

01-1383-CD
JOHN C. CATHERINE et al -vs- ANTHONY CATHERINE et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

* No. 01-1383-CJ

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

* Type of Case: ACTION
TO QUIET TITLE

Defendants

* Type of Pleading: COMPLAINT

* Filed on Behalf of: PLAINTIFF

* Counsel of Record for this Party:
* David C. Mason, Esquire
* 409 North Front Street
* P.O. Box 28
* Philipsburg, PA 16866
* 814-342-2240
* Supreme Court ID NO. 39180

FILED

AUG 24 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

| | | |
|---|---|-----------------------------|
| JOHN C. CATHERINE, individually | * | |
| and as Agent for FRANCIS W. | * | No. |
| CATHERINE, SR.; CARL C. | * | |
| CATHERINE, JR.; CHARLES | * | |
| CATHERINE; and CHRISTOPHER | * | |
| CATHERINE | * | |
| | * | |
| Plaintiffs | * | |
| vs. | * | Type of Case: ACTION |
| | * | TO QUIET TITLE |
| ANTHONY CATHERINE a/k/a TONY | * | |
| CATHERINE, PAULINE KNAPPER | * | |
| MARY JANE KESTER, and FRANK | * | |
| CATHERINE a/k/a BUCKY | * | |
| CATHERINE, SAM CATHERINE and | * | |
| FRANCES CATHERINE, his wife, and | * | |
| SAMUEL CATHERINE, JR., and | * | |
| ELEANOR CATHERINE a/k/a | * | |
| PAULINE CATHERINE a/k/a ELEANOR | * | |
| BRILL a/k/a PAULINE BRILL, | * | |
| and BECKY CATHERINE, BRENDA | * | |
| CATHERINE and SAM CATHERINE, III | * | |
| their heirs, successors, executors, | * | |
| executors, administrators, and assigns, | * | Type of Pleading: COMPLAINT |
| as well as ANY OTHER PERSON, | * | |
| PARTY, or ENTITY, | * | |
| | * | |

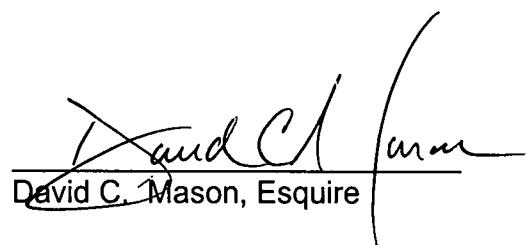
Defendants

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 an 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 Plaintiffs. 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 CAN GET LEGAL HELP.

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


David C. Mason, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. *
CATHERINE, SR.; CARL C. *
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CATHERINE *

Plaintiffs *

vs. *

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL, *
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CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants *

No.

Type of Case: ACTION
TO QUIET TITLE

Type of Pleading: COMPLAINT

COMPLAINT IN ACTION TO QUIET TITLE

PURSUANT TO PA. R.C.P. §1061(b)(1) and (b) (2)

AND NOW, comes the Plaintiffs, by and through their attorney, DAVID C. MASON, ESQUIRE, and sets forth a claim against the Defendants named herein and represents as follows:

1. Plaintiffs are:

(a) John C. Catherine, whose address is 120 Wilson Street, Jersey Shore, Pennsylvania, 17740-1706, individually and as Agent for the other co-tenants by virtue of Powers of Attorney.

(b) Francis W. Catherine is an individual whose address is 1839 E. 6th Street, Erie, Pennsylvania, 16511-1701.

(c) Carl Catherine is an individual whose address is 8532 Gwenedd Way, Springfield, Virginia 22153.

(d) Charles Catherine is an individual whose address is 1114 W. Durwood Crescent, Richmond, Virginia, 23229.

(e) Christopher Catherine is an individual whose address is 8659 Centerton Lane, Monassas, Virginia, 22111.

2. Defendants are:

(a) Anthony Catherine a/k/a Tony Catherine, an individual, who died on January 27, 1973. There are no estate proceedings in Clearfield County, Pennsylvania;

(b) Pauline Knapper is an individual and the daughter of Anthony Catherine a/k/a Tony Catherine, whose last known address was 5803 Riverside Drive, Woodbridge, Virginia, 22193;

(c) Mary Jane Kester is an individual and the daughter of Anthony Catherine a/k/a Tony Catherine, whose last known address was 28 Clover Park #4 Drive, Rochester, New York, 14618;

(d) Frank Catherine a/k/a Bucky Catherine is an individual and is the son of Anthony Catherine a/k/a Tony Catherine, whose last known address was Philipsburg, Pennsylvania;

(e) Sam Catherine is an individual who died August 31, 1959. There are no estate proceedings in Clearfield County;

(f) Frances Catherine is an individual and the widow of Sam Catherine, whose whereabouts are unknown and is believed to be deceased;

(g) Eleanor Catherine a/k/a Pauline Catherine a/k/a Eleanor Brill a/k/a Pauline Brill is an individual and daughter of Sam Catherine, whose whereabouts are unknown;

(h) Samuel Catherine, Jr., is an individual and son of Sam Catherine, who died December 4, 1991;

(i) Becky Catherine is the widow of Samuel Catherine, Jr., whose last known address is P.O. Box 392, Murdock, Florida, 33938;

(j) Brenda Catherine is an individual and daughter of Samuel Catherine, Jr., whose whereabouts are unknown;

(k) Sam Catherine, III., is an individual and son of Samuel Catherine, Jr., whose whereabouts are unknown.

3. The premises which are the subject of this Action to Quiet Title consist of a tract of land situate, lying and being in Morris Township, Clearfield County, Pennsylvania, described on the Tax Map thereof as #124-Q10-117 containing 11.38 acres, more or less, together with improvements thereon erected, and more fully described as follows:

BEGINNING at a post on a line of Peter Stevenson; thence East thirty two perches on line of R. B. Wigton Coal Co. to a post; thence North One Hundred perches on line of Allport heirs to a post; thence West thirty-two perches to a post corner on Wm. McCann's line; thence South One Hundred perches to a post and place of beginning. Containing twenty acres, more or less. It being part of a larger tract of land conveyed by James Allport to Samuel Waring and recorded in the Recorder's Office of said County in Deed

Book G, Page 247; and the said Samuel Waring, now deceased. The Orphans Court of Clearfield by partition decreed the same to Wm. Waring: Thence reconveyed by Wm. Waring to the present grantor.

EXCEPTING the reservations made to D. W. Holt, R. B. Wigton and Wm. Dorris.

4. The premises which are the subject of this Action to Quiet Title became vested in Nicholas Catherine a/k/a Nicholes Catherino by virtue of a Deed dated July 8, 1907, and recorded July 22, 1907, in Deed Book Volume 166 at Page 161. This Deed purports to convey twenty (20) acres, more or less.

5. The said Nicholas Catherine a/k/a Nicholes Catherino died March 13, 1913, intestate, survived by the following individuals:

(a) Elizabeth Catherino a/k/a Elizabeth Catherine, his widow

(b) Anthony Catherine, his son;

(c) Frank Catherine, his son;

(d) Octavius Catherine, his son;

(e) Rose Chieppor, his daughter;

(f) Mary Campbell, his daughter;

(g) Joe Catherine, his son;

(h) Sam Catherine, his son;

6. The said premises were exposed for Treasurer's Sale on August 6, 1934, for nonpayment of real estate taxes for the years 1930 and 1931.

7. The Treasurer of Clearfield County sold the premises to the County Commissioners as the property of Nicholes Caterino Estate by virtue of a Deed dated April 10, 1936, and recorded November 7, 1953, in Deed Book Volume 432 at Page 361.

Thereafter, the County Commissioners, by Deed dated May 25, 1942, did sell and convey the subject premises to Theresa Catherine a/k/a Thresa Cathrine. This Deed may be found of record in Deed Book Volume 432 at Page 363. The said Theresa Catherine a/k/a Thresa Cathrine was the wife of Carl J. Catherine.

