

01-1061-CD
Jerry Demchak vs Emile Castiaux



RONALD E. ARCHER
ATTORNEY AT LAW
HOUTZDALE, PENNSYLVANIA

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

JERRY DEMCHAK
Plaintiff

vs.

EMILE CASTIAUX and JOSEPHINE
CASTIAUX, their heirs, executors,
administrators, trustees and/or
assigns, known or unknown, and any
other person or persons, firms,
partnerships, associations or
corporate entities in interest,
Defendants

:
:
: No. 2001-1061-CD
:
: Type of Case: Quiet Title Action
: Type of Pleading: Complaint
: Filed on Behalf of Plaintiff
: Counsel of Record for this
: Party: Ronald E. Archer, Esq.
: Supreme Court ID No. 19655
:
: 711 Hannah Street
: Houtzdale, PA. 16651
:
: 814/378-7641

FILED

JUL 03 2001

William A. Shaw
Prothonotary

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

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- ____ -CD
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

NOTICE

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

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

Court Administrator's Office
Clearfield County Court House
Clearfield, PA. 16830
Telephone: 814-765-2641, Ext. 5982

COMPLAINT

AND NOW comes JERRY DEMCHAK, by his attorney, Ronald E. Archer, Esq., and files the following Complaint:

1. The Plaintiff is Jerry Demchak, P. O. Box 244, Houtzdale, Pennsylvania 16651.

2. The Defendants are Emile Castiaux and Josephine Castiaux, their heirs, executors, administrators, trustees, and assigns, and any other person, persons, firms, partnerships, associations or corporate entities or successors who may claim under them, and who are deceased, or no longer in existence and whose whereabouts are unknown.

3. The real property involved in and subject of this action is ALL that certain piece or parcel of land situated in Woodward Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the northern side of an alley, said pin being the southwest corner of the land herein described; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango, North 08 degrees 00 minutes 00 seconds East a distance of 405.50 feet to an iron pin; thence along the line of land of Edward L. Tubo South 85 degrees 00 minutes 00 seconds East a distance of 158.50 feet to an iron pin; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango South 06 degrees 49 minutes 28 seconds West a distance of 291.20 feet to an iron pin; thence along the northern side of an alley South 61 degrees 15 minutes 00 seconds West a distance of 205.00 feet to an iron pin and the point of beginning.

Containing 1.294 acres, more or less, as shown on the Survey of Land for Jerry Demchak as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.

The property known by Tax Map. No. 130-M14-000-00041. A survey map of said property is attached hereto and marked as Exhibit "A".

4. The herein described premises described in Paragraph 3 were conveyed to Jerry Demchak by deed of the Tax Claim Bureau of Clearfield County dated December 5, 1994, and entered for record in Clearfield County Deed Book Volume 1649, Page 585, in which the premises were described as 1.38 A, Map Number 130-M14-000-00041 in Woodward Township assessed in the name of "Unknown". The premises described herein were assessed by the Clearfield County Tax Assessment Office as Unknown in 1988.

5. The herein described premises were conveyed to Emile Castiaux and Josephine Castiaux by deed of Frances Powers, unmarried, dated May 2, 1929, and entered for record in Clearfield County Deed Book Volume 291, Page 310, on May 6, 1929. Said premises were identified as The Fourth Thereof in said deed and were identified as 1.29 acres.

6. The premises described herein were conveyed to Frances Powers by deed of Emile Castiaux and Josephine Castiaux dated April 29, 1929, and entered for record in Clearfield County Deed Book Volume 291, Page 308, on May 6, 1929. Said premises were identified as The Fourth Thereof in said deed and were identified as 1.29 acres.

7. The premises herein described were conveyed to Emile Castiaux by deed of Reading, Ritchey and Wallace by deed dated July 17, 1911, and entered for record in Clearfield County Deed Book 190, Page 72, on January 20, 1912, and described as 1.29 acres.

