way for State Route 0219, Section 228 R/W in Clearfield County, also State Route 0219, Section N06, also State Route 0219, Section A03", a copy of which plan was filed in the County Recorder's Office in Map File No. 2309, Instrument No. 200107339 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, a channel easement and a temporary construction easement.

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, Dean A. Schreiber, P. E., Director of the Bureau of Design 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, a channel easement and a temporary construction easement are hereby condemned from the property identified on the attached Schedule of Property Condemned, as indicated on the plans referenced in paragraph 7 above.



Dean A. Schreiber, P. E.
Director, Bureau of Design

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**



| | |
|--------------------|--------------------|
| County: | Clearfield |
| Route-Section: | 0219-A03 |
| State Proj. No.: | 2-0219-06-A03-0220 |
| Federal Proj. No.: | Q12-0049-127 |

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

Page 1 of 1

| | | | |
|-----------------------|----------------------|--|---|
| * TYPE OF DESCRIPTION | D - Deed Description | P - Plan lodged for recording with Notice of Condemnation | R - Plan now recorded in Recorder's Office |
|-----------------------|----------------------|--|---|

| 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 |
|-------------|------------|--|-------------------------------|---------------------|---|
| 17000810000 | 68 | <p align="center">J. B. Green, Jr., T/D/B/A U Stor It, Record Owner, Sole Proprietor P. O. Box 581 DuBois, PA 15801</p> <p align="center">LOCATION OF CONDEMNED PROPERTY Deed Book 1036 Page 182</p> | | R | <p align="center">Clearfield County Instrument No. 200107339 Map File No. 2309 Sheet 40</p> |

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-839-CD

IN RE: CONDEMNATION BY THE
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION,
OF RIGHT OF WAY FOR STATE
ROUTE 0219, SECTION A03,
IN THE TOWNSHIP OF SANDY AND CITY OF DUBOIS

DECLARATION OF TAKING

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 A03, IN THE TOWNSHIP OF
SANDY AND CITY OF DUBOIS

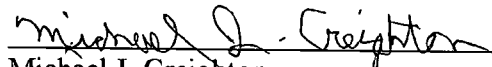
NO. 01-839-C2

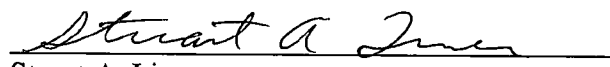
EMINENT DOMAIN PROCEEDING
IN REM

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
Assistant Counsel In Charge


Stuart A. Liner
Assistant Counsel

Dated: May 30, 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 A03,

IN THE

TOWNSHIP OF SANDY AND CITY OF DUBOIS

PRAECIPE TO ENTER APPEARANCE

Filed, _____, 20

_____ A.M. _____ P.M.

FILED

Ad. of 10/26/81 PLS
JUN 11 2001

William A. Shary
Prothonotary
P155 pd.
80.00

Commonwealth of Pennsylvania
Department of Transportation

Office of Chief Counsel
P. O. Box 8212

Harrisburg, Pennsylvania 17105-8212
Telephone No. (717) 787-3128

* INCLUDES AREA OBTAINED BY THE VACATION OF SMITHFIELD STREET- SANDY TOWNSHIP ORDINANCE NO. 85-16, 10/14/85



REQUIRED RIGHT-OF-WAY AREA

NOTES:

1. CHANNEL EASEMENT - AN AREA WHICH SHALL ALLOW THE DEPARTMENT TO ENTER THE AREA, AS NECESSARY, TO CONSTRUCT OR ALTER THE COURSE OF THE CHANNEL AND TO MAKE SUCH FUTURE REASONABLE ENTRIES AS NECESSARY TO MAINTAIN OR RECONSTRUCT THE CHANNEL FOR THE PROTECTION OF THE HIGHWAY. IT SHALL BE THE DUTY OF THE OWNER OF ANY LANDS ADJACENT TO THE HIGHWAY TO REMOVE ANY OBSTACLES WHICH ARE NOT NECESSARY TO THE NECESSARY FLOW OF WATER.
2. BUILDING OR STRUCTURES MARKED [] HAVE BEEN OR ARE TO BE REMOVED OR ALTERED BY THE DEPARTMENT OR OTHER AUTHORITY RESPONSIBLE FOR THE PAYMENT OF PROPERTY DAMAGES.