Theresa Catherine a/k/a Thresa Cathrine a/k/a Theresa M. Catherine died, a resident of Morris Township, Clearfield County, Pennsylvania, on February 21, 1979. Her Will dated January 13, 1960, and of record in Clearfield County to Estate File #79-74, and provides that each of her following named children received a 1/6 interest in her residuary estate, which included the subject property:

- A. John C. Catherine, Plaintiff and currently owner of a 3/5 undivided interest.
- B. Her son, Anthony Catherine a/k/a Anthony O. Catherine. By virtue of a Deed dated August 23, 1994, and recorded in Deed Book Volume 1628 at Page 265, the said Anthony O. Catherine did grant and convey unto his brother John C. Catherine his interest in the subject premises.
- C. Her daughter, Lucille Catherine Breece, later known as Lucille Scott. Lucille Scott, together with the joinder of her husband, Harry Scott, by virtue of a Deed dated August 30, 1995, and recorded in Deed Book Volume 1705 at Page 49 did grant and convey her interest in the subject premises unto John C. Catherine.
- D. Her son, Francis Catherine a/k/a Francis W. Catherine. Thereafter by virtue of a Deed dated September 22, 1986, and recorded in Deed Book Volume 1149 at Page 535, the said Francis W. Catherine and Mary Ann Catherine, his wife, and Francis W. Catherine, II., and Susyn Catherine, his wife, joined in a Deed with others to convey the

interest in the subject premises to Francis W. Catherine, Sr., et al. Francis W. Catherine, Sr., a Plaintiff and currently owner of a 1/5 undivided interest.

E. Her daughter, Evelyn Catherine Hensel. Evelyn Catherine Hensel a/k/a Evelyn Hensel Bauer a/k/a Evelyn Catherine Crawford, together with her husband, Myron Crawford, by virtue of a Deed dated April 3, 1984, and recorded in Deed Book Volume 943 at Page 242 did grant and convey all of their interest in the subject premises to Francis W. Catherine, II.

F. Her son, Carl C. Catherine. Carl C. Catherine died a resident of Morris Township, Clearfield County, Pennsylvania, on December 26, 1969, leaving a Will which may be found of record in Will Book Volume 15 at Page 554, Estate #70-110, and survived by his wife, Doris M. Catherine and three sons: Carl C. Catherine, Jr., Charles A. Catherine, and Christopher C. Catherine.

Since Carl C. Catherine predeceased his mother, Theresa Catherine a/k/a Thresa Cathrine a/k/a Theresa M. Catherine, and by virtue of Title 20 Pa. C.S. §2514(9), the said children of Carl C. Catherine did succeed to their father's gift under the terms of the Last Will and Testmaent of Theresa Catherine a/k/a Thresa Cathrine a/k/a Theresa M. Catherine.

By virtue of the Deed dated September 22, 1986, and recorded April 7, 1987, in Deed Book Volume 1149 at Page 535, all of the interest of Theresa Catherine, a/k/a Thresa Cathrine a/k/a Theresa M. Catherine was conveyed unto the following: John C. Catherine, Anthony O. Catherine, Lucille Scott, and Francis W. Catherine, Sr., as Tenants in Common to an undivided 1/5 interest, Carl C. Catherine, Jr., Charles Catherine, and Christopher Catherine, who are Plaintiffs and currently owners of a 1/5 undivided interest.

8. The premises which are the subject of this Action to Quiet Title were also the subject of a Civil Action entitled "Complaint to Rule Defendants to Bring An Action of Ejectment if They Claim Title", filed to #399-January Term, 1970. The records of those proceedings have been preserved on microfilm, and are somewhat difficult to read. Attached to this Complaint as Exhibit "A" is a true and correct photo copy of the docket and the Complaint from the matter captioned: Theresa Catherine vs. Anthony Catherine, et al.

9. The Plaintiff, Theresa Catherine, obtained a judgment by default for failure to file an answer in favor of the Plaintiff and against the following named Defendants: Octavius Catherine, Rose Chieppor, and Mary Campbell. A written opinion of the Honorable John A. Cherry dated July 26, 1971, resulted in a judgment on the merits in favor of the Plaintiff Theresa Catherine against Frank Catherine and Joe Catherine.

10. The interests of the said Defendants, Anthony Catherine and Sam Catherine were not judicially resolved.

11. The said Anthony Catherine a/k/a Tony Catherine died January 27, 1973, survived by the following children: Pauline Knapper, Mary Jane Kester and Frank Catherine a/k/a Bucky Catherine.

12. The said Sam Catherine died August 31, 1959, survived by his wife, Frances Catherine and two children, Samuel Catherine, Jr., and Eleanor Catherine. The said Samuel Catherine, Jr., died December 4, 1991, and his last known address was P.O. Box 292, Murdock, Florida, 33938. Samuel Catherine, Jr., was survived by a widow, Becky Catherine, and two children, Brenda Catherine and Samuel Catherine, III.

13. Eleanor Catherine a/k/a Pauline Catherine is now known as Pauline Brill or Eleanor Brill. Her whereabouts are unknown.

14. Plaintiffs incorporate herein the averments contained in the Plaintiff's Complaint filed to #399 January Term, 1970, as if fully set forth at length.

15. Plaintiffs aver that it is the purpose of this Action to Quiet Title to extinguish any of the Defendant's interest as a result of any improprieties in the assessment or sale for nonpayment of real estate taxes of the subject premises.

16. That the Plaintiffs and their predecessors in title have exercised dominion, possession and control of the subject premises for a period in excess of twenty one (21) years, and that said possession has been continuous, open, exclusive, notorious and adverse.

17. That it is believed and therefore averred that the said Defendants were fully apprised of the tax sale effecting their interest in the said real estate as hereinbefore described, had due notice thereof, through advertisement in a newspaper of general circulation, through posting of the said premises, by actual notice as provided by registered mail, and that the said Defendants named herein failed and neglected to take any action in order to protect his respective interests in the said premises, he being fully apprised of the same and fully knowledgeable as to the sale of said premises to your Plaintiffs herein or their predecessors in title.

18. That at no time did the herein named Defendants attempt to secure possession of the said estate, contest the title of the Plaintiffs and/or their predecessors in title or assert any interest adverse to that of Plaintiffs or their predecessors in title by any legal action or by formal acknowledgment thereof.

19. That the premises herein described in Paragraph 3 is the same premises that Plaintiffs and their predecessors in title have been in open, exclusive, continuous, notorious, hostile and uninterrupted possession for a period in excess of twenty one (21) years, possession of the said premises having been acquired by the Plaintiffs and their predecessors in title as hereinabove set forth.

20. That the said Plaintiffs together with their predecessors in title have, commencing with the year 1934, and continuing up to the present time, made valuable improvements to the said premises, maintained the same premises, paid all current real estate taxes, and evidenced a settled intent of excluding all individuals from the use, actual occupation or constructive possession of the premises.

21. That at no time did the herein named Defendants attempt 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 improvements of those premises hereinbefore described nor has any asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs file this action and respectfully request the following:

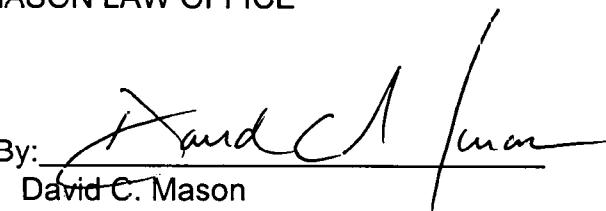
(a) That the Defendants, their heirs, administrators, executors, successors and assigns and all other persons having claim to the premises herein described be forever barred from asserting any right, title or interest in the land described herein inconsistent with the interest or title of Plaintiffs unless the Defendants, their heirs, administrators, executors, successors and assigns, or those persons asserting any right, title or interest in said premises, bring an action of ejectment or other legal or equitable action to establish their claim to the premises described herein or any portion of the same, within the time set by the Court.

(b) That an Order of Court be made declaring the Plaintiffs to be the sole owners and to have exclusive possession of the premises described herein by virtue of their open, notorious, exclusive, uninterrupted and hostile possession of the premises for a period in excess of twenty-one (21) years.

(c) That an Order be made setting aside any defect which may have resulted from lack of notice of the said tax claim, and/or tax sale, or any other defect or irregularity occurring in the proceedings leading up to and resulting in the tax sale wherein the Plaintiffs and their predecessors in title secured title, and further confirming all actions of the tax office with respect to the notice requirements and further confirming all other actions undertaken by the tax office preparatory to or in consummation of the subsequent sale, all of which is as provided under the applicable sections of the Pennsylvania Real Estate Tax Sale Law.