8. The assessment records for Houtzdale Borough from 1912 through the present indicate that Emile Castiaux was assessed with various parcels of land in Woodward Township, however, there was not an assessment for a 1.29 acre tract.

9. A comparison of the survey description set forth in the herein referenced deeds for the herein described premises and the location of the herein described premises on current and past Clearfield County Assessment maps indicate that the premises sold to Plaintiff are the same premises as were first conveyed to Emile Castiaux by Deed Book 190, Page 72.

10. A search among the records of Clearfield County, including deed indices and estate records did not indicate that the herein described premises were ever conveyed or devised by the Defendants after the premises were conveyed to them by the deed of Frances Powers as set forth in Paragraph 5 herein.

11. This Quiet Title Action is necessary to establish a proper chain of title out of which the real property subject of this action comes, because of irregularities in the chain of title, including possible unrecorded deeds, variances in the descriptions, tax sale deeds, unclear tax assessments, and quit-claim deeds, all of which raise a question as to the chain of title to the property and create a cloud on the title.

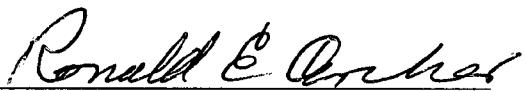
12. It is finally averred that this Quiet Title Action is necessary to determine the validity or discharge of any document, obligation or deed affecting any right, title and interest in the property subject of this action, which may affect the rights of the Plaintiff.

WHEREFORE, Plaintiff brings this action and respectfully requests the Court to decree as follows:

a. That the Plaintiff, his heirs, executors, personal representatives and assigns are seized of an absolute and indefeasible title to the property situated in the Township of Woodward, Clearfield County, Pennsylvania, described herein, and that an Order and Decree be entered adjudicating that each Defendants and any of their heirs, successors, executors, administrators, trustees, or assigns, be forever barred from asserting any right, title, lien or interest in the within described parcel of land.

b. That such other relief be granted as may be necessary in establishing Plaintiff's title, including determinations on the validity, or discharge of any documents, obligations, or deeds affecting right, title and interest in the property described herein.

c. Such other and further relief as the Court deems proper.



Ronald E. Archer
Ronald E. Archer, Esq.
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA:

: \$

COUNTY OF

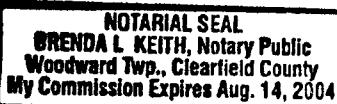
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Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared JERRY DEMCHAK, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

Jerry Demchak
Jerry Demchak

Sworn to and subscribed
before me this 30th
day of June,
2001.

Jerry Demchak
Notary Public





EDWARD L.
TUBO

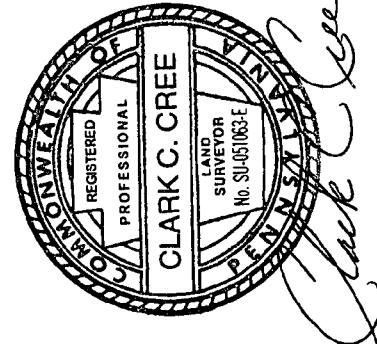
ROAD
TOWNSHIP
IP

NANCY VALENZA,
CLIFTON, VIRGINIA &
RICHARD FLANGO

1.294 AC. +--
S 06°49'28" W
291.20
STABILIZED ROAD
IP

NANCY VALENZA,
CLIFTON, VIRGINIA &
RICHARD FLANGO

405.50
N 080.00" E



EDWARD L.
TUBO

Survey of Land
for

Jerry Demchak

Drawn by:
CCH FB# 280

Situate: Woodward Township Co., Pennsylvania
Scale: 1"=50'
Prepared by: GEORGE A. CREE, REGISTERED SURVEYOR
2417 SKYLINE DRIVE, FALLENTIMBER, PA 16639

Date:
4/24/01

Job No.
BF 42401

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

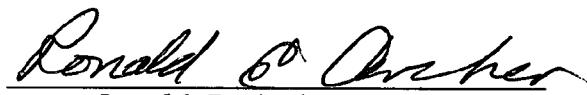
JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- _____ -CD
: Type of Case: Quiet Title Action
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

MOTION FOR SERVICE BY PUBLICATION

1. Your Petitioner is Jerry Demchak, Plaintiff in the above captioned matter.

2. Petitioner, by attached affidavit incorporated herein by reference thereto, believes that the named Defendants are deceased, or that their whereabouts are unknown.

