

01-1130-CD
BONNIE P. RICKARD etal -vs- MINNIE E. WOODWARD etal

**BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,**

VS.

**MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,**

Defendants.

* No. 01-1130 -CD

*** ACTION TO QUIET TITLE**

***Type of Pleading: COMPLAINT**

*** Filed on behalf of : PLAINTIFFS**
*** BONNIE P. RIC-KARD**
*** ROBERT E. PEOPLES, SR.**

*** Counsel of Record for Plaintiff:**
*** BARBARA J. HUGNEY-SHOPE, ESQ.**
*** 23 North Second Street**
*** Clearfield, PA 16830**
*** (814) 765-5155**

FILED

JUL 13 2001

William A. Shaw
Prothonotary

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

**BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,**

Plaintiffs,

vs.

**MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,**

Defendants.

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* No. 01- -CD

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* ACTION TO QUIET TITLE

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COMPLAINT

AND NOW COME, BONNIE P. RIC-KARD and ROBERT E. PEOPLES, SR., who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiff, BONNIE P. RIC-KARD, is an adult individual, who currently resides at R. R. #1, Box 591A, Mary Lane, Curwensville, Clearfield County, Pennsylvania 16833.

2. That the Plaintiff, ROBERT E. PEOPLES, SR., is an adult individual, who currently resides at R.D. #2, Box 191, Curwensville, Clearfield County, Pennsylvania 16833.

3. That the Defendants are MINNIE E. WOODWARD and RALPH V. FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, whose identities and addresses are unknown.

4. That the Plaintiffs, are the owners of a certain piece or parcel of land located in the Second Ward of Curwensville Borough, Clearfield County, Pennsylvania, being known as Lot #108 in the Patton Addition to Curwensville Borough, and having an address of 513 Short Street, bounded and described as follows:

FRONTING fifty (50) feet on the west side of High Street, now known as Short Street, extending by parallel lines northwesterly one hundred fifty (150) feet to an unnamed twenty (20) foot alley; bounded on the North by Lot #107 and on the South by Lot #109. Being designated as Lot #108 on the Plan of Patton Addition which is recorded in Clearfield County, Pennsylvania.

BEING the same premises granted and conveyed unto Bonnie P. Ric-kard and Robert B. Peoples, a/k/a Robert E. Peoples, Sr., by deed of Jennie Grace (Kester) Mulhollan, single, dated July 23, 1980, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 800, page 4. The said Jennie Grace (Kester) Mulhollan reserved a life estate in said deed which she relinquished by her quit-claim deed dated October 26, 1999, and recorded in Clearfield County as Instrument No. 199917756.

BEING assessed as Tax Assessment Map No. 6.2-I9-292-4.

5. The parcel described in Paragraph 4 above was conveyed to A. G. Woodward as part of a larger parcel described as 4.33 acres by deed of Charles E. Patton and M. B. Patton, his wife, dated January 30, 1920, and recorded in Clearfield County in Deed Book 244, page 215.

6. The said A. G. Woodward died testate on January 20, 1939, leaving to survive him, his widow, Minnie E. Woodward, as his sole testate heir.

7. H. F. Bigler, Jr., Treasurer of Clearfield County, Pennsylvania, returned the property of A. G. Woodward described as seven (7) vacant lots in Curwensville Borough for unpaid 1931 real estate taxes on April 10, 1936, by a deed recorded in Clearfield County Deed Book 344, page 216.

8. The land of which the parcel described in Paragraph 4 was a part was sold by the Clearfield County Commissioners at a tax sale on January 19, 1942 for nonpayment of real estate taxes for the years 1931 as the property of A. G. Woodward.

9. At a tax sale on January 19, 1942, a parcel of land sold for nonpayment of taxes as the property of A. G. Woodward described as seven (7) vacant lots was purchased by Chetwin M. Hurd, as shown on the deed from the Clearfield County Commissioners dated May 25, 1942, and recorded on June 17, 1942, in Clearfield County Deed Book 344, page 217.

10. The said Chetwin M. Hurd and his wife, Chelsea Hurd, then conveyed Lots 108 and 109, with Lot #108 being the parcel described in Paragraph 4, to William Clark and Zena Clark, his wife, by their deed dated October 9, 1942, and recorded in Clearfield County Deed Book 359, page 238.

11. The said William Clark and Zena Clark, his wife, then conveyed Lot #108, the parcel described in Paragraph 4, to Robert Peoples, Jr. and Grace Peoples, his wife, by their deed dated June 17, 1947, and recorded in the Clearfield County Deed Book 385 page 80.

12. The said Robert Peoples, Jr. conveyed his interest in Lot #108, the parcel described in Paragraph 4, to Grace Peoples pursuant to the parties' divorce agreement by his deed dated February 23, 1955, and recorded in Clearfield County Deed Book 442, page 66.

13. The said Grace Peoples is also known as Jennie Grace (Kester) Mulhollan having married William Oscar Mulhollan on August 5, 1967 in Cambria, New York.