(d) Such further Order as may be necessary for the granting of further relief.

MASON LAW OFFICE

By: 

David C. Mason
Attorney for Plaintiffs

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

35
THERESA CATHERINE

VS.

35
ANTHONY CATHERINE,
FRANK CATHERINE,
OCTAVIUS CATHERINE,
ROSE CHIEPPOR,
MARY CAMPBELL,
JOE CATHERINE and his
heirs, to wit:
ROSE CATHERINE, his widow,
THEODORE CATHERINE,
NICHOLAS CATHERINE,
JOE CATHERINE,
LOUISE ZAVALYDRIGA,
PAUL CATHERINE, and
SAM CATHERINE and his
heirs, to wit:
FRANCES CATHERINE, his widow,
SAM CATHERINE and
ELEANORA BRILL

No. 399 January Term, 1970

COMPLAINT TO RULE DEFENDANTS
TO BRING AN ACTION OF EJECTMENT IF
THEY CLAIM TITLE

Theresa Catherine seeks to recover from the defendants
above mentioned in a rule requiring them to bring ejectment
lands in her possession upon the following facts:

FIRST: That the plaintiff is Theresa Catherine, who
lives in Morrisdale, Pennsylvania.

SECOND: That the defendants are:

(1) Anthony Catherine, who lives at No. 407 Laura Street, Philipsburg,
Penna.
(2) Frank Catherine, who lives in Morrisdale, Penna.
(3) Octavius Catherine, who lives at No. 417 Seventh Street, Philipsburg,
Penna.
(4) Rose Chieppor, who lives at No. 400 Pine Street, Philipsburg, Penna.
(5) Mary Campbell, who lives at No. 48 Brighton Street, Rochester,
New York

Ex. "A"
- 1 -

- (6) Rose Catherine, who lives at 437-3th Street, Niagara Falls, New York
- (7) Theodore Catherine, who lives at 547-16th Street, Niagara Falls, New York
- (8) Nicholas Catherine, who lives at 1343 Pierce Avenue, Niagara Falls, New York
- (9) Joe Catherine, who lives at
- (10) Louise Zavalydriga, who lives at 5410 West 10th Avenue, Hialeah, Florida 33012
- (11) Paul Catherine, who lives at 1855 East Rose Avenue, Apt. 13D, Orange, California
- (12) Frances Catherine, who lives at No. 117 East 21st Street, Chester, Penna.
- (13) Sam Catherine, who lives at 881 Dublin, Grandville East Road, Columbus, Ohio
- (14) Eleanora Brill, who lives at 411 East Country Club, Wallingford, Penna.

THIRD: That the plaintiff is the owner of a tract of land in Morrisdale by virtue of the documents of title hereinafter averred, recited in the original deed as containing 20 acres, but in the deed dated May 25, 1967, as containing 15.4 acres and by actual survey containing 17.72 acres.

FOURTH: That the history of title is as follows:

(a) Nicholes Caterino was the owner of the above mentioned tract of land situate in Morrisdale, Clearfield County, by virtue of a deed from John Graham and Mary A. Graham, his wife, dated July 8, 1907, recorded July 17, 1907, in Deed Book No. 166, page 161. The said deed is incorporated herein by reference, and an abstract of which is hereto attached.

(b) The death of Nicholes Caterino intestate on March 3, 1913, whereby title vested by descent in his heirs-at-law, to wit:

- (1) Elizabeth Caterino, known also as Elizabeth Catherine, his widow
- (2) Anthony Catherine
- (3) Frank Catherine✓
- (4) Octavius Catherine✓
- (5) Rose Chieppor✓
- (6) Mary Campbell✓
- (7) Joe Catherine✓
- (8) Sam Catherine

(c) Sam Catherine died intestate on the 31st day of August, 1939.

leaving to survive him as his heirs and the persons to whom the ownership of his estate would descend, as follows:

- (1) Frances Catherine, his widow
- (2) Sam Catherine
- (3) Eleanora Catherine

(d) Joe Catherine died intestate on the day of
leaving to survive him as his heirs and the persons to whom the ownership of his estate would descend, as follows:

- (1) Rose Catherine, his widow
- (2) Theodore Catherine
- (3) Nicholas Catherine
- (4) Joe Catherine
- (5) Louise Zavalydriga
- (6) Paul Catherine

(e) That some of the heirs, to wit: Joe Catherine and Frank Catherine took the sur-name "Catherino" and the other heirs took the sur-name "Catherine".

(f) That Joe Catherino and Rose Catherino, his wife, released all right, title, interest, claim and demand in the 20 acre parcel now surveyed as 17.72 acres, by the acceptance of a deed from Elizabeth Catherino, widow and surviving tenant by entireties of the said Nicholes (Nicholas) Catherino, dated October 24, 1922, recorded in Deed Book No. 261, page 265, which deed contained the following release:

"The said Joe Catherino and Rose Catherino, his wife, grantees, hereby agree that they will release all right, title, interest, claim and demand whatsoever upon another estate of Nicholas Catherino, deceased, in consideration for the aforesaid piece of land to them herein granted."

Copy of said deed is hereto attached and made a part hereof. The said conveyance was made, executed and delivered for the consideration of the grantees therein releasing all interest "upon another estate" of Nicholes, which conveyance and release have been abided by, accepted and the real estate so conveyed, held on the basis of such complete release of the premises now surveyed as 17.72 acres.

(g) That Frank Catherino and Flora, his wife, released all right, title, interest, claim and demand in the 20 acre parcel now surveyed as 17.72 acres, by the acceptance of a deed from Elizabeth Catherino, widow and surviving tenant by entireties of the said Nicholes (Nicholas) Catherino, dated October 24, 1922, recorded in Deed Book No. 261, page 65, which deed contained the following release:

"The said Frank Catherine and Flora Catherine, his wife, grantees hereby agree that

they will release all rights, title, interest, claim and demand whatsoever upon another estate of the Nicholas Catherino, deceased, in consideration for the aforesaid piece of land to them herein granted."

The said Frank Catherino and Flora Catherino, his wife, granted and conveyed the said parcel to Leola V. Roach by deed dated September 18, 1929, recorded in Deed Book No. 294, page 478; and the said Leola V. Roach reconveyed the same to Flora Catherino individually by deed dated September 18, 1929, recorded in Deed Book No. 294, page 476.

Copy of said deeds are hereto attached and made a part hereof.

(h) That following the death of Nicholes Catherino on March 3, 1913, Carl J. Catherine continued to reside in the family homestead where his mother, Elizabeth Catherino, sometimes known as Louisa Catherino, also lived and continued to manage the property, improve it, making a residence for his mother, and later married Theresa Catherine, the plaintiff, in the year 1921.

(i) That following the marriage of Carl J. Catherine and Theresa Catherine, they continued to make a residence for the mother upon the property furnishing her the care, attendance and attention that was helpful to her, taking care of the property, improving it and seeing that all bills and expenses of maintenance, including taxes were provided and paid for and the property improved. That because of the fact that Carl J. Catherine resided upon the premises after the death of his father, Nicholes, on March 3, 1913, and that Carl and his wife, Theresa, the plaintiff, continued to reside there.

(j) It being apparent that they would continue to do so throughout the remainder of the life of Elizabeth Catherino, some of the family suggested that they acquire title to the property by letting it go to tax sale and buying it in.

(k) That Elizabeth Catherino died intestate on October 21, 1933, being still an occupant of the premises, whereby her interest in the 17.72 acres vested in her lineal heirs, other than Joe Catherino and Frank Catherine, who had released, relinquished and surrendered their interests.

(l) That Carl J. Catherine and his wife, Theresa Catherine, desiring to become owners of the property and there being no demand upon them for the remainder of the family for any share or interest, accepted the suggestion of returning it to tax sale, whereupon it was returned for non-payment of taxes for 1930 and 1931 and was sold by H. F. Bigler, Jr., Treasurer of Clearfield County on January 10, 1936, to Clearfield County.

(m) That Carl J. Catherine and Theresa Catherine, the plaintiff, permitted the property to remain in the hands of the County Commissioners for the purpose of acquiring title at the following tax sale by the Commissioners which was held on January 24, 1942, whereupon the property was sold to Theresa Catherine. And by deed dated May 25, 1942, the County Commissioners conveyed the property so assessed (it was then listed as a H 4 & 4A) to Theresa Catherine. Said tax deeds are recorded at Clearfield in Deed Book No. 432, pages 361 and 363 respectively. Copies of said deeds are hereto attached.

