

2001-949-CD
GLORIA T. MURRELL VS JERRY G. BEESON and JOAN A. BEESON

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

GLORIA I. MURRELL,
Plaintiff

VS.

JERRY G. BEESON and JOAN A.
BEESON,
Defendants

No. 2001-949 C.D.

ACTION TO QUIET TITLE

Type of Pleading: Complaint

Filed on behalf of: Plaintiff

Counsel of Record for this party:

LEA ANN HELTZEL, ESQUIRE
Attorney at Law

Supreme Court No. 83998
900 Beaver Drive
DuBois, Pennsylvania 15801

(814) 375-0300

FILED

JUN 15 2001

William A. Shaw
Prothonotary

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

GLORIA I. MURRELL,	:	
Plaintiff	:	
	:	
VS.	:	No. 2001 - C.D.
	:	
JERRY G. BEESON and JOAN A.	:	ACTION TO QUIET TITLE
BEESON,	:	
Defendants	:	

NOTICE

TO DEFENDANT:

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

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

Office of the Court Administrator
Clearfield County Courthouse
1 North Franklin Street
Clearfield, Pennsylvania 16830
(814) 765-2641

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

GLORIA I. MURRELL, :
Plaintiff :
: VS. : No. 2001 - C.D.
: :
JERRY G. BEESON and JOAN A. : ACTION TO QUIET TITLE
BEESON, :
Defendants :
:

COMPLAINT

NOW COMES, Plaintiff, Gloria I. Murrell, by and through her attorneys, The Hopkins Law Firm and avers as follows:

1. Plaintiff is Gloria I. Murrell who resides at Treasure Lake, DuBois, Clearfield County, Pennsylvania 15801.

2. The property to be quieted is described as follows:

All that certain tract of land designated as Lot Number 340 Section Number 16 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania recorded in the Recorder of Deeds office in Miscellaneous Docket Map File Number 25.

3. The Defendants are Jerry G. Beeson and Joan A. Beeson, whose whereabouts are unknown.

4. By deed dated August 1, 1970 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 636, at page 187, Treasure Lake, Incorporated, a Pennsylvania Corporation, conveyed the said premises unto Jerry G. Beeson and Joan A. Beeson, husband and wife.

5. The said premises, which was owned by Jerry G. Beeson and Joan A. Beeson, was subject to a tax sale by The Tax Claim Bureau of Clearfield County, Pennsylvania for unpaid taxes.

6. By deed dated March 28, 1988 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 1213, page 489, The Tax Claim Bureau of Clearfield County, Pennsylvania conveyed the premises at issue to Recreation Land Corporation, a Pennsylvania Corporation.

7. By deed dated May 31, 1996 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 1771, page 8, Recreation Land Corporation conveyed the premises at issue to Wilbur R. Murrell and Gloria I. Murrell, husband and wife.

8. Wilbur R. Murrell died on November 2, 1996, thereby vesting sole title in Plaintiff, Gloria I. Murrell.

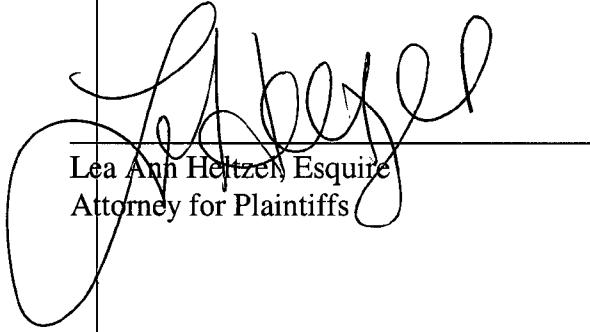
9. The purpose of this action is to quiet the title as to any interest the Defendants Jerry G. Beeson and Joan A. Beeson and their heirs, devisees, administrators, executors and assigns may have in said premises because of any defect that may exist or may have existed in the said tax sale of the said premises by The Tax Claim Bureau of Clearfield County, Pennsylvania.

10. This action is brought to clear any and all possible clouds upon the title of the property identified above.

WHEREFORE, the Plaintiff request the Court to decree that title to the premises described herein be granted unto Plaintiff in fee simple and absolutely; and that the Defendants, their heirs, devisees, executors, administrators, and assigns, and all other person, persons, firms,

partnerships, or corporate entities in interests, or their legal representatives be forever barred from asserting any right, lien, or interest inconsistent with the interest or claim of the Plaintiffs as set forth herein, in and to the property described in paragraph two (2).