RIGHT-OF-WAY CLAIM INFORMATION

COMMONWEALTH OF PENNSYLVANIA-DEPARTMENT OF TRANSPORTATION
CLEARFIELD COUNTY
STATE RTE. 0219 SEC. NO. A03 R/W SHEET NO. 19 CLAIM NO.
PARCEL NO. 58
PROPERTY OWNER(S) N.B. GREEN, JR. (U-SIGR-II)
T. J. HANEFORD

| | | | | | |
|----------------|--------|---------------|----------------|-------------------|--------------|
| DEED/BROOK | 1036 | DATE AS | SM (SFI) | REQU RED AREA | 1036 |
| DATE OF RECORD | 182 | CALCULATED | 1642.7 (13520) | CHANNEL | 1036 (11300) |
| DATE OF RECORD | 9/2/85 | LEGAL R/W | 15 | TEMPORARY | |
| CONSTRUCTION | | EFFECTIVE | 0.165 (13500) | CONSTRUCTION | -241 (2737) |
| STAKE SHOTS | | TOTAL RESIDUE | 255.5 (2100) | VERIFICATION DATE | 2-2-80 |
| | | RESIDUE | 255.5 (2100) | DRAWN BY | |
| | | RESIDUE | 0 | SCALE | 0 1 150 |

ALL PROPERTIES ARE PLOTTED FROM DEEDS OF RECORD, RECORDED SUBDIVISION OR LOT PLANS, OR FROM FIELD SURVEY. PROPERTY LINES WERE SURVEYED ONLY WHEN DETERMINED NECESSARY BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT. PROPERTY LINES NOT ESTABLISHED BY FIELD SURVEY WERE PLOTTED BASED ON EXISTING TOPOGRAPHICAL FEATURES AND LIMITED FIELD DATA.

THIS PROPERTY PLAT IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.

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 A03, IN THE TOWNSHIP
OF SANDY AND CITY OF DUBOIS

NO. 01-839-CD 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 June 1, 2001, was recorded in the office of the Recorder of Deeds of the above county as Inst. No 200108217, 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



District Right of Way Administrator
Engineering District No. 2-0

FILED

JUN 01 2001

William A. Shaw
Prothonotary



| | |
|--------------------|--------------------|
| County: | Clearfield |
| Route-Section: | 0219-A03 |
| State Proj. No.: | 2-0219-06-A03-0220 |
| Federal Proj. No.: | Q12-0049-127 |

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

Page 2 of 2

* TYPE OF DESCRIPTION

D - Deed Description

**P - Plan lodged for recording with
Notice of Condemnation**

**R - Plan now recorded in
Recorder's Office**

| CLAIM NO. | PARCEL NO. | NAME, MAILING ADDRESS, AND PROPERTY INTEREST OF CONDEMNED, AND LOCATION OF CONDEMNED PROPERTY | ATTACHED EXHIBIT NO. (IF ANY) | TYPE OF DESCRIPTION | PLAN (IF ANY) RECORDED IN |
|-------------|------------|--|-------------------------------|---------------------|---|
| 17000810000 | 68 | <p>J. B. Green, Jr., T/D/B/A U Stor It, Record Owner, Sole Proprietor P. O. Box 581 DuBois, PA 15801</p> <p>LOCATION OF CONDEMNED PROPERTY Deed Book 1036 Page 182</p> | | R | <p>Clearfield County Instrument No. 200107339 Map File No. 2309 Sheets 46 & 19</p> |

FILED

JUN 01 2001

Old Sec Dep. Trans.
William A. Shaw
Prothonotary *E* ~~ES~~



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 A03, IN THE TOWNSHIP OF
SANDY AND CITY OF DUBOIS**

NO. 01-839-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 4, 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.

Notarial Seal
Frances L. Sistrunk, Notary Public
Patton Twp., Centre County
My Commission Expires Oct. 18, 2004

Gary J. Beyerle
for District Right-of-Way Administrator

Sworn to and subscribed before me

Frances L. Sistrunk

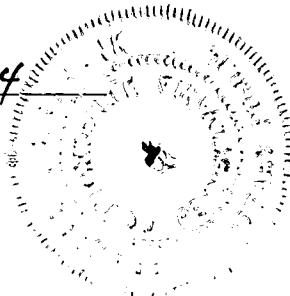
Notary Public

My Commission Expires: 10/18/04

FILED

JUN 05 2001

William A. Shaw
Prothonotary



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



| | |
|--------------------|--------------------|
| County: | Clearfield |
| Route-Section: | 0219-A03 |
| State Proj. No.: | 2-0219-06-A03-0220 |
| Federal Proj. No.: | Q12-0049-127 |