14. The said William Oscar Mulhollan executed a quitclaim deed unto the Plaintiffs herein dated June 13, 2001, and recorded in the Clearfield County as Instrument No. 200109287, releasing any interest he may have acquired as a result of his marriage to the said Jennie Grace (Kester) Mulhollan.

15. In an effort to clear the title to the real estate described in Paragraph 4 as the property of A. G. Woodward due to the tax sale, the heirs of Minnie E. Woodward, the widow and sole testate heir of A. G. Woodward, were contacted to obtain quit-claim deeds.

16. The said Minnie E. Woodward died intestate on January 27, 1951, leaving to survive her as her sole intestate heirs, her surviving brothers, Ralph V. Frankhouser, William T. Frankhouser, Alex I. Frankhouser and Ruth Sides, a niece, the daughter of

her deceased brother, Harry L. Frankhouser as appears of record in the Office of the Register of Wills in Clearfield County as Estate No. 20974.

17. A quit-claim deed for the parcel of land described in Paragraph 4 dated July 11, 1966, and executed by William T. Frankhouser, Alex I. Frankhouser and Ruth Sides, joined by their respective spouses, to Robert L. Kester, was recorded in Clearfield County Deed Book 528, page 260.

18. A quit-claim deed for the parcel of land described in Paragraph 4 dated April 1, 1967 from George Vernon Frankhouser, et al., to Robert L. Kester was executed by some but not all of the Grantors listed on that deed and there was no indication of their relationship to Minnie E. Woodward or her remaining intestate heir, Ralph V. Frankhouser, in the deed recorded in Clearfield County in Deed Book 586 page 268.

19. Neither of the quit-claim deeds referred to in Paragraphs 17 and 18 above was executed by Ralph V. Frankhouser nor by anyone purporting to be the personal representative of the said Ralph V. Frankhouser.

20. Following the receipt and recording of the quit-claim deeds purporting to be from all of the intestate heirs of Minnie E. Woodward, the said Robert L. Kester conveyed his interest to Jessie (Kester) Mulhollan by his deed dated December 16, 1977, and recorded in Clearfield County Deed Book 752, page 157.

21. The said Jennie Grace (Kester) Mulhollan then conveyed the parcel described in Paragraph 4 to Bonnie P. Ric-kard and Robert B. Peoples, Sr., the Plaintiffs herein, by her deed dated July 23, 1980, and recorded in Clearfield County Deed Book 800, page 4.

22. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel described in Paragraph 4 of this Complaint due to any irregularities in the chain of title because of incomplete estate records of deceased persons showing a complete chain of title or lack of estates, and possible adverse interest of unknown heirs of the said Minnie E. Woodward or Ralph V. Frankhouser.

23. Plaintiffs believe and aver that all of the intestate heirs of Minnie E. Woodward were named as her intestate heirs in her estate filed in Clearfield County.

24. From 1955 until 1980, the said Jennie Grace (Kester) Muhollan alone, exercised open, notorious and hostile possession and control over the parcel described in Paragraph 4 to the exclusion of all others.

25. That since 1955 to the present, the Plaintiffs and their predecessor in title, Jessie Grace (Kester) Muhollan, have paid all tax assessment on the parcel described in Paragraph 4 of this Complaint.

26. That at no time have any Defendants attempted to secure possession of the said premises, contest the title of the Plaintiffs or their predecessors in title or assist in the maintenance, repair or improvement of the premises hereinbefore described nor have they asserted any interest adverse to the Plaintiffs by any legal action.

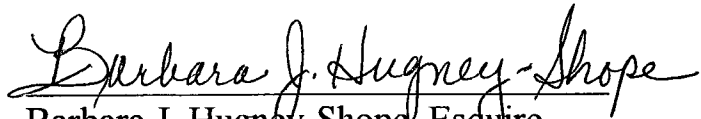
WHEREFORE, Plaintiffs request:

(a) That the Defendants be forever barred from asserting any right, title, lien or interest in the Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owner and be entitled to exclusive possession of the premises described in the foregoing Complaint; and


(c) That the Court make such further Orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them appropriate relief.

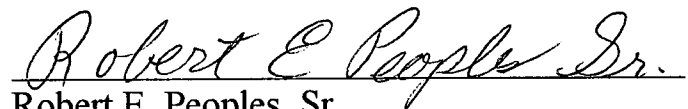
Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

VERIFICATION

We verify that the statements made in the foregoing Complaint are true and correct. We understand that false statements herein are made subject to the penalties of 18 PA C.S. section 4904 relating to unsworn falsifications to authorities.


Bonnie P. Ric-kard


Robert E. Peoples, Sr.

Dated: July 12, 2001

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

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

NO. 01- -CD

BONNIE P. RIC-KARD, an adult
individual, and ROBERT E. PEOPLES,
SR., an adult individual,

Plaintiffs,

vs.

MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs,
executors, administrators,
successors and assigns, and all
other persons or entities in
interest, known or unknown,
claiming by and through or under
them,

Defendants.