(n) That the said tax deeds contained no description either by adjoiners or by metes and bounds.

(o) That Carl J. Catherine died testate on April 17, 1962.

(p) That the will of Carl J. Catherine dated January 13, 1960, after directing in Paragraph First that his burial expenses and debts should be paid, directed as follows:

"SECOND: I direct my Executrix or Executor hereinafter named to arrange that my funeral shall be modest in character and in keeping with my station in life; and that there shall be erected upon my burial lot, a marker, substantial but plain.

"THIRD: All the rest, residue and remainder of my estate, real, personal and mixed of whatsoever kind and wheresoever situate, I give, devise and bequeath unto my beloved wife, Theresa M. Catherine, if she be living at the time of my demise."

Title to the said Carl J. Catherine's share in the Nichols Catherine property thereby vested solely in Theresa Catherine, his widow. The said will is being currently admitted to probate in the office of the Register of Wills of Clearfield County and is incorporated herein by reference.

(q) That because the said deed contained no description either by adjoiners or by metes and bounds the plaintiff caused a deed to be made describing the property by metes and bounds, stating an estimated acreage of 15.4 acres as the area, caused a draft or drawing to be attached thereto and recorded the same in the Recorder's Office on April 4, 1967, Deed Book No. 528, page 684.

FIFTH: That at no time since the death of Elizabeth Catherine and especially since the return of the property for non-payment of taxes for the years 1930 and 1931 and the subsequent tax sales have

any of the family who have not released their title by acceptance of the deed referred to Joe and Frank in Paragraphs (f) and (g) made any claim of title whatsoever, nor have they asserted or contended or purported to contend that the tax title purchased on May 25, 1942, in the name of Theresa Catherine was other than a complete and absolute title extinguishing all rights of ownership of the remainder of the family of Nicholes Caterino.

SIXTH: That the husband of plaintiff, Carl J. Catherine, in his lifetime, repaired the dwelling house, added to the buildings and improved the premises relying upon the fact that the property should be his and his wife's.

SEVENTH: That about the year 1922 the decedent, Carl J. Catherine, erected upon the land south of the Highway Route No. 53, a valuable concrete block building, one-story in height adapted for business purposes such as the conduct of a restaurant and a confectionary store and a gasoline filling station.

EIGHTH: That following its erection he operated the same for the purposes mentioned in the preceding paragraph for a period of years and subsequently for a period of upwards of one year or more permitted the use of said building for such purposes by his daughter, Mary Campbell.

NINTH: Upon the cessation of its use for the active conduct of business the concrete block building was used for storage by the husband of plaintiff and after his death by plaintiff, to the exclusive exemption of any claim or right of any other members of the Catherine family.

TENTH: That Theresa Catherine in making the purchase of

sale in the year 1942 did not purchase it for the benefit of the family but for the sole benefit of herself and husband and her ownership has been undisputed, not contested or in anyway impeached or attacked, the family well-knowing that the purchase and continued occupancy of said property thereafter were under claim of right and were openly, continuously and exclusively claimed by her.

WHEREFORE, plaintiff requests the Court to Decree that title to the said property is in the plaintiff and to enjoin the defendants and each and every one of them and any other person or persons claiming or attempting to claim any title to said premises from impeaching, denying or in any manner attacking the plaintiff's title thereto.

Clarence P. Thomas
ATTORNEY FOR PLAINTIFF

COMMONWEALTH OF PENNSYLVANIA :

: SS.

COUNTY OF CLEARFIELD :

:

Before me, Kathleen M. Williams, Notary the undersigned officer, personally appeared Theresa Catherine, plaintiff, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct.

Sworn to and subscribed before me,

this 25th day of February, 1970.

Kathleen M. Williams

KATHLEEN M. WILLIAMS, Notary Public
Clearfield, Clearfield Co., Pa.
My Commission Expires April 20, 1970

JOHN GRAHAM and his wife,
MARY A. GRAHAM, of Conne-
maugh, Cambria County and
State of Pennsylvania, of
the first part,

A N D

NICHOLES CATERINO of Morris-
dale, Clearfield County, and
State aforesaid, party
of the second part.

166/161

DEED
DATED: July 8, 1907
CONSID. \$600.00
ACKN. July 17, 1907
RECORDED. July 22, 1907
DEED BOOK NO. 166,
PAGE 161

grant, bargain, sell, alien,
enfeoff, release, convey and
confirm unto the said party
of the second part, his heirs
and assigns.

ALL that tract or certain piece of land situate in
Morris Township, County and State aforesaid:

Bounded and described as follows: Beginning at a post
on a line of Peter Stevenson; thence East thirty two perches on
line of R. B. Wigton Coal Co. to a post; thence North one hundred
perches on line of Allport heirs to a post; thence West thirty two
perches to a post corner on Wm. McCann's line; thence South one
hundred perches to a post and place of beginning. Containing twenty
acres more or less. It being part of a larger tract of land
conveyed by James Allport to Samuel Waring and recorded in the
recorders office of said County in Deed Book G, page 247; and the
said Samuel Waring now deceased. The orphans Court of Clearfield
by partition decreed the same to Wm. Waring: Thence reconveyed by
Wm. Waring to the present grantor.

Excepting the reservations made to D. W. Holt, R. B.
Wigton and Wm. Tortis

TO HAVE AND TO HOLD, etc.

TO HAVE AND TO HOLD, etc., excepting the reservations
made in the within deed.

Specially warranty.

FILED

7cc

Att. Mason

8/24/00

AUG 24 2000

Atty pd. \$0.00

William A. Shaw

Prothonotary

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

* No. 01-383-CD

Plaintiffs

vs.

Type of Case: ACTION
TO QUIET TITLE

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

Defendants

ORDER

AND NOW, this 28th day of August, 2001, upon consideration of

Plaintiff's Motion for Service by Publication, including Exhibits and Affidavit attached hereto,
Plaintiff is ordered and directed to serve Notice of the Action to Quiet Title by publication in
the Clearfield Progress and the Clearfield County Legal Journal, one time only, of notice of
this action, in a form similar to that contained in Exhibit "B" of Plaintiff's Motion for
Publication.

BY THE COURT

J.

FILED ^{acc}
01-383-CD
AUG 28 2001
Atty Mason
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No.
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs *

vs. *

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants *

Type of Case: ACTION
TO QUIET TITLE

FILED

AUG 24 2001

William A. Shaw
Prothonotary

MOTION FOR SERVICE BY PUBLICATION

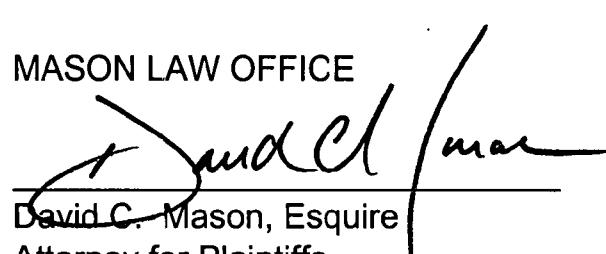
AND NOW appears the Plaintiffs, John C. Catherine, individually and as Agent for Francis W. Catherine, Sr.; Carl C. Catherine, Jr.; Charles Catherine; and

Christopher Catherine by and through their attorney, David C. Mason, who represents as follows:

1. That he is the attorney for the Plaintiffs in the above captioned action to Quiet Title.
2. That he is unable to ascertain the whereabouts of the named Defendants.
3. That he, as Attorney for the Plaintiffs, John C. Catherine, individually and as Agent for Francis W. Catherine, Sr.; Carl C. Catherine, Jr.; Charles Catherine and Christopher Catherine, has executed an Affidavit stating that after diligent search he has been unable to ascertain the whereabouts of the Defendants, or their heirs, devisees, administrators, executors, or assigns, said Affidavit being attached hereto as Exhibit "A".
4. That counsel for Plaintiffs believes that the best means of service of notice upon the Defendants of the filing of this Complaint and the pendency of this action is by publication in a newspaper of general circulation in the Clearfield Progress and Clearfield County Legal Journal, in a form as shown in "Exhibit B".
5. That the Plaintiffs and their counsel have exhausted all reasonable means of attempting to locate the Defendants, or their heirs, including inquiries of relatives, neighbors and friends, local postal authorities and telephone directories.