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

Page 1 of 1

* TYPE OF DESCRIPTION

D - Deed Description

**P – Plan lodged for recording with
Notice of Condemnation**

**R - Plan now recorded in
Recorder's Office**

| 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 |
|-------------|------------|--|-------------------------------|---------------------|---|
| 17000810000 | 68 | <p>J. B. Green, Jr., T/D/B/A U Stor It, Record Owner, Sole Proprietor P. O. Box 581 DuBois, PA 15801</p> <p>LOCATION OF CONDEMNED PROPERTY Deed Book 1036 Page 182</p> | | R | <p>Clearfield County Instrument No. 200107339 Map File No. 2309 Sheets 46 & 19</p> |



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 A03, IN THE TOWNSHIP OF
SANDY AND CITY OF DUBOIS

NO. 01-839-CD

TERM, 2001

EMINENT DOMAIN PROCEEDING

AFFIDAVIT OF SERVICE OF
NOTICE OF FILING OF DECLARATION OF TAKING

COMMONWEALTH OF PENNSYLVANIA:

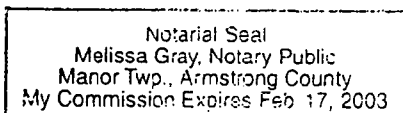
:SS

COUNTY OF CLEARFIELD

:

Glenn Helsel, being duly sworn according to law, deposes and says:

1. He/she is an employee/agent of the Commonwealth of Pennsylvania, Department of Transportation.
2. On June 1, 2001, Notice of Declaration of Taking filed to the above term and number, in compliance with Article IV, Section 405, of the Eminent Domain Code of 1964, as amended (26 P.S. 1-405).
3. On June 1, 2001, Notice of the said Declaration of Taking was served on the said condemnee(s) Attorney by handing a copy of said Notice to Attorney Anthony Guido.



Glenn E. Helsel

Affiant

Sworn to and subscribed before me

Melissa Gray

Notary Public

My Commission Expires: 2/17/03

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



| | |
|--------------------|--------------------|
| REMIS Proj. No.: | 020043 |
| County: | Clearfield |
| Route-Section: | 0219-A03 |
| State Proj. No.: | 2-0219-06-A03-0220 |
| Federal Proj. No.: | Q12-0049-127 |
| Claim No.: | 17000810000 |

RE: Declaration of Taking filed on JUN 1 2001
to No. 01-839-CD Term, 2001
In the Court of Common Pleas
of Clearfield County

JUN - 4 2001

J.B. Green, Jr.
d/b/a U-Stor-It
P.O. Box 581
DuBois, PA 15801

Hanak, Guido and Taladay
Attorneys at Law
Attn: Anthony S. Guido
498 Jeffers Street
DuBois, PA 15801

Dear Mr. Green:

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 \$141,845.00, 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:

Glen: Helsel of Interstate Acquisition Services
(814) 371-1962

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

6/11/01

67

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
:
J. B. GREEN, JR., t/d/b/a U STOR IT :

RULE RETURNABLE

TO BRIAN COWIE:

A Rule is issued, returnable in 5 days to Show Cause Why Possession Should Not be Granted to the Commonwealth of Pennsylvania, Department of Transportation of a storage unit located at U Stor It, 14 Smithfield Street, DuBois, PA 15801.

Should you wish to defend this Rule you must file an answer within five (5) days or the Rule will be made absolute. Rule issued this 10th day of October, 2001.



Prothonotary
Clearfield County

FILED

OCT. 11 2001

William A. Shaw
Prothonotary

FILED

OCT 11 2001

12:26 p.m.

William A. Shaw

(CM)

Prothonotary

4cc atty creighton

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
J. B. GREEN, JR., t/d/b/a U STOR IT :

ORDER

AND NOW, this _____ day of _____, 2001, it is
hereby ordered that the Prothonotary is directed to post this Rule to Show Cause on the
subject property of Brian Cowie located within the property of J. B. Green, Jr., t/d/b/a U
Stor It at 14 Smithfield Street, DuBois, PA 15801. It is further ordered that, after 5 days,
if the Rule is not returned, the property will be delivered to the Commonwealth of
Pennsylvania, Department of Transportation accompanied by officials of the Sheriff's
Department of Clearfield County, to be moved to a location of the Commonwealth of
Pennsylvania, Department of Transportation's choosing. Costs to be paid by the
Commonwealth of Pennsylvania, Department of Transportation.

BY THE COURT:

J.