WHEREFORE, Petitioner, by his attorney, Ronald E. Archer, Esq., requests that your Honorable Court grant and order that the therein named Defendants be served by publication as required by law.


Ronald E. Archer
Attorney for Plaintiff

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

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- ____ -CD
: Type of Case: Quiet Title Action
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CASTIAUX, their heirs, executors, :
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assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA: : §
COUNTY OF CLEARFIELD :
:

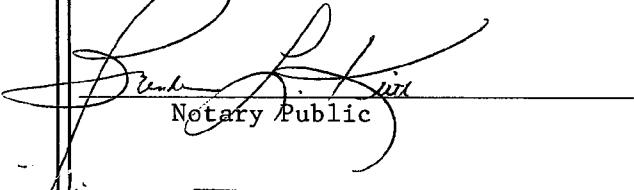
Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared Jerry Demchak, who, being duly sworn according to law, deposes and says that the names of the Defendants, Emile Castiaux and Josephine Castiaux, their heirs, successors, executors, administrators, trustees, and/or assigns, known or unknown, and any other person, or persons, firms, partnerships, associations or corporate entities in interest, are no longer in existence and their whereabouts are unknown to the Plaintiff.

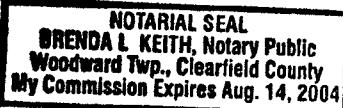
Plaintiff and his attorney have made an investigation to locate the aforesaid Defendants that are unknown, by checking the records of Clearfield County which included deed indices, Orphan's Court records, assessment records, voter's registration records, and miscellaneous indices in the Clearfield County Prothonotary Office. Telephone directories in the area of

the Defendants' last known address were checked, and local postal authorities in the area of the Defendants' last known addresses were contacted. None of the Defendants were found because they are deceased or their whereabouts are unknown.


Jerry Demchak

Sworn to and subscribed
before me this 30th
day of June,
2001.


Brenda L. Keith
Notary Public



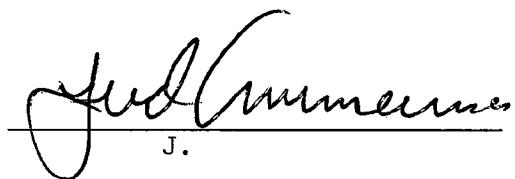
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- ____ -CD
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

ORDER DIRECTING COMPLAINT TO BE SERVED
BY ADVERTISEMENT ON DEFENDANTS

AND NOW, this 3rd day of July, 2001, the within Action
being an Action to Quiet Title and the Plaintiff having made affidavit that
the addresses of the Defendants are unknown and cannot be ascertained, and
therefore upon Motion of Ronald E. Archer, Esq., Attorney for Plaintiff,, it
is Ordered and Decreed that substitute service by publication be made upon
the Defendants whose addresses are unknown, or may be deceased, by giving
notice in The Progress, a newspaper of general circulation published in the
Clearfield County area, and in the Clearfield County Legal Journal, to all
of the above named Defendants, such publication to be one (1) time only
stating that this action has been filed, and that this Complaint must be
pledged to within twenty (20) days after publication of notice; otherwise
judgment will be taken against all of the Defendants by default.

BY THE COURT


J.