Respectfully submitted,



Lea Ann Heitzen Esquire
Attorney for Plaintiffs

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of
18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, we verify that the
statements made in this pleading are true and correct.

Gloria I. Murrell
Gloria I. Murrell

Date: June 7, 2001

FILED *Atty fee*
JUN 15 2001 *100.00*
1cc *Atty*
William A. Shaeffer
Prothonotary

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

GLORIA I. MURRELL, :
Plaintiff :
VS. :
No. 2001-949 C.D.
JERRY G. BEESON and JOAN A. :
BEESON, :
Defendants :
ACTION TO QUIET TITLE

FILED

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W. Shaw
Prothonotary

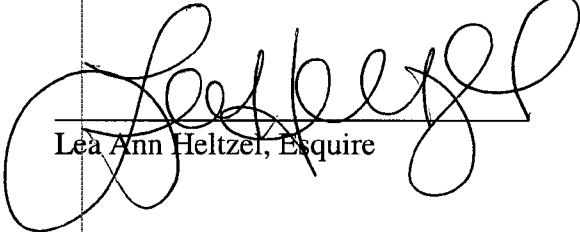
AFFIDAVIT OF UNKNOWN WHEREABOUTS

Lea Ann Heltzel, Esquire, being duly sworn according to law, hereby certifies that the last known address of Jerry G. Beeson and Joan A. Beeson was 801 Sanderson Avenue, Campbell, Pennsylvania.

Your affiant has made the following search for the Defendants:

- a. The phonebooks of Campbell, Ohio have been searched and fail to reveal a listing for Jerry G. Beeson and Joan A. Beeson;
- b. An internet search has been completed which fails to reveal a listing in the Commonwealth of Pennsylvania and State of Ohio for Jerry G. Beeson and Joan A. Beeson;
- c. The assessment records of Clearfield County have been searched and said records fail to reveal any property owned by Jerry G. Beeson and Joan A. Beeson;
- d. The Prothonotary's Office of Clearfield County has been searched and failed to reveal any current or past cases dealing with Jerry G. Beeson and Joan A. Beeson;
- e. The Register of Wills Office of the County of Clearfield has been searched and failed to reveal any estates for Jerry G. Beeson and Joan A. Beeson.

Your affiant has been unable to locate the named Defendants in this action or their heirs, devisees, executors, administrators, or assigns.



Lea Ann Heltzel, Esquire

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



Laura L. Emerick
Notary Public

Notarial Seal
Laura L. Emerick, Notary Public
DuBois, Clearfield County
My Commission Expires April 22, 2004

FILED
JUN 15 2001
cc
William A. Shaw
Prothonotary

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

GLORIA I. MURRELL, :
Plaintiff :
VS. :
: No. 2001-449 C.D.
: ACTION TO QUIET TITLE
JERRY G. BEESON and JOAN A. :
BEESON, :
Defendants :
:

MOTION FOR PUBLICATION

AND NOW, this _____ day of June, 2001, an Affidavit having been executed and filed on behalf of Gloria I. Murrell and that the whereabouts of Jerry G. Beeson and Joan A. Beeson, their accumulative heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, are unknown.

The Plaintiff, by her counsel, Lea Ann Heltzel, Esquire and The Hopkins Law Firm, requests the Court for leave to serve the Complaint on the above mentioned Defendants, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entity in interest, or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by the Pa. R.C.P. Rule 410, and Pa.R.C.P. Rule 430.

Respectfully submitted,

Lea Ann Heltzel, Esquire

FILED

JUN 15 2001

W. A. Shaw
Honorary

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

GLORIA I. MURRELL, :
Plaintiff :
VS. :
: No. 2001-949-C.D.
JERRY G. BEESON and JOAN A. : ACTION TO QUIET TITLE
BEESON, :
Defendants :
:

ORDER FOR PUBLICATION

AND NOW, this 18th day of June, 2001, upon the consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on the above mentioned Defendants, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one time in The Courier Express, a newspaper of general circulation of the County of Clearfield, Commonwealth of Pennsylvania, and in the Clearfield County Legal Journal.

BY THE COURT,

JUDGE

FILED

June 18 2001

William A. Shaw
Prothonotary

FILED

Jun 18 2001
01333/2ccatty fl
William A. Shaw
Prothonotary

*6/18/01
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

GLORIA I. MURRELL, :
Plaintiff :
VS. : No. 2001 - 949 C.D.
: ACTION TO QUIET TITLE
JERRY G. BEESON and JOAN A. :
BEESON, :
Defendants : Type of Pleading: Motion for Judgment
: Filed on behalf of: Plaintiff
: Counsel of Record for this party:
: LEA ANN HELTZEL, ESQUIRE
: Attorney at Law
: Supreme Court No. 83998
: 900 Beaver Drive
: DuBois, Pennsylvania 15801
: (814) 375-0300

FILED

AUG 06 2001

William A. Shaw
Prothonotary

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

GLORIA I. MURRELL,
Plaintiff

VS.