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 A03, IN THE TOWNSHIP
OF SANDY AND CITY OF DUBOIS

NO. 01-839 CD

FILED

OCT 04 2001

J. B. GREEN, JR., t/d/b/a U STOR IT

William A. Shaw
Prothonotary

**RULE TO SHOW CAUSE WHY WRIT OF POSSESSION
SHOULD NOT ISSUE**

AND NOW, comes the Commonwealth of Pennsylvania, Department of
Transportation by and through its attorney, Michael J. Creighton, and files the within rule
and in support thereof avers the following:

1. On June 1, 2001 at 01-839 CD a declaration of taking was filed condemning
the property of J. B. Green, Jr., t/d/b/a U Stor It, Record Owner, Sole Proprietor.
2. On or before June 4, 2001 a notice of the declaration of taking was served on
the condemnee as evidenced by Proof of Service filed at the above number and term.
3. No preliminary objections were filed to the declaration of taking.
4. On or about June 11, 2001 payment of the estimate of just compensation in the
amount of \$141,845.00 was paid to the named condemnee.
5. Located on the property are storage units rented by tenants from the
condemnee which contain unknown materials within.
6. Brian Cowie, at the time of condemnation, rented a storage unit on the
property (Unit 12 Building A).

7. Cowie, at his last known address, was delivered, a 90 day Notice to Vacate followed by a 30 day Notice to Vacate (Exhibit "A"). Said notices went unclaimed which then required the same to be posted on the property.

8. 26 P.S. 1-407 mandates the delivery of possession of the property after payment of the estimated just compensation following a declaration of taking.


9. Cowie's whereabouts are unknown and the Commonwealth of Pennsylvania, Department of Transportation seeks the Court's permission to take possession of the goods stored in the storage unit and remove and store the same at a different location.

10. 26 P.S. 1-407 mandates the issuance of a rule returnable in 5 days for possession of the property after compliance by the Commonwealth of Pennsylvania, Department of Transportation with the requirements of paragraph 8, which has been done.

WHEREFORE, the Commonwealth of Pennsylvania, Department of Transportation respectfully requests of this Honorable Court, through the Prothonotary as required by 26 P.S. 1-407, to issue a rule returnable on Brian Cowie, to be posted on the subject property. Thereafter, the Commonwealth of Pennsylvania, Department of Transportation respectfully requests this Honorable Court to enter an order delivering possession to the Commonwealth of Pennsylvania, Department of Transportation of the subject property, as monitored by the Sheriff's Department of Clearfield County and to

remove said goods to a storage location off the premises. Costs to be paid by the
Commonwealth of Pennsylvania, Department of Transportation.

Respectfully submitted,




Michael J. Creighton
Attorney for
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
1209 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-7555

VERIFICATION

I verify that the statements made in the foregoing document are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

October 1, 2007

Date



Jeffrey L. Giltenboth

30 Day Notice

68-12

7000 1670 0000 4732 3567

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

Cowie, Brian

| | |
|---|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

DUBOIS PA 15801
AUG 28 2001
USPS

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Street, Apt. No., or PO Box No.
1025 S. Brady St.
City, State, ZIP+4
DuBois PA 15801

PS Form 3800, February 2000. See Reverse for Instructions

| | | | | | | | | | | | | | |
|--|---|---------------------------------------|---------------------|---------------|---------|--------------|--------------------------------|-----------------|------------------------------------|---|------------------------------|---------------------------------------|-----------------------------|
| SENDER: COMPLETE THIS SECTION: | COMPLETE THIS SECTION ON DELIVERY: | | | | | | | | | | | | |
| <ul style="list-style-type: none">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. | <table><tr><td>A. Received by (Please Print Clearly)</td><td>B. Date of Delivery</td></tr><tr><td>Phyllis Cowie</td><td>8/27/01</td></tr><tr><td>C. Signature</td><td><input type="checkbox"/> Agent</td></tr><tr><td>X Phyllis Cowie</td><td><input type="checkbox"/> Addressee</td></tr><tr><td>D. Is delivery address different from item 1?</td><td><input type="checkbox"/> Yes</td></tr><tr><td>If YES, enter delivery address below:</td><td><input type="checkbox"/> No</td></tr></table> | A. Received by (Please Print Clearly) | B. Date of Delivery | Phyllis Cowie | 8/27/01 | C. Signature | <input type="checkbox"/> Agent | X Phyllis Cowie | <input type="checkbox"/> Addressee | D. Is delivery address different from item 1? | <input type="checkbox"/> Yes | If YES, enter delivery address below: | <input type="checkbox"/> No |
| A. Received by (Please Print Clearly) | B. Date of Delivery | | | | | | | | | | | | |
| Phyllis Cowie | 8/27/01 | | | | | | | | | | | | |
| C. Signature | <input type="checkbox"/> Agent | | | | | | | | | | | | |
| X Phyllis Cowie | <input type="checkbox"/> Addressee | | | | | | | | | | | | |
| D. Is delivery address different from item 1? | <input type="checkbox"/> Yes | | | | | | | | | | | | |
| If YES, enter delivery address below: | <input type="checkbox"/> No | | | | | | | | | | | | |
| 1. Article Addressed to: Brian Cowie 1025 S. Brady St. DuBois PA 15801 | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | | | | | | | | | | | | |
| 2. Article Number (Copy from service label) 7000 1670 0000 4732 3567 | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | | | | | | | | | | | | |

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

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

COPY

| | |
|----------------------|--------------------------------|
| County: | Clearfield / Township of Sandy |
| Route-Section: | 0219-A03 |
| State Project No.: | 2-0219-06-A03-0220 |
| Federal Project No.: | Q12-0049-127 |
| Parcel No.: | 68 |
| Claim No.: | 17000810120 |

NOTICE TO VACATE

AUG 01 2001

Brian Cowie
116 South Brady Street, Apt D
DuBois, PA 15801

Dear Mr. Cowie:

On June 1, 2001 you were given an Advance Notice of Moving Date. This notice was the Department's assurance that you would not be required to vacate the referenced property and/or move your personal property for at least ninety days from the date of the notice.

The purpose of this letter is to advise you that the Department must now obtain actual possession of the property in order to clear the right-of-way. Accordingly, this is your NOTICE TO VACATE the referenced property no later than September 1, 2001. Any lease agreement between you and the Department will be terminated, and you will be required to vacate the property by this date. Please notify your Relocation Advisor, identified below, of your moving plans, and if applicable, make arrangements to turn over your keys to the property as soon as you have moved.

In the meantime, if you have any questions concerning this notice, the Department's project, or your relocation, please contact your Relocation Advisor at the telephone number indicated below.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Hnat".

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

Your Relocation Advisor is: Melissa Kate Gray of Interstate Acquisition Services

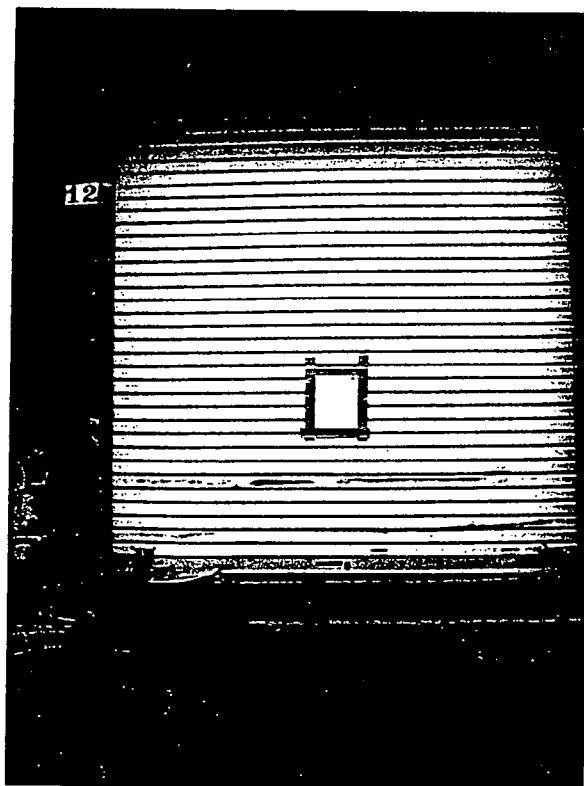
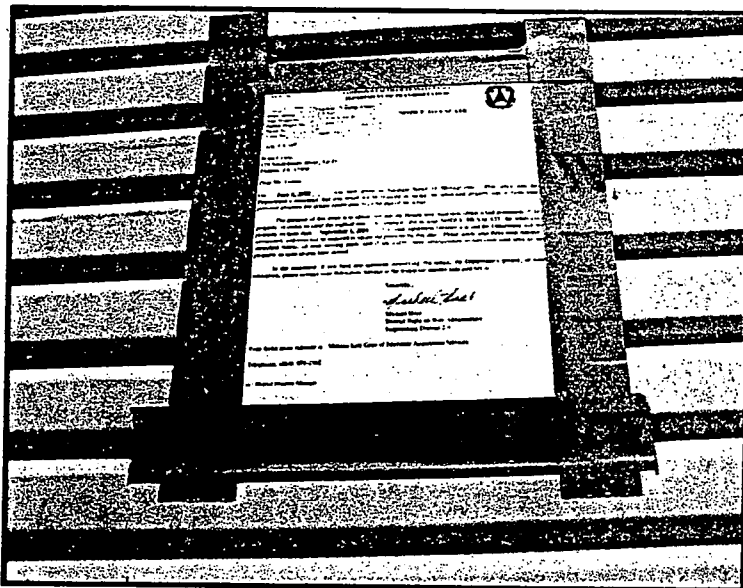
Telephone: (814) 371-1962