ACTION TO QUIET TITLE

FILED

JUL 13 2001

William A. Shaw
Prothonotary

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Sec atty Shope

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

(814) 765-5155
FAX (814) 765-2957

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

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Defendants.

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* No. 01-1130-CD

* ACTION TO QUIET TITLE

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

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SS
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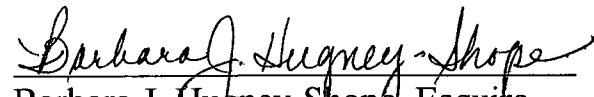
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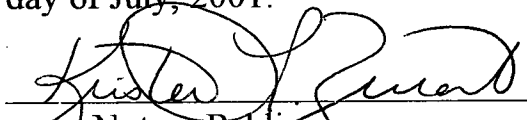
William A. Shaw
Prothonotary

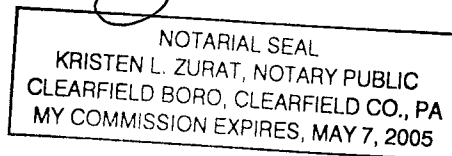
Before me, the undersigned officer, personally appeared Barbara J. Hugney-Shope, Esquire, attorney for the above-named Plaintiffs, who being duly sworn according to law, deposes and says that the Defendants, Minnie E. Woodward and Ralph V. Frankhouser, and their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them are all deceased or their whereabouts are unknown to the Plaintiffs.

Plaintiffs and the undersigned, their attorney, have made an investigation to locate the aforesaid Defendants that are unknown by checking the estate and tax records of Clearfield County, review of telephone directories in the area, and requesting information from known heirs; however, none of the above were found because they are either deceased or their whereabouts is unknown.


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiff

Sworn to and subscribed
before me this 17th
day of July, 2001.


Notary Public



FILED

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0194013

William A. Shapiro

Prothonotary

W. A. Shapiro

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street

Clearfield, PA 16830

(814) 765-5155

FAX (814) 765-2957

CERTIFIED TO BE A TRUE AND CORRECT COPY

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

**BONNIE P. RIC-KARD, an adult individual,
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individual,**

Plaintiffs,

vs.

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executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,**

Defendants.

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* **No. 01-1130-CD**

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* **ACTION TO QUIET TITLE**

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* **Type of Case: CIVIL**

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* **Type of Pleading: MOTION FOR
SERVICE BY PUBLICATION
AND ORDER**

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* **Filed on behalf of: PLAINTIFFS
BONNIE P. RIC-KARD AND
ROBERT E. PEOPLES, SR.**

*

*

* **Counsel of Record for PLAINTIFFS:
BARBARA J. HUGNEY-SHOPE, ESQ.**

* **Supreme Court I. D. No. 26274**

* **23 North Second Street**

* **Clearfield, PA 16830**

* **(814) 765-5155**

FILED

JUL 17 2001

**William A. Shaw
Prothonotary**

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FILED
JUN 18 2001
William A. Shaw
Prothonotary

FILED
MAR 19 2001
FBI

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6/5/01

BARBARA J. HUGNEY-SHOPE
Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

CERTIFIED TO BE A TRUE AND CORRECT COPY

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

BONNIE P. RIC-KARD, an adult individual,
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Defendants.

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* No. 01-1130-CD

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* ACTION TO QUIET TITLE

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FILED

AUG 22 2001

William A. Shaw
Prothonotary

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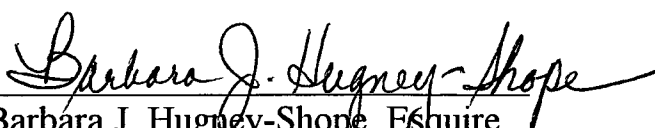
COMMONWEALTH OF PENNSYLVANIA)

ss.:

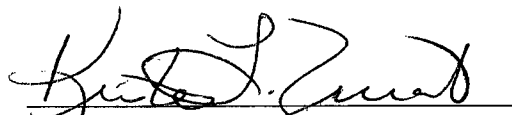
COUNTY OF CLEARFIELD)

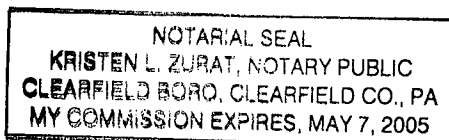
BARBARA J. HUGNEY-SHOPE, ESQUIRE, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiffs in the above-captioned action and makes this affidavit on behalf of Plaintiffs, being authorized to do so; that a Complaint in Action to Quiet Title, endorsed with a Notice to Defend within twenty (20) days from service thereof was served on the Defendants, MINNIE E. WOODWARD and RALPH V. FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, by publication in The

Progress of Clearfield, Pennsylvania, on July 23, 2001, proof of which is attached hereto marked Exhibit "A," and the Clearfield County Legal Journal during the week of July 27, 2001, proof of which is attached hereto, marked Exhibit "B," and these Defendants have not filed an Answer thereto although the time in which to do so has expired.


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

SWORN to and subscribed
before me this 21st day
of August, 2001.