FILED

BL 100-12-001
JUL 03 2001
X William A. Shaw
Prothonotary Archer

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

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- ____ -CD
: Type of Case: Quiet Title Action
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

**ACTION TO QUIET TITLE
NOTICE**

TO: Emile Castiaux and Josephine Castiaux, their heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Gulich, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

BEGINNING at an iron pin located on the northern side of an alley, said pin being the southwest corner of the land herein described; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango, North 08 degrees 00 minutes 00 seconds East a distance of 405.50 feet to an iron pin; thence along the line of land of Edward L. Tubo South 85 degrees 00 minutes 00 seconds East a distance of 158.50 feet to an iron pin; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango South 06 degrees 49 minutes 28 seconds West a distance of 291.20 feet to an iron pin; thence along the northern side of an alley South 61 degrees 15 minutes 00 seconds West a distance of 205.00 feet to an iron pin and the point of beginning.

Containing 1.294 acres, more or less, as shown on the Survey of Land for Jerry Demchak as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that he has requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield

County, that the Court decree that the title to the same is in him, free and clear of the claims of the persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under them, or all persons or entities claiming any right, title or interest in the land described fail to plead to the Plaintiff's complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Court may direct, the Defendants, their heirs, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiff, his successors or assigns.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the 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 GET LEGAL HELP.

Court Administrator
Clearfield County Court House
Clearfield, PA. 16830
814-765-2641

RONALD E. ARCHER, ESQ.
711 Hannah Street
Houtzdale, PA. 16651

FILED

REC'D
JUL 11 2001
JUL 11 2001
William A. Shaw
Prothonotary
\$10.00

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- 01066 -CD
EMILE CASTIAUX and JOSEPHINE : Type of Case: Quiet Title Action
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

AFFIDAVIT OF SERVICE

Before me, William A. Shaw, Prothonotary, personally appeared Ronald E. Archer, Esq., who, being duly sworn according to law, deposes and says that service was made in this case by publication in The Progress one time only on July 5, 2001, and the Clearfield County Legal Journal one time only for the week of July 13, 2001, as appears by sworn proof hereto attached. And further that all the named Defendants are no longer in existence, or their whereabouts are unknown and were not served in any other manner. No appearance having been entered on behalf of any of the Defendants nor any answer filed by any of them, Plaintiffs have caused this Affidavit to be made for the purpose of obtaining a Decree of Court under Pa. R.C.P. 1066.

FILED

AUG 10 2001

William A. Shaw
Prothonotary

WHEREFORE, this Affidavit of Service made by the manner aforesaid is made for the purpose of obtaining a Decree of Court.

Ronald E. Archer
Ronald E. Archer, Esq.
Attorney for Plaintiff

Sworn to and subscribed
before me this 10th,
day of August,
2001.

Levin, Miller, Lewis

Prothonotary

RONALD E. ARCHER
ATTORNEY AT LAW
HOOTZDALE, PENNSYLVANIA

IN THE COURT OF COMMON
PLEAS OF CLEARFIELD
COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

JERRY DEMCHACK, Plaintiff,
vs. EMILE CASTIAUX and JOSEPHINE CASTIAUX, their heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants

No. 2001-1061-CD, Type of
Case: Quiet Title Action

ACTION TO QUIET TITLE

NOTICE

TO: Emile Castiaux and Josephine Castiaux, their heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Woodward, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

BEGINNING at an iron pin located on the northern side of an alley, said pin being the southwest corner of the land herein described; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango, North 08 degrees 00 minutes 00 seconds East a distance of 405.50 feet to an iron pin; thence along the line of the land of Edward L. Tubo South 85 degrees 00 minutes 00 seconds East a distance of 158.50 feet to an iron pin; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango South 06 degrees 49 minutes 28 seconds West a distance of 291.20 feet to an iron pin; thence along the northern side of an alley South 61 degrees 15 minutes 00 seconds West a distance of 205.00 feet to an iron pin and the point of beginning.

Containing 1.294 acres, more or less, as shown on the Survey of Land for Jerry Demchak as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.