WHEREFORE, Plaintiff requests your Honorable Court to permit the service of the original Complaint in this Action to Quiet Title by publishing a Notice similar in form to that of "Exhibit B" in the Clearfield Progress and the Clearfield County Legal Journal one time only, pursuant to Pa.R.C.P. 430 b(1).

MASON LAW OFFICE


David C. Mason, Esquire
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No.
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs **
* Type of Case: ACTION
vs. * TO QUIET TITLE
*

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants *

AFFIDAVIT

STATE OF PENNSYLVANIA
COUNTY OF *Centre* :ss:

Before me, a Notary Public, in and for the above named State and County,
personally appeared the Plaintiffs, John C. Catherine, individually, and as Agent for Francis
W. Catherine, Sr., Carl C. Catherine, Jr., Charles Catherine and Christopher Catherine,

Ex. "A"

by and through their attorney DAVID C. MASON, Esquire, who being duly sworn according to law, deposes and states that after diligent search he has been unable to locate or find the whereabouts of the heirs, devisees, administrators, executors and assigns of Defendants, and further 1) has searched the phone directory and has been unable to locate the above-named Defendants; 2) has contacted the United States Post Office in Clearfield County and has been advised that it is not familiar with said Defendants; 3) has contacted the banks in said area and has been advised that they are not familiar with the above-named Defendants.

FURTHER Deponent saith not.

David C. Mason

David C. Mason, Esquire

SWORN to and subscribed
before me this 23rd day of
AUGUST, 2001.

Barbara L. Bainey
N.P.

NOTARIAL SEAL
BARBARA L. BAINY, NOTARY PUBLIC
PHILIPSBURG BORO., CENTRE CO., PA.
MY COMMISSION EXPIRES APRIL 28, 2002

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No.
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs *
*
*
*
* vs. *

Type of Case: ACTION
TO QUIET TITLE

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants *

TO: ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER, MARY
JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM
CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE,
JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE
and SAM CATHERINE, III., their heirs, successors, executors, administrators, and
assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY,their heirs,

successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY:

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

ALL that certain tract of land situate, lying and being in Morris Township, Clearfield County, Pennsylvania, described on the Tax Map thereof as #124-Q10-117 containing 11.38 acres, more or less, together with improvements thereon erected, and more fully described as follows:

BEGINNING at a post on a line of Peter Stevenson; thence East thirty two perches on line of R. B. Wigton Coal Co. to a post; thence North One Hundred perches on line of Allport heirs to a post; thence West thirty-two perches to a post corner on Wm. McCann's line; thence South One Hundred perches to a post and place of beginning. Containing twenty acres, more or less. It being part of a larger tract of land conveyed by James Allport to Samuel Waring and recorded in the Recorder's Office of said County in Deed Book G, Page 247; and the said Samuel Waring, now deceased. The Orphans Court of Clearfield by partition decreed the same to Wm. Waring: Thence reconveyed by Wm. Waring to the present grantor.

EXCEPTING the reservations made to D. W. Holt, R. B. Wigton and Wm. Dorris.

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 plaintiffs. You may lose money or property or other rights important to you.
YOU SHOULD TAKE THIS NOTICE 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 Courthouse
Clearfield, PA 16830
814-765-2641

You are hereby further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, Otherwise Judgment will be entered against you, barring you from all claims, rights and interests inconsistent with Plaintiff's claim of title, as set forth in the Complaint.

David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866

FILED
CC. WILLS
AND
INSTRUMENTS
RECEIVED
IN THE
COURT OF COMMON
PLEAS
OF THE
STATE OF
MISSOURI
ON THE
12th DAY OF
MAY
1855
BY
W. H. MASON
RECEIVED
IN THE
COURT OF COMMON
PLEAS
OF THE
STATE OF
MISSOURI
ON THE
12th DAY OF
MAY
1855
BY
W. H. MASON

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

* * * * *
No. 01-1383-CD

Plaintiffs

* * * * *
Type of Case: ACTION
VS. TO QUIET TITLE

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

Defendants

FILED

OCT 12 2001

William A. Shaw
Prothonotary

AFFIDAVIT AND

CERTIFICATE OF SERVICE

AND NOW, comes the Plaintiff, JOHN C. CATHERINE, individually and as Agent for FRANCIS W. CATHERINE, SR.; CARL C. CATHERINE, JR.; CHARLES CATHERINE; and CHRISTOPHER CATHERINE by and through their attorney, DAVID C. MASON,

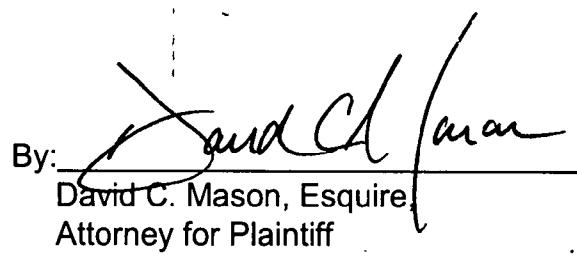
ESQUIRE, who files the following Certificate of Service, and in support thereof avers as follows:

1. The following named Defendants were served by certified mail, return receipt requested. Attached to this Certificate of Service as Exhibit "A" are postal service receipts for the following Defendants: **BECKY CATHERINE, PAULINE KNAPPER** and **MARY JANE KESTER**. In addition, the following named Defendant was served by the Sheriff of Centre County: **FRANK CATHERINE** a/k/a **BUCKY CATHERINE**, a copy of said Sheriff's Return attached hereto as Exhibit "B".

2. The following named Defendants were served by publication pursuant to an Order of Court dated August 28, 2001: **ANTHONY CATHERINE** a/k/a **TONY CATHERINE, SAM CATHERINE, FRANCES CATHERINE, ELEANOR CATHERINE** a/k/a **PAULINE CATHERINE** a/k/a **ELEANOR BRILL** a/k/a **PAULINE BRILL, SAMUEL CATHERINE, JR., BRENDA CATHERINE, and SAM CATHERINE, III.** Attached hereto as Exhibits "C" and "D" are proofs of publication from the Clearfield County Legal Journal and the Clearfield Progress.

MASON LAW OFFICE

By:



David C. Mason, Esquire,
Attorney for Plaintiff

Is your RETURN ADDRESS completed on the reverse side?

| | |
|---|---|
| SENDER: <ul style="list-style-type: none">■ Complete items 1 and/or 2 for additional services.■ Complete items 3, 4a, and 4b.■ Print your name and address on the reverse of this form so that we can return this card to you.■ Attach this form to the front of the mailpiece, or on the back if space does not permit.■ Write "Return Receipt Requested" on the mailpiece below the article number.■ The Return Receipt will show to whom the article was delivered and the date delivered. | <p>I also wish to receive the following services (for an extra fee):</p> <ul style="list-style-type: none">1. <input type="checkbox"/> Addressee's Address2. <input type="checkbox"/> Restricted Delivery <p>Consult postmaster for fee.</p> |
| 3. Article Addressed to: BECKY CATHERINE 2372 CANNOLOT BOULEVARD PORT CHARLOTTE, FL 33952 | 4a. Article Number 7099 3220 0002 0111 2998 |
| 5. Received By: (Print Name) | 4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD |
| 6. Signature: (Addressee or Agent)  | 7. Date of Delivery |
| 8. Addressee's Address (Only if requested and fee is paid) | |

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



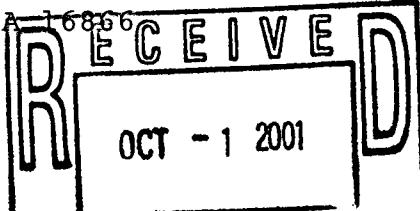
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

MASON LAW OFFICE

P.O. BOX 28

PHILIPSBURG, PA 16866



25

|||||

Is your **RETURN ADDRESS** completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "*Return Receipt Requested*" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mary Jane Kester
28 Clover Park #4 Drive
Rochester, New York 14618

4a. Article Number

7099 3220 0002 0110 2967

4b. Service Type

| | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

9-5

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Mary Jane Kester*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