Notary Public



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

BONNIE P. RIC-KARD and RO-
right, title or interest in the land de-
scribed, except the Plaintiffs, will
be forever barred from asserting
any interest, lien, right or title to the
said land, inconsistent with the
Plaintiffs, their successors or as-
signs.

If you wish to defend, you must
enter a written appearance person-
ally or by attorney and file your de-
fenses or objections in writing with
the Court. You are warned that if
you fail to do so, the case may pre-
ceed without you and a judgment
may be entered against you without
further notice for the relief re-
quested by the Plaintiffs. You may
lose money or property or other
rights important to you.

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

Court Administrator, Clearfield
County Court House, Second and
Market Streets, Clearfield, Penn-
sylvania 16830. Telephone: (814)
765-2641, Ext. 5982.

BARBARA J. HUGNEY-SHOPE,
Attorney at Law, 23 North Second
Street, Clearfield, Pennsylvania
16830 (814) 765-5155.

7:23-1d-b

do demand and subpoena
be able to work indepen-
dently age 18

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 7th 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 23, 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 Clearfield, Pa.

My Commission Expires
September 16, 2004

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

EXHIBIT "A"

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

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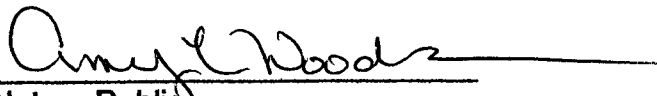
COUNTY OF CLEARFIELD :

On this 30th day of July AD 2001, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of July 27, 2001, Vol. 13 No. 30. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



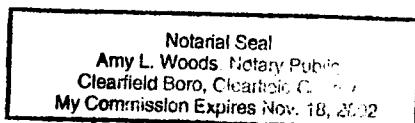
Gary A. Knaresboro, Esquire
Editor

Sworn and subscribed to before me the day and year aforesaid.



Notary Public

My Commission Expires



Member, Pennsylvania Association of Notaries

Barbara J. Hugney-Shope
23 North 2nd Street
Clearfield, PA 16830

administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, Defendants.

No. 01-1130-CD

ACTION TO QUIET TITLE

TO: MINNIE E. WOODWARD and RALPH V. FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them;

You are hereby notified that the Plaintiffs listed above have filed a Complaint in an Action to Quiet Title regarding title to:

ALL that certain lot or parcel of land situate in the Second Ward of Curwensville Borough, Clearfield County, Pennsylvania, as follows:

FRONTING fifty (50) feet on the west side of High Street, now known as Short Street, extending by parallel lines northwesterly one hundred fifty (150) feet to an unnamed twenty (20) foot alley; bounded on the North by Lot #107 and on the South by Lot #109. Being designated as Lot #108 on the Plan of Patton Addition which is recorded in Clearfield County, Pennsylvania, and assessed as Map No. 6.2-19-292-4.

BEING the same premises granted and conveyed unto Bonnie P. Rickard and Robert B. Peoples, a/k/a Robert E. Peoples, Sr., by deed of Jennie Grace (Kester) Mulihollan, single, dated July 23, 1980, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 880, page 4.

TAKE NOTICE that the Plaintiffs are the record owners of the land described hereinabove and that they have requested in a complaint filed in Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of all Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them.

Should the above-named Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them any right, title or interest in the land described fail to plead to the Plaintiffs' Complaint no later than August 22, 2001, at 9:00 a.m., the date and time set for the Court for hearing on the said Complaint, or fail to take such action as the Court may direct within thirty (30) days after that date, the Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them any right, title or interest in the land described, except the Plaintiffs, will

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

BONNIE P. RICKARD and ROBERT E. PEOPLES SR., Plaintiffs vs. **MINNIE E. WOODWARD and RALPH V. FRANKHOUSER**, their heirs, executors,

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

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

No. 01-1130-CD

BONNIE P. RIC-KARD and
ROBERT E. PEOPLES, SR.,
Plaintiffs,

vs.

MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs,
executors, administrators,
successors and assigns,
Defendants.

A F F I D A V I T

FILED

AUG 22 2001

184213
William A. Shaw
Notary

Barbara J. Hugney-Shope
Barbara J. Hugney-Shope

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

(814) 765-5155
FAX (814) 765-2957

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Defendants.

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* No. 01-1130-CD

* ACTION TO QUIET TITLE

FILED

AUG 22 2001

William A. Shaw
Prothonotary

MOTION FOR JUDGMENT

NOW, this 22nd day of August, 2001, an Affidavit having been filed by the
Plaintiffs, Bonnie P. Ric-kard and Robert E. Peoples, Sr., through their attorney,
Barbara J. Hugney-Shope, Esquire, that the Complaint with Notice to Defend was
served on the Defendants, MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and
all other persons or entities in interest, known or unknown, claiming by and through or
under them, by publication in The Progress, of Clearfield, Pennsylvania, on July 23,
2001, and in the Clearfield County Legal Journal the week of July 27, 2001, and that
the Defendants have failed to answer or enter an appearance. Based on the foregoing,

BARBARA J. HUGNEY-SHOPE
Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830

CA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
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No. 01-1130-CD

BONNIE P. RIC-KARD and
ROBERT E. PEOPLES, SR.,
Plaintiffs,

vs.

MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs,
executors, administrators,
successors and assigns,
Defendants.

MOTION FOR JUDGMENT

FILED

AUG 22 2001

01843/3cc
JAM A. Shaw
Prothonotary

att. Shope
[Signature]

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

(814) 765-5155
FAX (814) 765-2957

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

BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,

Plaintiffs,

vs.

MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,

Defendants.

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* No. 01-1130-CD

* ACTION TO QUIET TITLE

FILED

AUG 22 2001

William A. Shaw
Prothonotary

ORDER OF COURT

AND NOW, this 22 day of August, 2001, an Affidavit having been made
that service was made by publication on MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and
all other persons or entities in interest, known or unknown, claiming by and through or
under them, in The Progress, of Clearfield, Pennsylvania, on July 23, 2001, and in the
Clearfield County Legal Journal the week of July 27, 2001, and it appearing that it was
impossible to serve any of these Defendants by any other means,

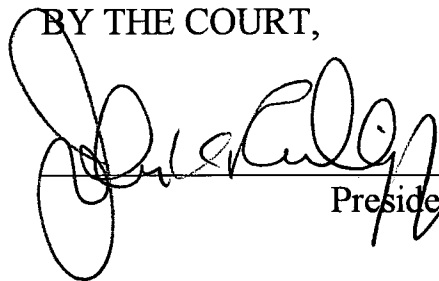
IT IS ORDERED AND DECREED, that Defendants file suit in ejectment or
otherwise enter a proceeding to contest the case within thirty (30) days, or this Order

A

of Court shall become final upon Praecipe by Plaintiffs, which hereby Orders and Decrees that title to the land subject of this action is vested absolutely in the Plaintiffs, their heirs and assigns, free and clear of any and all claims of any nature by these Defendants, their successors or assigns or 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 and known as Lot #108 in the Patton Addition to Curwensville Borough, Clearfield County, Pennsylvania, and having an address of 513 Short Street, and bounded and described as follows:

FRONTING fifty (50) feet on the west side of High Street, now known as Short Street, extending by parallel lines northwesterly one hundred fifty (150) feet to an unnamed twenty (20) foot alley; bounded on the North by Lot #107 and on the South by Lot #109. Being designated as Lot #108 on the Plan of Patton Addition which is recorded in Clearfield County, Pennsylvania.

BY THE COURT,



President Judge

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street

Clearfield, PA 16830

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

NO. 01-1130-CD

BONNIE P. RIC-KARD and
ROBERT E. PEOPLES, SR.,
Plaintiffs,

VS.

MINNIE E. WOODWARD and RALPH V.
FRANKHOUSER, their heirs,
executors, administrators,
successors and assigns,
Defendants.

ORDER OF COURT

FILED

AUG 22 2001

Barbara J. Hugney-Shope
Barbara J. Hugney-Shope
Barbara J. Hugney-Shope
Notary Public

BARBARA J. HUGNEY-SHOPE

Attorney-at-Law

23 N. Second Street
Clearfield, PA 16830

(814) 765-5155
FAX (814) 765-2957

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11237

RIC-KARD, BONNIE P. & ROBERT E. PEOPLES SR.

01-1130-CD

VS.

WOODWARD, MINNIE E. & RALPH V. FRANKHOUSER

COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

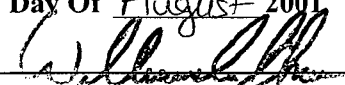
NOW AUGUST 20, 2001 RETURN THE WITHIN COMPLAINT ACTION TO
QUIET TITLE "NOT SERVED, TIME EXPIRED" AS TO MINNIE E. WOODWARD
AND RALPH V. FRANKHOUSER, DEFENDANTS. NO ADDRESS FOR SERVICE.

Return Costs

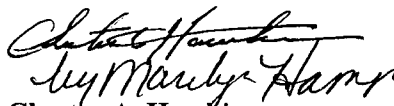
Cost	Description
19.34	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

23rd Day Of August 2001


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

So Answers,


Chester A. Hawkins
Sheriff

FILED
AUG 23 2001
William A. Shaw
Prothonotary

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

BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,

Plaintiffs,

vs.

MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,

Defendants.

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* No. 01-1130 -CD

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* ACTION TO QUIET TITLE

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*Type of Pleading: COMPLAINT

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* Filed on behalf of : PLAINTIFFS

*

BONNIE P. RIC-KARD

*

ROBERT E. PEOPLES, SR.

*

* Counsel of Record for Plaintiff:

* BARBARA J. HUGNEY-SHOPE, ESQ.

* 23 North Second Street

* Clearfield, PA 16830

* (814) 765-5155

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

JUL 13 2001

Attest.

William H. Shaw
Prothonotary

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

**BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,**

Plaintiffs,

vs.

**MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,**

Defendants.