No. 2001 - 949 C.D.

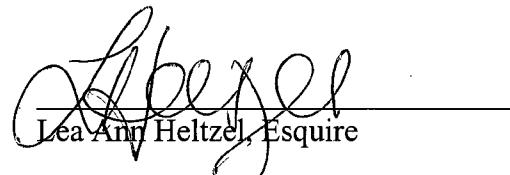
JERRY G. BEESON and JOAN A.
BEESON,
Defendants

ACTION TO QUIET TITLE

MOTION FOR JUDGMENT

AND NOW, this 4th day of August, 2001, an Affidavit having been filed by Lea Ann Heltzel, Esquire, Attorney for Plaintiff, Gloria I. Murrell, that the Complaint with Notice to Plead was served on all of the Defendants by publication and the Defendants have not answered, the Plaintiff, Gloria I. Murrell, by and through her attorney, moves the Court to enter judgment in favor of the Plaintiff and against the Defendants in the above named case and to grant to the Plaintiff the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiff further requests that the Honorable Court modify in accordance with Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiff set forth in their Complaint.

Respectfully submitted,


Lea Ann Heltzel, Esquire

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

GLORIA I. MURRELL, :
Plaintiff :
VS. : No. 2001 - 949 C.D.
: :
JERRY G. BEESON and JOAN A. : ACTION TO QUIET TITLE
BEESON, :
Defendants :
:

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

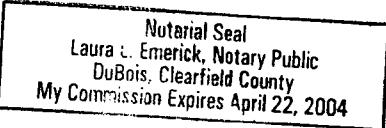
Personally appeared before me, the undersigned officer, Lea Ann Heltzel, Attorney for Gloria I. Murrell, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants, Jerry G. Beeson and Joan A. Beeson, and their heirs, devisees, administrators, executors and assigns, by publication, and more than twenty (20) days have elapsed since said service, and that the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.


Lea Ann Heltzel, Esquire

Sworn to and subscribed before me this

6th day of July, 2001.


Laura L. Emerick
Notary Public



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

GLORIA I. MURRELL, :
Plaintiff :
VS. :
No. 2001 - 949 C.D.
: ACTION TO QUIET TITLE
JERRY G. BEESON and JOAN A. :
BEESON, :
Defendants :
:

ORDER

AND NOW, this 14th day of August, 2001, it appearing that service of the Complaint to Quiet Title in the above stated action was served upon all Defendants by publication, and by Affidavit of Lea Ann Heltzel, Attorney for Plaintiff, that no answer or appearance has been filed to said action, and on Motion of Lea Ann Heltzel, Esquire, it is hereby ORDERED and DECREED:

1. That the Defendants, Jerry G. Beeson and Joan A. Beeson, their heirs, devisees, persons, firms, partnerships, or corporate entities in interest, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in their Complaint in and to:
2. The property in this quiet title action is described as follows:

All that certain tract of land designated as Lot Number 340 Section Number 16 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania recorded in the Recorder of Deeds office in Miscellaneous Docket Map File Number 25.

3. That title to said property is now vested in Gloria I. Murrell as prayed.

FILED
AUG 14 2001
o/10:00 AM
William A. Shaw
Prothonotary
2 Cents To
ATTY 

4. That the rights of the Plaintiff are superior to the rights of the Defendants, Jerry G. Beeson and Joan A. Beeson, and any heirs, persons claiming, or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

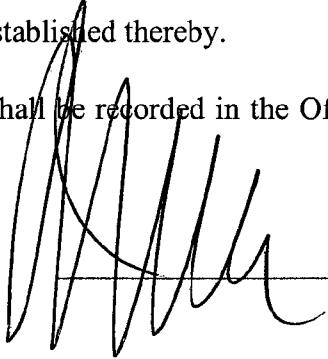
5. That the Plaintiff has title in fee simple to said premises as described in the Complaint as against the Defendants, Jerry G. Beeson and Joan A. Beeson, and their heirs, devisees, administrators, executors, and assigns.

6. That the Defendants, Jerry G. Beeson and Joan A. Beeson, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiff as set forth in her Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiff to the premises.

7. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

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

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



JUDGE