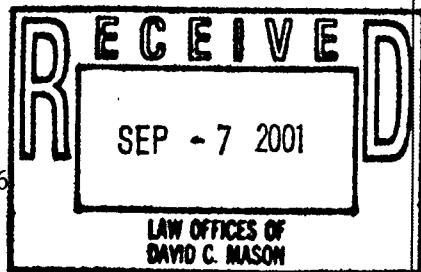
UNITED STATES POSTAL SERVICE



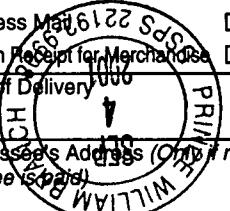
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Mason Law Office
P.O. Box 28
Philipsburg, PA 16866



Is your RETURN ADDRESS completed on the reverse side?

| | | |
|---|--|--|
| SENDER: <ul style="list-style-type: none">■ Complete items 1 and/or 2 for additional services.■ Complete items 3, 4a, and 4b.■ Print your name and address on the reverse of this form so that we can return this card to you.■ Attach this form to the front of the mailpiece, or on the back if space does not permit.■ Write "Return Receipt Requested" on the mailpiece below the article number.■ The Return Receipt will show to whom the article was delivered and the date delivered. | | <p>I also wish to receive the following services (for an extra fee):</p> <p>1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery</p> <p>Consult postmaster for fee.</p> |
| 3. Article Addressed to: Pauline Knapper 5803 Riverside Drive Woodbridge, Virginia 22193 | 4a. Article Number 7099 3220 0002 0110 2950 | 4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise |
| 5. Received By: (Print Name) <u>PAULINE KANNER</u> | 6. Signature: (Addressee or Agent) <u>X Pauline Knapper</u> | 7. Date of Delivery  11/10/94 |
| 8. Addressee's Address (Only if requested and fee is paid) | | |

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

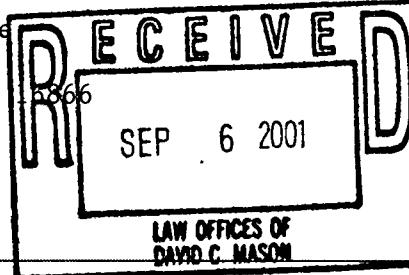
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Print your name, address, and ZIP Code in this box •

Mason Law Office
P.O. Box 28
Philipsburg, PA



Ex. "A"

10/12/2001 20:37 FAX 8147655915

CLFD. CO. SHFF.

02

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11482

CATHERINE, JOHN C. ind. & as agent

01-1383-CD

VS.**CATHERINE, ANTHONY aka TONY CATHERINE et al****COMPLAINT ACTION TO QUIET TITLE****SHERIFF RETURNS**

NOW SEPTEMBER 6, 2001 DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON FRANK "BUCKY" CATHERINE, DEFENDANT.

NOW SEPTEMBER 7, 2001 SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON FRANK "BUCKY" CATHERINE, DEFENDANT BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

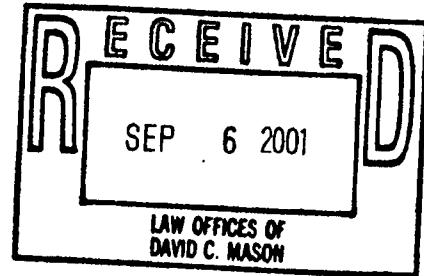
| Cost | Description |
|--------------|-------------------------------------|
| 28.10 | SHFF. HAWKINS PAID BY: ATTY. |
| 44.00 | SHFF. NAU PAID BY: ATTY. |
| 10.00 | SURCHARGE PAID BY: ATTY. |

Sworn to Before Me This**Day Of 2001****So Answers,**

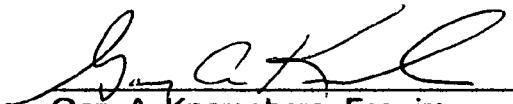
*Chester A. Hawkins
by Marly Harris
Chester A. Hawkins
Sheriff*

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :
:



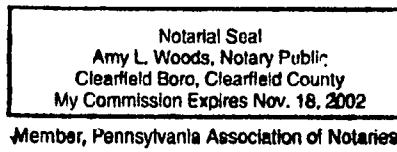
On this 4th day of September AD 2001, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of August 31, 2001, Vol. 13 No. 35. 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.

Amy L Woods
Notary Public
My Commission Expires



David C Mason
PO Box 28
Philipsburg PA 16866

Ex "C"

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL ACTION LAW
NO. 01-1588-CJ
• JAMES CATHERINE, individually and as Trustee for Plaintiff,
CATHERINE, SR.; CARL C. CATHERINE, JR.; CHARLES CATHERINE, JR.; and CHRISTOPHER CATHERINE, Plaintiffs
• vs.
• ANTHONY CATHERINE a/k/a
TONY CATHERINE, PAULINE
KNAPPER, MARY JANE KESTER
and FRANK CATHERINE a/k/a
BUCKY CATHERINE, SAM CATHERINE
and FRANCES CATHERINE,
his wife, and SAMUEL CATHERINE,
JR., and ELEANOR CATHERINE
a/k/a PAULINE BRILL a/k/a PAULINE
BRILL, and BECKY CATHERINE,
BRENDA CATHERINE and
SAM CATHERINE, III their heirs,
successors, executors, administrators,
and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,
Defendants

TO: ANTHONY CATHERINE
a/k/a TONY CATHERINE, PAULINE
KNAPPER, MARY JANE KESTER
and FRANK CATHERINE
a/k/a BUCKY CATHERINE, SAM
CATHERINE and FRANCES
CATHERINE, his wife, and SA
MUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a PAULINE
CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL, and
BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE,
III, their heirs, successors,
executors, administrators, and
assigns, as well as ANY OTHER PERSON,
PARTY, or ENTITY, their
heirs, successors, administrators,
executors and assigns, as well as
ANY OTHER PERSON, PARTY or
ENTITY:

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

ALL that certain tract of land situate, lying and being in Morris
Township, Clearfield County, Pennsylvania, described on the
Tax Map, thereof, as
#124-Q10-117 containing 11.38
acres, more or less, together with
improvements thereon erected,
and more fully described as
follows:

BEGINNING at a post on a line of
Peter Stevenson; thence East
thirty two perches on line of R. B.
Wigton Coal Co. to a post; thence
North One Hundred perches on line
of Allport heirs to a post; thence
West thirty-two perches to a post corner on Wm. McCann's line;
thence South One Hundred
perches to a post and place of
beginning. Containing twenty acres,
more or less. It being part of a larger
tract of land conveyed by James
Allport to Samuel Waring and re-
corded in the Recorder's Office of
said County in Deed Book G, Page
247; and the said Samuel Waring,
now deceased. The Orphans
Court of Clearfield by partition de-
creed the same to Wm. Waring.
Thence reconveyed by Wm. Waring
to the present grantee.

EXCEPTING the portions
made to D. W. Holt, Wm. Waring
and Wm. Dorris.

NOTICE

If you wish to defend, you must
enter a written appearance personally
or by attorney and file your de-
fense of defense 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 NOTICE 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 Courthouse, Clearfield, PA
16830, 814-765-2641

You are hereby further notified to
appear and answer the Complaint in
said Action within twenty (20) days
of this Notice. Otherwise Judgment
will be entered against you, barring
you from all claims, rights and inter-
ests inconsistent with Plaintiff's
claim of title, as set forth in the Com-
plaint.

David C. Mason, Esquire, P. O.
Box 28, Philipsburg, PA 16866

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 7th day of September, 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 August 29, 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.

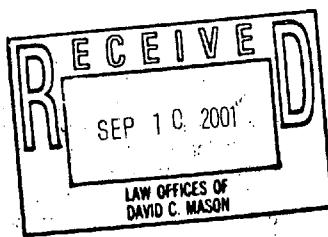
Margaret E. Krebs
Sworn and subscribed to before me the day and year aforesaid.