TAKE NOTICE that the Plaintiff is the owner of the land described

hereinabove and that he has requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in him, free and clear of the claims of the persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under them, or all persons or entities claiming any right, title or interest in the land described fail to plead to the Plaintiff's complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgement as the Court may direct, the Defendants, their heirs, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiff, his successors or assigns.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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Court Administrator, Clearfield County Courthouse, Clearfield, PA 16830, 814-765-2641

RONALD ARCHER, ESQ., 711

Hannah Street, Houtzdale, PA 16651

7:7-1d-b

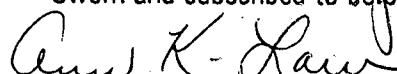
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 6th day of August, A.D. 2001, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of July 7, 2001. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.


Margaret E. Krebs
Sworn and subscribed to before me the day and year aforesaid.


Ann K. Law

Notary Public
My Commission Expires
September 16, 2004

Clearfield, Pa.

Notarial Seal
Ann K. Law, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Sept. 16, 2004
Member, Pennsylvania Association of Notaries

the southwest corner of the land herein described; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango, North 08 degrees 00 minutes 00 seconds East a distance of 158.50 feet to an iron pin; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango South 06 degrees 49 minutes 29 seconds West a distance of 291.20 feet to an iron pin; thence along the northern side of an alley South 61 degrees 15 minutes 00 seconds West a distance of 205.00 feet to an iron pin and the point of beginning.

Containing 1.294 acres, more or less, as shown on the Survey of Land for Jerry Demchak as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that he has requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in him, free and clear of the claims of the persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under them, or all persons or entities claiming any right, title or interest in the land described fail to plead to the Plaintiff's complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Court may direct, the Defendants, their heirs, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiff, his successors or assigns.

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

JERRY DEMCHAK, Plaintiff vs. EMILE CASTIAUX and JOSEPHINE CASTIAUX, their heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

ACTION TO QUIET TITLE NOTICE

No. 2001-1061-CD

TO: EMILE CASTIAUX and JOSEPHINE CASTIAUX, their heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Woodward, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

BEGINNING at an iron pin located on the northern side of an alley, said pin being

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

JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001- 01061 -CD
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

MOTION FOR JUDGMENT

NOW, August 10, 2001, an Affidavit having been executed and presented herewith on behalf of the Plaintiff showing that the Complaint was served by publication on all of the Defendants in The Progress on July 5, 2001, and in the Clearfield County Legal Journal during the week of July 13, 2001, and further that all the named Defendants are no longer in existence, or their whereabouts are unknown and were not served in any other manner, and no Defendants having entered an appearance or filed an Answer or having expressed any purpose or intent to be heard or desire to assert title to said property, and twenty (20) days having elapsed since the last publication and it appearing that it was impossible to serve any other Defendants by any other means.

WHEREFORE, Ronald E. Archer, Esq., prays Your Honorable Court, as attorney for the Plaintiff, that judgment be entered in favor of the Plaintiffs and against the Defendants, its successors, trustees and assigns, known or unknown, and that any other person or persons, firms, partnerships,

Plaintiff and against the Defendants, its successors, trustees and assigns, known or unknown, and that any other person or persons, firms, partnerships, associations, or corporate entities in interest, with direction that they file suit in ejectment or otherwise enter proceedings to contest the case within thirty (30) days, or judgment may be entered against them from asserting any title or claim to the real estate in this action.

Ronald E. Archer

Attorney for Plaintiff

FILED NO
OCT 11 2001
AUG 10 2001
cc
William A. Shaw
Prothonotary

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

JERRY DEMCHAK
Plaintiff

vs.