cc: District Property Manager

POSTING OF 30 DAY NOTICES

Claimant: Cowie, Brian
Claim No.: 17000810120
U-Stor-It

Date: August 1, 2001





7000 1670 0000 4732 4328

U.S. POSTAGE
PAID
DUBOIS, PA
15801
JUN 13, 01
AMOUNT

\$3.95
00067413-02



0000

**RETURN RECEIPT
REQUESTED**



Interstate Acquisition Services
215 North Brady Street, DuBois, PA 15801

WAX

Brian Cowie
116 South Brady Street, Apt D

*NOTED
6/15/01
130*

NAME _____
1st Notice _____
2nd Notice _____
Return JUN 29 2001

☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☒ NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RTS
RETURN TO SENDER

A
C
S

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION



| | |
|----------------------|--------------------------------|
| County: | Clearfield / Township of Sandy |
| Route-Section: | 0219-A03 |
| State Project No.: | 2-0219-06-A03-0220 |
| Federal Project No.: | Q12-0049-127 |
| Parcel No.: | 68 |
| Claim No.: | 17000810120 |

ADVANCE NOTICE
OF
MOVING DATE

JUN 13 2001

Brian Cowie
116 South Brady Street, Apt D
DuBois, PA 15801

Dear Mr. Cowie:

The Department of Transportation is acquiring the property which you occupy in connection with the referenced highway project. One of the most important concerns which you may have is when the Department will require possession of the property. At this time, we do not know the exact date when the property will be needed; however this notice is provided to you as the Department's assurance that you WILL NOT be required to vacate this property and/or move your personal property, in any event, for at least ninety (90) days from JUN 01 2001.

Additionally, when the time approaches, a representative of the Department will inform you of the date the property will be needed. At that time you will be given a written NOTICE TO VACATE which will indicate the date by which you must move. If you elect to move before you receive the final Thirty (30) - Day Notice to Vacate, please notify this office.

The Department of Transportation provides Relocation Advisory Assistance to help you find a suitable replacement property. The Relocation Advisor, whose name, address, and telephone number are listed below, will contact you with information to help you plan your relocation, including:

- Listings of residential or commercial properties available for purchase or lease.
- Names and addresses of moving companies, real estate agencies, financial institutions, and building contractors. You will have the option of selecting the firm(s) you wish to deal with; the Department makes no recommendations or referrals.
- Local mortgage requirements.
- Names and addresses of local or state social service agencies which may be able to assist you with specific problems.
- A review of your entitlements to certain relocation assistance payments.

In the meantime, if you need additional information concerning this notice or your relocation, feel free to contact your Relocation Advisor at the telephone number listed below.

Sincerely,

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

Your Right-of-Way Representative is:

Melissa Kate Gray of Interstate Acquisition Services

Telephone: (814) 371-1962

cc: District Property Manager

U STOR IT
P.O. BOX 581
DUBOIS, PA 15801
371-7226

Tenant Information:

Name Brian Cowie
Address 116 S. Brady St. - Apt. D
City, State, Zip DuBois, PA 15801
Telephone Home 325-6828 Work _____

"Snow
Blowing"

Rental Information:

Storage Building A Unit Number 12
Type of Goods Stored Household Goods
Starting Date 10/28/99
Approximate Number of Months 03 months

Rental Cost Data:

Rental Fee 63.60 Month
Pro-rated Amount to First of Nov = \$ 6.36
Total Amount Now Due = \$ 69.96
Payment Received \$ 69.96 ☒ Cash ☐ Check

How did you find out about our facility?

☐ Newspaper ☐ Yellow Pages
☐ Friend ☐ Other

Tenant Brian Cowie

U STOR IT Jack Mu

1. It is understood and agreed that the monthly rental for each month is due and payable by the first day of each month at the following address:

U STOR IT
P.O. Box 581
DuBois, PA 15801

2. This agreement is made between the abovesigned Landlord and Tenant for the lease by Tenant of that storage space shown above, located within the U STOR IT storage facility in Bangor Township, Clearfield County, Pa.

FILED

OCT 04 2001

0/249/4cc Dep. Kano.
William A. Shaw
Prothonotary

[Signature]

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11643

CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA,

01-839-CD

VS.