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*** No. 01- -CD**

*** ACTION TO QUIET TITLE**

COMPLAINT

AND NOW COME, BONNIE P. RIC-KARD and ROBERT E. PEOPLES, SR., who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiff, BONNIE P. RIC-KARD, is an adult individual, who currently resides at R. R. #1, Box 591A, Mary Lane, Curwensville, Clearfield County, Pennsylvania 16833.

2. That the Plaintiff, ROBERT E. PEOPLES, SR., is an adult individual, who currently resides at R.D. #2, Box 191, Curwensville, Clearfield County, Pennsylvania 16833.

3. That the Defendants are MINNIE E. WOODWARD and RALPH V. FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, whose identities and addresses are unknown.

4. That the Plaintiffs, are the owners of a certain piece or parcel of land located in the Second Ward of Curwensville Borough, Clearfield County, Pennsylvania, being known as Lot #108 in the Patton Addition to Curwensville Borough, and having an address of 513 Short Street, bounded and described as follows:

FRONTING fifty (50) feet on the west side of High Street, now known as Short Street, extending by parallel lines northwesterly one hundred fifty (150) feet to an unnamed twenty (20) foot alley; bounded on the North by Lot #107 and on the South by Lot #109. Being designated as Lot #108 on the Plan of Patton Addition which is recorded in Clearfield County, Pennsylvania.

BEING the same premises granted and conveyed unto Bonnie P. Ric-kard and Robert B. Peoples, a/k/a Robert E. Peoples, Sr., by deed of Jennie Grace (Kester) Mulhollan, single, dated July 23, 1980, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 800, page 4. The said Jennie Grace (Kester) Mulhollan reserved a life estate in said deed which she relinquished by her quit-claim deed dated October 26, 1999, and recorded in Clearfield County as Instrument No. 199917756.

BEING assessed as Tax Assessment Map No. 6.2-19-292-4.

5. The parcel described in Paragraph 4 above was conveyed to A. G. Woodward as part of a larger parcel described as 4.33 acres by deed of Charles E. Patton and M. B. Patton, his wife, dated January 30, 1920, and recorded in Clearfield County in Deed Book 244, page 215.

6. The said A. G. Woodward died testate on January 20, 1939, leaving to survive him, his widow, Minnie E. Woodward, as his sole testate heir.

7. H. F. Bigler, Jr., Treasurer of Clearfield County, Pennsylvania, returned the property of A. G. Woodward described as seven (7) vacant lots in Curwensville Borough for unpaid 1931 real estate taxes on April 10, 1936, by a deed recorded in Clearfield County Deed Book 344, page 216.

8. The land of which the parcel described in Paragraph 4 was a part was sold by the Clearfield County Commissioners at a tax sale on January 19, 1942 for nonpayment of real estate taxes for the years 1931 as the property of A. G. Woodward.

9. At a tax sale on January 19, 1942, a parcel of land sold for nonpayment of taxes as the property of A. G. Woodward described as seven (7) vacant lots was purchased by Chetwin M. Hurd, as shown on the deed from the Clearfield County Commissioners dated May 25, 1942, and recorded on June 17, 1942, in Clearfield County Deed Book 344, page 217.

10. The said Chetwin M. Hurd and his wife, Chelsea Hurd, then conveyed Lots 108 and 109, with Lot #108 being the parcel described in Paragraph 4, to William Clark and Zena Clark, his wife, by their deed dated October 9, 1942, and recorded in Clearfield County Deed Book 359, page 238.

11. The said William Clark and Zena Clark, his wife, then conveyed Lot #108, the parcel described in Paragraph 4, to Robert Peoples, Jr. and Grace Peoples, his wife, by their deed dated June 17, 1947, and recorded in the Clearfield County Deed Book 385 page 80.

12. The said Robert Peoples, Jr. conveyed his interest in Lot #108, the parcel described in Paragraph 4, to Grace Peoples pursuant to the parties' divorce agreement by his deed dated February 23, 1955, and recorded in Clearfield County Deed Book 442, page 66.

13. The said Grace Peoples is also known as Jennie Grace (Kester) Mulhollan having married William Oscar Mulhollan on August 5, 1967 in Cambria, New York.

14. The said William Oscar Mulhollan executed a quitclaim deed unto the Plaintiffs herein dated June 13, 2001, and recorded in the Clearfield County as Instrument No. 200109287, releasing any interest he may have acquired as a result of his marriage to the said Jennie Grace (Kester) Mulhollan.

15. In an effort to clear the title to the real estate described in Paragraph 4 as the property of A. G. Woodward due to the tax sale, the heirs of Minnie E. Woodward, the widow and sole testate heir of A. G. Woodward, were contacted to obtain quit-claim deeds.

16. The said Minnie E. Woodward died intestate on January 27, 1951, leaving to survive her as her sole intestate heirs, her surviving brothers, Ralph V. Frankhouser, William T. Frankhouser, Alex I. Frankhouser and Ruth Sides, a niece, the daughter of

her deceased brother, Harry L. Frankhouser as appears of record in the Office of the Register of Wills in Clearfield County as Estate No. 20974.