EMILE CASTIAUX and JOSEPHINE
CASTIAUX, their heirs, executors,
administrators, trustees and/or
assigns, known or unknown, and any
other person or persons, firms,
partnerships, associations or
corporate entities in interest,
Defendants

:
:
: No. 2001-01061 -CD
:
: Type of Case: Quiet Title Action
: Type of Pleading: Order of Court
: Filed on Behalf of Plaintiff
: Counsel of Record for this
: Party: Ronald E. Archer, Esq.
: Supreme Court ID No. 19655
:
: 711 Hannah Street
: Houtzdale, PA. 16651
:
: 814/378-7641

ORDER OF COURT

NOW, Aug 10, 2001, an Affidavit having been made that
service was made by publication in The Progress on July 5, 2001, and
the Clearfield County Legal Journal during the week of
July 13, 2001 and it appearing that it was impossible to serve any
other Defendants by any other means,

IT IS ORDERED AND DECREED that Defendants file suit in ejectment or
otherwise enter a proceeding to contest the case within thirty (30) days, or
this Order of Court shall become final upon Praeclipe by Plaintiffs, which
hereby Orders and Decrees that title to the land subject of this action is
vested absolutely in the Plaintiff, his heirs and assigns, free and clear of
any and all claims of any nature by any of the named Defendants, its
successors, trustees and assigns, known or unknown, and any other persons,
firms, partnerships, associations or corporate entities in interest.

FILED

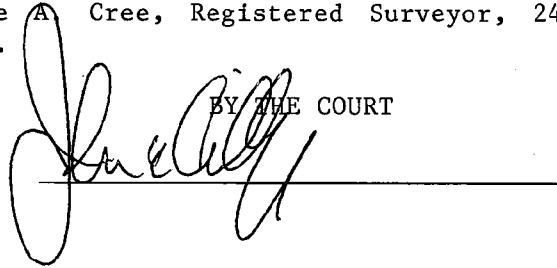
AUG 10 2001

William A. Shaw
Prothonotary

or by anyone claiming by, through or under them or any of them, and that the Plaintiffs are seized of an indefeasible title to the land situated in the Township of Woodward, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the northern side of an alley, said pin being the southwest corner of the land herein described; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango, North 08 degrees 00 minutes 00 seconds East a distance of 405.50 feet to an iron pin; thence along the line of land of Edward L. Tubo South 85 degrees 00 minutes 00 seconds East a distance of 158.50 feet to an iron pin; thence along the line of land of Nancy Valenza, Clifton, Virginia and Richard Flango South 06 degrees 49 minutes 28 seconds West a distance of 291.20 feet to an iron pin; thence along the northern side of an alley South 61 degrees 15 minutes 00 seconds West a distance of 205.00 feet to an iron pin and the point of beginning.

Containing 1.294 acres, more or less, as shown on the Survey of Land for Jerry Demchak as prepared by George A. Cree, Registered Surveyor, 2417 Skyline Drive, Fallentimber, PA 16639.



BY THE COURT

FILED

NO
cc

11:45 AM
AUG 17 2001

for

William A. Shaw
Prothonotary

RONALD E. ARCHER
ATTORNEY AT LAW
HOOTZDALE, PENNSYLVANIA

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

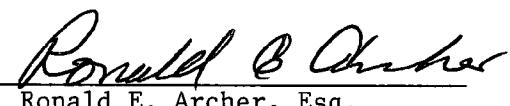
JERRY DEMCHAK, :
Plaintiff :
vs. : No. 2001-01061 -CD
EMILE CASTIAUX and JOSEPHINE :
CASTIAUX, their heirs, executors, :
administrators, trustees and/or :
assigns, known or unknown, and any :
other person or persons, firms, :
partnerships, associations or :
corporate entities in interest, :
Defendants :

FINAL PRAECIPE

TO: William A. Shaw, Prothonotary

Please enter judgment in the above captioned matter in favor of the
Plaintiffs.

DATED: September 11, 2001


Ronald E. Archer, Esq.

Attorney for Plaintiff

FILED

SEP 10 2001

William A. Shaw
Prothonotary