RULE RETURNABLE; RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE

SHERIFF RETURNS

**NOW OCTOBER 17, 2001 AT 4:03 PM DST POSTED THE WITHIN RULE RETURNABLE;
RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE ON THE
PROPERTY OF BRIAN COWIE, DEFENDANT AT U STOR IT, 14 SMITHFIELD ST.,
BLDG. A UNIT #12, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.**

**NOW OCTOBER 17, 2001 AT 4:03 PM DST POSTED THE WITHIN RULE RETURNABLE;
RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE ON THE
PROPERTY OF BRIAN FEGLEY, DEFENDANT AT U STOR IT, 145 SMITHFIELD ST.,
BLDG. A UNIT #15, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.**

Return Costs

| Cost | Description |
|-------|------------------------------|
| 36.69 | SHFF. HAWKINS PAID BY: PLFF. |
| 20.00 | SURCHARGE PAID BY: PLFF. |

FILED

NOV 02 2001

01923
William A. Shaw
Prothonotary

[Signature]

Sworn to Before Me This

2nd Day Of *November* 2001

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan 2002
Clearfield Co., Clearfield PA

So Answers,

[Signature]
by Marilyn Harris
Chester A. Hawkins
Sheriff

CP

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
J. B. GREEN, JR., t/d/b/a U STOR IT :

PETITION TO MAKE RULE ABSOLUTE

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation by and through its attorney, Michael J. Creighton, and asks this Honorable Court to make the rule absolute and in support thereof avers the following:

1. A Rule to Show Cause Why Writ of Possession Should Not Issue was filed in the Court of Common Pleas of Clearfield County on October 4, 2001.
2. The Rule was issued by the Court on October 10, 2001 under the signature of the Honorable John K. Reilly, Jr.
3. Chester A. Hawkins, Sheriff of Clearfield County, posted the Rule returnable on the property of Brian Cowie, defendant, on October 17, 2001 (attached hereto). Said Rule was returnable within five (5) days or the same would be made absolute per Order of the Honorable John K. Reilly, Jr.
4. There has been no response to the Rule by the defendant and more than five (5) days having elapsed, it is prayed of this Honorable Court to enter an order delivering

FILED

NOV 13 2001

William A. Shaw
Prothonotary

possession of the property so described in the Rule to the Commonwealth of Pennsylvania, Department of Transportation.

WHEREFORE, the Commonwealth of Pennsylvania, Department of Transportation requests this Honorable Court to enter an Order delivering possession of the subject property (i.e. contents of a storage shed) of Brian Cowie at 14 Smithfield Street, DuBois, Pennsylvania 15801 to the Commonwealth of Pennsylvania, Department of Transportation.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Creighton", is written over a horizontal line.

Michael J. Creighton
Attorney for Plaintiff
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
1209 State Office Building
300 Liberty Avenue
Pittsburgh, Pennsylvania 15222
(412) 565-7555

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

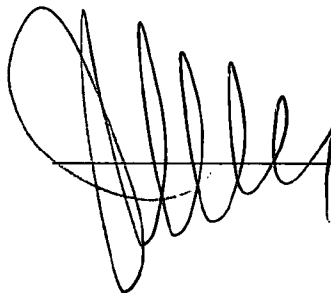
IN RE: CONDEMNATION BY THE :
COMMONWEALTH OF :
PENNSYLVANIA, DEPARTMENT OF :
TRANSPORTATION OF THE RIGHT :
OF WAY FOR STATE ROUTE 0219, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
J. B. GREEN, JR., t/d/b/a U STOR IT :

ORDER

AND NOW, this 15th day of November,

2001, it is hereby ORDERED, ADJUDGED and DECREED that the defendant being notified by rule posted on the property and more than five (5) days having elapsed and no answer thereto filed by the defendant, the property of Brian Cowie – to-wit – contents of a storage shed located at 14 Smithfield Street, DuBois, Pennsylvania 15801, be delivered to the Commonwealth of Pennsylvania, Department of Transportation.

BY THE COURT:



J.

FILED

NOV 15 2001

William A. Shaw
Prothonotary

2 CHRS TO ATT

104

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11643

CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA,

01-839-CD

VS.

COPY

RULE RETURNABLE; RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE

SHERIFF RETURNS

NOW OCTOBER 17, 2001 AT 4:03 PM DST POSTED THE WITHIN RULE RETURNABLE;
RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE ON THE
PROPERTY OF BRIAN COWIE, DEFENDANT AT U STOR IT, 14 SMITHFIELD ST.,
BLDG. A UNIT #12, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.

NOW OCTOBER 17, 2001 AT 4:03 PM DST POSTED THE WITHIN RULE RETURNABLE;
RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE ON THE
PROPERTY OF BRIAN FEGLEY, DEFENDANT AT U STOR IT, 145 SMITHFIELD ST.,
BLDG. A UNIT #15, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.