17. A quit-claim deed for the parcel of land described in Paragraph 4 dated July 11, 1966, and executed by William T. Frankhouser, Alex I. Frankhouser and Ruth Sides, joined by their respective spouses, to Robert L. Kester, was recorded in Clearfield County Deed Book 528, page 260.

18. A quit-claim deed for the parcel of land described in Paragraph 4 dated April 1, 1967 from George Vernon Frankhouser, et al., to Robert L. Kester was executed by some but not all of the Grantors listed on that deed and there was no indication of their relationship to Minnie E. Woodward or her remaining intestate heir, Ralph V. Frankhouser, in the deed recorded in Clearfield County in Deed Book 586 page 268.

19. Neither of the quit-claim deeds referred to in Paragraphs 17 and 18 above was executed by Ralph V. Frankhouser nor by anyone purporting to be the personal representative of the said Ralph V. Frankhouser.

20. Following the receipt and recording of the quit-claim deeds purporting to be from all of the intestate heirs of Minnie E. Woodward, the said Robert L. Kester conveyed his interest to Jessie (Kester) Mulhollan by his deed dated December 16, 1977, and recorded in Clearfield County Deed Book 752, page 157.

21. The said Jennie Grace (Kester) Mulhollan then conveyed the parcel described in Paragraph 4 to Bonnie P. Rickard and Robert B. Peoples, Sr., the Plaintiffs herein, by her deed dated July 23, 1980, and recorded in Clearfield County Deed Book 800, page 4.

22. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel described in Paragraph 4 of this Complaint due to any irregularities in the chain of title because of incomplete estate records of deceased persons showing a complete chain of title or lack of estates, and possible adverse interest of unknown heirs of the said Minnie E. Woodward or Ralph V. Frankhouser.

23. Plaintiffs believe and aver that all of the intestate heirs of Minnie E. Woodward were named as her intestate heirs in her estate filed in Clearfield County.

24. From 1955 until 1980, the said Jennie Grace (Kester) Muhollan alone, exercised open, notorious and hostile possession and control over the parcel described in Paragraph 4 to the exclusion of all others.

25. That since 1955 to the present, the Plaintiffs and their predecessor in title, Jessie Grace (Kester) Muhollan, have paid all tax assessment on the parcel described in Paragraph 4 of this Complaint.

26. That at no time have any Defendants attempted to secure possession of the said premises, contest the title of the Plaintiffs or their predecessors in title or assist in the maintenance, repair or improvement of the premises hereinbefore described nor have they asserted any interest adverse to the Plaintiffs by any legal action.

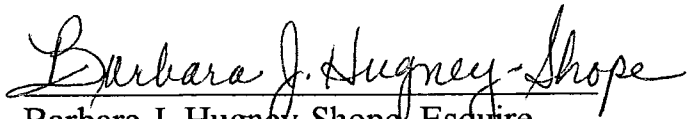
WHEREFORE, Plaintiffs request:

(a) That the Defendants be forever barred from asserting any right, title, lien or interest in the Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owner and be entitled to exclusive possession of the premises described in the foregoing Complaint; and

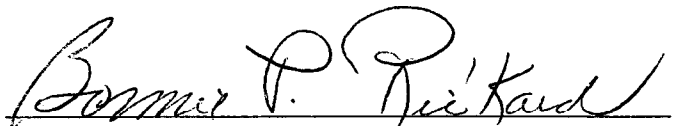
(c) That the Court make such further Orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them appropriate relief.

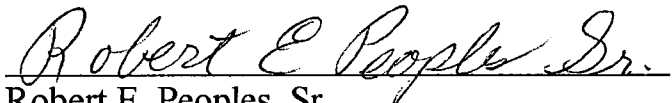
Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

VERIFICATION

We verify that the statements made in the foregoing Complaint are true and correct. We understand that false statements herein are made subject to the penalties of 18 PA C.S. section 4904 relating to unsworn falsifications to authorities.


Bonnie P. Ric-kard


Robert E. Peoples, Sr.

Dated: July 12, 2001

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

**BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,**

Plaintiffs,

vs.

**MINNIE E. WOODWARD and
RALPH V. FRANKHOUSER, their heirs,
executors, administrators, successors and
assigns, and all other persons or entities in
interest, known or unknown, claiming by
and through or under them,**

Defendants.

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* No. 01- 1130-CD

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* ACTION TO QUIET TITLE

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*Type of Pleading: COMPLAINT

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* Filed on behalf of : PLAINTIFFS

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BONNIE P. RIC-KARD

*

ROBERT E. PEOPLES, SR.

*

* Counsel of Record for Plaintiff:

* **BARBARA J. HUGNEY-SHOPE, ESQ.**

* **23 North Second Street**

* **Clearfield, PA 16830**

* **(814) 765-5155**

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

JUL 13 2001

Attest.

William L. Shan
Prothonotary

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

**BONNIE P. RIC-KARD, an adult individual,
and ROBERT E. PEOPLES, SR., an adult
individual,**

Plaintiffs,

vs.

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*** No. 01- -CD**

*** ACTION TO QUIET TITLE**

COMPLAINT

AND NOW COME, BONNIE P. RIC-KARD and ROBERT E. PEOPLES, SR., who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiff, BONNIE P. RIC-KARD, is an adult individual, who currently resides at R. R. #1, Box 591A, Mary Lane, Curwensville, Clearfield County, Pennsylvania 16833.

2. That the Plaintiff, ROBERT E. PEOPLES, SR., is an adult individual, who currently resides at R.D. #2, Box 191, Curwensville, Clearfield County, Pennsylvania 16833.

3. That the Defendants are MINNIE E. WOODWARD and RALPH V. FRANKHOUSER, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, whose identities and addresses are unknown.

4. That the Plaintiffs, are the owners of a certain piece or parcel of land located in the Second Ward of Curwensville Borough, Clearfield County, Pennsylvania, being known as Lot #108 in the Patton Addition to Curwensville Borough, and having an address of 513 Short Street, bounded and described as follows:

FRONTING fifty (50) feet on the west side of High Street, now known as Short Street, extending by parallel lines northwesterly one hundred fifty (150) feet to an unnamed twenty (20) foot alley; bounded on the North by Lot #107 and on the South by Lot #109. Being designated as Lot #108 on the Plan of Patton Addition which is recorded in Clearfield County, Pennsylvania.

BEING the same premises granted and conveyed unto Bonnie P. Ric-kard and Robert B. Peoples, a/k/a Robert E. Peoples, Sr., by deed of Jennie Grace (Kester) Mulhollan, single, dated July 23, 1980, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 800, page 4. The said Jennie Grace (Kester) Mulhollan reserved a life estate in said deed which she relinquished by her quit-claim deed dated October 26, 1999, and recorded in Clearfield County as Instrument No. 199917756.

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13. The said Grace Peoples is also known as Jennie Grace (Kester) Mulhollan having married William Oscar Mulhollan on August 5, 1967 in Cambria, New York.

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19. Neither of the quit-claim deeds referred to in Paragraphs 17 and 18 above was executed by Ralph V. Frankhouser nor by anyone purporting to be the personal representative of the said Ralph V. Frankhouser.

20. Following the receipt and recording of the quit-claim deeds purporting to be from all of the intestate heirs of Minnie E. Woodward, the said Robert L. Kester conveyed his interest to Jessie (Kester) Mulhollan by his deed dated December 16, 1977, and recorded in Clearfield County Deed Book 752, page 157.

21. The said Jennie Grace (Kester) Mulhollan then conveyed the parcel described in Paragraph 4 to Bonnie P. Rickard and Robert B. Peoples, Sr., the Plaintiffs herein, by her deed dated July 23, 1980, and recorded in Clearfield County Deed Book 800, page 4.

22. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel described in Paragraph 4 of this Complaint due to any irregularities in the chain of title because of incomplete estate records of deceased persons showing a complete chain of title or lack of estates, and possible adverse interest of unknown heirs of the said Minnie E. Woodward or Ralph V. Frankhouser.

23. Plaintiffs believe and aver that all of the intestate heirs of Minnie E. Woodward were named as her intestate heirs in her estate filed in Clearfield County.

24. From 1955 until 1980, the said Jennie Grace (Kester) Muhollan alone, exercised open, notorious and hostile possession and control over the parcel described in Paragraph 4 to the exclusion of all others.

25. That since 1955 to the present, the Plaintiffs and their predecessor in title, Jessie Grace (Kester) Muhollan, have paid all tax assessment on the parcel described in Paragraph 4 of this Complaint.

26. That at no time have any Defendants attempted to secure possession of the said premises, contest the title of the Plaintiffs or their predecessors in title or assist in the maintenance, repair or improvement of the premises hereinbefore described nor have they asserted any interest adverse to the Plaintiffs by any legal action.

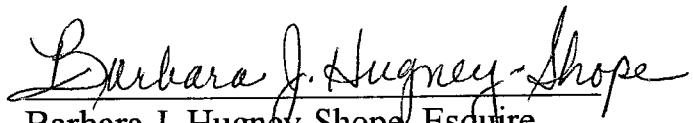
WHEREFORE, Plaintiffs request:

(a) That the Defendants be forever barred from asserting any right, title, lien or interest in the Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owner and be entitled to exclusive possession of the premises described in the foregoing Complaint; and


(c) That the Court make such further Orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them appropriate relief.

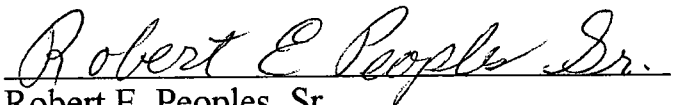
Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

VERIFICATION

----- We verify that the statements made in the foregoing Complaint are true and correct. We understand that false statements herein are made subject to the penalties of 18 PA C.S. section 4904 relating to unsworn falsifications to authorities.


Bonnie P. Ric-kard


Robert E. Peoples, Sr.

Dated: July 12, 2001

01232/1cc atty Shop
William A. Shaw
Prothonotary