Return Costs

| Cost | Description |
|-------|------------------------------|
| 36.69 | SHFF. HAWKINS PAID BY: PLFF. |
| 20.00 | SURCHARGE PAID BY: PLFF. |

Sworn to Before Me This

____ Day Of _____ 2001

So Answers,



Chester A. Hawkins
Sheriff

FILED 2cc
NOV 15 2001
Atty Creighton

William A. Shaw
Prothonotary

CA

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, : NO. 01-839 CD
SECTION A03, IN THE TOWNSHIP :
OF SANDY AND CITY OF DUBOIS :
:
J. B. GREEN, JR., t/d/b/a U STOR IT :

FILED

NOV 13 2001

William A. Shaw
Prothonotary

PETITION TO MAKE RULE ABSOLUTE

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation by and through its attorney, Michael J. Creighton, and asks this Honorable Court to make the rule absolute and in support thereof avers the following:

1. A Rule to Show Cause Why Writ of Possession Should Not Issue was filed in the Court of Common Pleas of Clearfield County on October 4, 2001.

2. The Rule was issued by the Court on October 10, 2001 under the signature of the Honorable John K. Reilly, Jr.

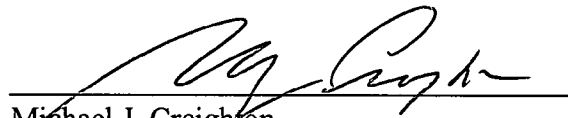
3. Chester A. Hawkins, Sheriff of Clearfield County, posted the Rule returnable on the property of Brian Fegley, defendant, on October 17, 2001 (attached hereto). Said Rule was returnable within five (5) days or the same would be made absolute per Order of the Honorable John K. Reilly, Jr.

4. There has been no response to the Rule by the defendant and more than five (5) days having elapsed, it is prayed of this Honorable Court to enter an order delivering

possession of the property so described in the Rule to the Commonwealth of Pennsylvania, Department of Transportation.

WHEREFORE, the Commonwealth of Pennsylvania, Department of Transportation requests this Honorable Court to enter an Order delivering possession of the subject property (i.e. contents of a storage shed) of Brian Fegley at 14 Smithfield Street, DuBois, Pennsylvania 15801 to the Commonwealth of Pennsylvania, Department of Transportation.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Creighton", is written over a horizontal line.

Michael J. Creighton
Attorney for Plaintiff
Commonwealth of Pennsylvania
Department of Transportation
Office of Chief Counsel
1209 State Office Building
300 Liberty Avenue
Pittsburgh, Pennsylvania 15222
(412) 565-7555

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

IN RE: CONDEMNATION BY THE
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PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION OF THE RIGHT
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NO. 01-839 CD

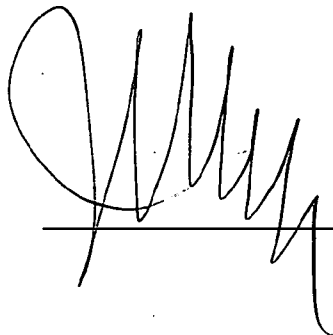
J. B. GREEN, JR., t/d/b/a U STOR IT

ORDER

AND NOW, this 15th day of November,

2001, it is hereby ORDERED, ADJUDGED and DECREED that the defendant being notified by rule posted on the property and more than five (5) days having elapsed and no answer thereto filed by the defendant, the property of Brian Fegley – to-wit – contents of a storage shed located at 14 Smithfield Street, DuBois, Pennsylvania 15801, be delivered to the Commonwealth of Pennsylvania, Department of Transportation.

BY THE COURT:


_____ J.

FILED

NOV 15 2001

0/2:00/m
William A. Shaw
Prothonotary

2. CLERK TO ATTORNEY



In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11643

CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA,

01-839-CD

VS.

COPY

RULE RETURNABLE; RULE TO SHOW CAUSE WHY WRIT OF POSSESSION SHOULD NOT ISSUE

SHERIFF RETURNS

**NOW OCTOBER 17, 2001 AT 4:03 PM DST POSTED THE WITHIN RULE RETURNABLE;
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Return Costs

Cost Description

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20.00 SURCHARGE PAID BY: PLFF.

Sworn to Before Me This

____ Day Of _____ 2001

So Answers,



**Chester A. Hawkins
Sheriff**

FILED 2cc
on 11-27-01 Amy Craghton
NOV 13 2001 g
William A. Shaw
Prothonotary