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



Send To:

Box "A 226"
c/o The Progress
P.O. Box 291
Clearfield, PA 16830

**Clearfield, Curwen
Shaffey, Phillips**

Pre In Advance

Members

School

Message

**e return,
send
ed stamped
ng with ad.**

**Located In: Cle-
rkt, Houtzdale, M**

**Ad Cost
All Ads Payabl**

**For pictur
please
self-addressed
envelope alo**

**Offices
Coalpo**

Ex. "D"

FILED

OCT 12 2001

300000033
William A. Shaw
Prothonotary
Cathy Mason

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

2

CIVIL ACTION - LAW

JCHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No. 01-1383-CD
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs *
*
*
* Type of Case: ACTION
* TO QUIET TITLE
vs.

| | | |
|---|---|--|
| ANTHONY CATHERINE a/k/a TONY | * | |
| CATHERINE, PAULINE KNAPPER | * | |
| MARY JANE KESTER, and FRANK | * | |
| CATHERINE a/k/a BUCKY | * | |
| CATHERINE, SAM CATHERINE and | * | |
| FRANCES CATHERINE, his wife, and | * | |
| SAMUEL CATHERINE, JR., and | * | |
| ELEANOR CATHERINE a/k/a | * | |
| PAULINE CATHERINE a/k/a ELEANOR* | | |
| BRILL a/k/a PAULINE BRILL, | * | |
| and BECKY CATHERINE, BRENDA | * | |
| CATHERINE and SAM CATHERINE, III * | | |
| their heirs, successors, executors, | * | |
| executors, administrators, and assigns, | * | |
| as well as ANY OTHER PERSON, | * | |
| PARTY, or ENTITY, | * | |

Defendants * Filed on Behalf of: PLAINTIFFS
*
* Counsel of Record for this Party
* David C. Mason, Esquire
* 409 North Front Street
* P.O. Box 28
* Philipsburg, PA 16866
* 814-342-2240
* Supreme Court ID NO. 39180

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No. 01-1383-CD
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs *

vs. *

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR *
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants *

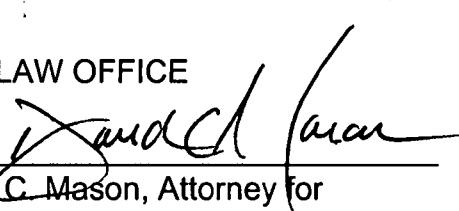
PRAECIPE FOR ENTRY OF JUDGMENT

TO THE PROTHONOTARY:

Pursuant to the attached "Stipulation and consent to Entry of Judgment" please enter judgment in favor of the Plaintiffs and against the Defendants, Mary Jane Kester and Pauline Knapper.

MASON LAW OFFICE

By:


David C. Mason, Attorney for
Plaintiffs

DATED: 10-12-01

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No. 01- 1383- CD
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *
*
Plaintiffs *
*
* Type of Case: ACTION
vs. * TO QUIET TITLE
*
*
ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *
*
*
Defendants *

STIPULATION AND CONSENT

TO ENTRY OF JUDGMENT

I, PAULINE KNAPPER have been named a Defendant in an Action
to Quiet Title docketed as John C. Catherine, et al., v. Anthony Catherine, et al. I wish to

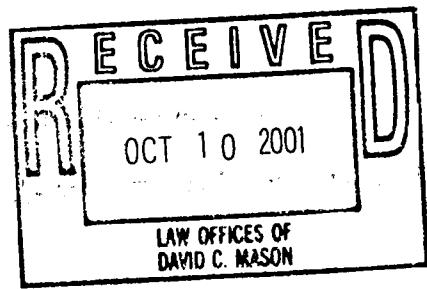
acknowledge receipt of a copy of the Complaint, and give my consent to the entry of judgment in favor of the Plaintiff and against me.

I understand that by agreeing to the entry of Judgment that I and my heirs, administrators, executors, successors and assigns will be forever barred from asserting any right, title or interest in the land described in said Complaint inconsistent with the interest or title of Plaintiffs. I further understand that the Plaintiffs identified in the Complaint, may be declared the sole owners and shall be entitled to exclusive possession of the premises described in the Complaint.

I further agree and stipulate that a Judgment in the action to Quiet Title may be entered against me without further Notice.

IN WITNESS WHEREOF, intending to be legally bound hereby, I hereunto set my hand and seal this 6 day of OCTOBER, 2001.

Pauline C Knapper



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

* No. 01-1383-CD

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR*
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

* Type of Case: ACTION
TO QUIET TITLE

Defendants

*

STIPULATION AND CONSENT

TO ENTRY OF JUDGMENT

I, Mary Jane Kester have been named a Defendant in an Action
to Quiet Title docketed as John C. Catherine, et al., v. Anthony Catherine, et al. I wish to

acknowledge receipt of a copy of the Complaint, and give my consent to the entry of judgment in favor of the Plaintiff and against me.

I understand that by agreeing to the entry of Judgment that I and my heirs, administrators, executors, successors and assigns will be forever barred from asserting any right, title or interest in the land described in said Complaint inconsistent with the interest or title of Plaintiffs. I further understand that the Plaintiffs identified in the Complaint, may be declared the sole owners and shall be entitled to exclusive possession of the premises described in the Complaint.

I further agree and stipulate that a Judgment in the action to Quiet Title may be entered against me without further Notice.

IN WITNESS WHEREOF, intending to be legally bound hereby, I hereunto set my hand and seal this 12th day of Sept., 2001.

Mary Jane Lester

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

John C. Catherine
Francis W. Catherine Sr.
Carl C. Catherine Jr.
Charles Catherine
Christopher Catherine

Vs.

No. 2001-01383-CD

Anthony Catherine
Pauline Knapper
Mary Jane Kester
Frank Catherine
Sam Catherine
Frances Catherine
Samuel Catherine Jr.
Eleanor Catherine
Becky Catherine
Brenda Catherine
Sam Catherine III

To: Mary Jane Kester, Frank Catherine and
Pauline Knapper, Defendant(s)

NOTICE is given that a DEFAULT JUDGMENT in the above captioned matter has been entered against you on October 12, 2001.

William A. Shaw
Prothonotary

William A. Shaw

7

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

John C. Catherine
Francis W. Catherine Sr.
Carl C. Catherine Jr.
Charles Catherine
Christopher Catherine
Plaintiff(s)

No.: 2001-01383-CD

Real Debt: \$

Atty's Comm:

Vs.

Costs: \$

Int. From:

Anthony Catherine
Pauline Knapper
Mary Jane Kester
Frank Catherine
Sam Catherine
Frances Catherine
Samuel Catherine Jr.
Eleanor Catherine
Becky Catherine
Brenda Catherine
Sam Catherine III
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment/Quiet Title -
*Default entered against Mary Jane Kester, Frank
Catherine and Pauline Knapper only

Date of Entry: October 12, 2001

Expires: October 12, 2006

Certified from the record this 12th of October, 2001

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

| | | |
|--|---|--|
| JOHN C. CATHERINE, individually and as Agent for FRANCIS W. CATHERINE, SR.; CARL C. CATHERINE, JR.; CHARLES CATHERINE; and CHRISTOPHER CATHERINE | * | No. 01-1383-CD |
| Plaintiffs | * | |
| vs. | * | |
| | * | Type of Case: ACTION TO QUIET TITLE |
| ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III their heirs, successors, executors, executors, administrators, and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, | * | Type of Pleading: Praeclipe for Entry of Default Judgment v. Defendant: Frank Catherine |
| Defendants | * | Filed on Behalf of: PLAINTIFFS |
| | * | Counsel of Record for this Party: David C. Mason, Esquire 409 North Front Street P.O. Box 28 Philipsburg, PA 16866 814-342-2240 Supreme Court ID NO. 39180 |

FILED

OCT 12 2001

William A. Shaw
Prothonotary

complaint in the Court of Common Pleas of Clearfield County, Pa.

CIVIL ACTION, LAW, LAW OFFICE

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

By: *Frank C. Catherine*
No. 01-1383-CD, Attorney for
Plaintiffs

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

Defendants

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment by default in favor of the Plaintiffs and against the Defendant,

Frank Catherine. Defendant Frank Catherine was served with the Complaint on September

7, 2001, by the Sheriff of Centre County. On October 1, 2001, a Notice in the form

required by Pa. R.C.P. 237.5 was mailed to the Defendant, Frank Catherine. A true and

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

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W. CATHERINE, SR.; CARL C. CATHERINE, JR.; CHARLES CATHERINE; and CHRISTOPHER CATHERINE Plaintiffs *

* No. 01-1383-CD

vs. *

ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III their heirs, successors, executors, executors, administrators, and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, *

Defendants *

TO: FRANK CATHERINE
424 SHEFFIELD STREET
PHILIPSBURG, PA 16866

DATE OF NOTICE: OCTOBER 1, 2001

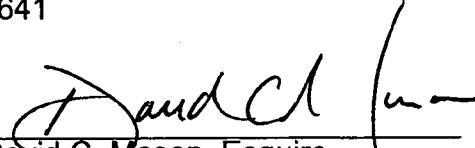
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE.

IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR
TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL
HELP:

David Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

DATED: October 1, 2001



David C. Mason, Esquire
Attorney for Plaintiff
P. O. Box 28
Philipsburg, PA 16866
I.D. No. 39180

FILED

Oct 12 2001

10/12/01 cc atty Meam
William A. Shaw
Prothonotary

not to Dr. F. Catherine
Statement to atty Meam

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

John C. Catherine
Francis W. Catherine Sr.
Carl C. Catherine Jr.
Charles Catherine
Christopher Catherine

Vs.

No. 2001-01383-CD

Anthony Catherine
Pauline Knapper
Mary Jane Kester
Frank Catherine
Sam Catherine
Frances Catherine
Samuel Catherine Jr.
Eleanor Catherine
Becky Catherine
Brenda Catherine
Sam Catherine III

To: Mary Jane Kester, Frank Catherine and
Pauline Knapper, Defendant(s)

NOTICE is given that a DEFAULT JUDGMENT in the above captioned matter has been entered against you on October 12, 2001.

William A. Shaw
Prothonotary

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

John C. Catherine
Francis W. Catherine Sr.
Carl C. Catherine Jr.
Charles Catherine
Christopher Catherine
Plaintiff(s)

No.: 2001-01383-CD

Real Debt: \$

Atty's Comm:

Vs.

Costs: \$

Int. From:

Anthony Catherine
Pauline Knapper
Mary Jane Kester
Frank Catherine
Sam Catherine
Frances Catherine
Samuel Catherine Jr.
Eleanor Catherine
Becky Catherine
Brenda Catherine
Sam Catherine III
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment/Quiet Title -
*Default entered against Mary Jane Kester, Frank
Catherine and Pauline Knapper only

Date of Entry: October 12, 2001

Expires: October 12, 2006

Certified from the record this 12th of October, 2001

William A. Shaw, Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11482

CATHERINE, JOHN C. ind. & as agent

01-1383-CD

VS.

CATHERINE, ANTHONY a/k/a TONY CATHERINE et al

COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW SEPTEMBER 6, 2001 DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON FRANK "BUCKY" CATHERINE, DEFENDANT.

NOW SEPTEMBER 7, 2001 SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON FRANK "BUCKY" CATHERINE, DEFENDANT BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

| Cost | Description |
|-------|------------------------------|
| 28.10 | SHFF. HAWKINS PAID BY: ATTY. |
| 44.00 | SHFF. NAU PAID BY: ATTY. |
| 10.00 | SURCHARGE PAID BY: ATTY. |

FILED

OCT 15 2001

01328pm

William A. Shaw

Prothonotary

RWS

Sworn to Before Me This

15th Day Of October, 2001


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

So Answers,


by Marilyn Harris
Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

#1589

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

| | |
|--|------------------------------|
| 1. Plaintiff(s) | 2. Case Number |
| <u>John C. Catherine, indiv. or Agent</u> | |
| 3. Defendant(s) | 4. Type of Writ or Complaint |
| <u>Anthony Catherine a/k/a Tony Catherine, et al</u> | |

| | |
|---|--|
| SERVE → AT | 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. |
| | <u>Frank "Bucky" Catherine</u> |
| 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) | |
| <u>424 Sheffield St., Philipsburg, Pa. 16866</u> | |

| | | | | | |
|------------------------------|----------|----------------|----------|------|-------|
| 7. Indicate unusual service: | Reg Mail | Certified Mail | Deputize | Post | Other |
|------------------------------|----------|----------------|----------|------|-------|

Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

| | | |
|---|----------------------|----------|
| 9. Print/Type Name and Address of Attorney/Originator | 10. Telephone Number | 11. Date |
| | 12. Signature | |

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

| | | | |
|--|--|----------------|-----------------------------|
| 13. I acknowledge receipt of the writ or complaint as indicated above. | SIGNATURE of Authorized CCSD Deputy of Clerk and Title | 14. Date Filed | 15. Expiration/Hearing Date |
|--|--|----------------|-----------------------------|

TO BE COMPLETED BY SHERIFF

16. Served and made known to Frank "Bucky" Catherine, on the 7 day of Sept., 20 01, at 2:50 o'clock, P m., at SAME AS ABOVE ADDRESS, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) resides(s). Relationship is _____
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.
- _____ and officer of said Defendant company.
- Other _____

On the _____ day of _____, 20_____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

| | | | | | | | | | |
|---------------|-------------|-------------|-------------|-------------|--------------|------------|-------------|--------------|---------------------|
| Advance Costs | Docket | Service | Sur Charge | Affidavit | Mileage | Postage | Misc. | Total Costs | Costs Due or Refund |
| <u>75.00</u> | <u>9.00</u> | <u>9.00</u> | <u>0.00</u> | <u>2.50</u> | <u>21.00</u> | <u>.50</u> | <u>2.00</u> | <u>44.00</u> | <u>31.00</u> |

17. AFFIRMED and subscribed to before me this 24

So Answer.

18. Signature of Dep. Sheriff Todd Allen

19. Date 9-7-01

20. day of Sept 2001

21. Signature of Sheriff

22. Date

23. Arenne Peters

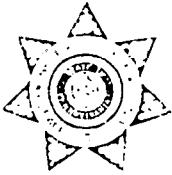
SHERIFF OF CENTRE COUNTY

| | | |
|---------------|------------|------|
| Notarial Seal | Amount Pd. | Page |
|---------------|------------|------|

| | | |
|---|--|--|
| My Commission Expires <u>Sept. 2001</u> Bellefonte Boro, Centre County | | |
|---|--|--|

| | | |
|---|-------------------|--|
| 24. I ACKNOWLEDGE RECEIPT OF THIS SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE | 25. Date Received | |
|---|-------------------|--|

Member, Pennsylvania Association of Notaries



#1589

Sheriff's Office Clearfield County

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765-5915

DARLENE SHULTZ
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

MARGARET PUTT
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOHN C. CATHERINE, indiv. & as Agent

TERM & NO. 01-1383-CD

vs

SERVE BY: 9/23/01

or

ANTHONY CATHERINE a/k/a TONY
CATHERINE et al

HEARING DATE:

DOCUMENT TO BE SERVED:
COMPLAINT ACTION TO QUIET TITLE

MAKE REFUND PAYABLE TO: DAVID C. MASON, Attorney

SERVE: FRANK "Bucky" CATHERINE

ADDRESS: 424 Sheffield ST., Philipsburg, Pa.

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF of CENTRE County Pennsylvania to execute this writ.

This Deputation being made at the request and risk of the Plaintiff this 6th day of SEPTEMBER 2001.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

PG 176-78
PA 75-80

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

FILED

OCT 3 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

| | |
|---|---|
| JOHN C. CATHERINE, individually | * |
| and as Agent for FRANCIS W. | * |
| CATHERINE, SR.; CARL C. | * |
| CATHERINE, JR.; CHARLES | * |
| CATHERINE; and CHRISTOPHER | * |
| CATHERINE | * |
| | * |
| Plaintiffs | * |
| | * |
| | * |
| vs. | * |
| | * |
| | * |
| ANTHONY CATHERINE a/k/a TONY | * |
| CATHERINE, PAULINE KNAPPER | * |
| MARY JANE KESTER, and FRANK | * |
| CATHERINE a/k/a BUCKY | * |
| CATHERINE, SAM CATHERINE and | * |
| FRANCES CATHERINE, his wife, and | * |
| SAMUEL CATHERINE, JR., and | * |
| ELEANOR CATHERINE a/k/a | * |
| PAULINE CATHERINE a/k/a ELEANOR* | * |
| BRILL a/k/a PAULINE BRILL, | * |
| and BECKY CATHERINE, BRENDA | * |
| CATHERINE and SAM CATHERINE, III | * |
| their heirs, successors, executors, | * |
| executors, administrators, and assigns, | * |
| as well as ANY OTHER PERSON, | * |
| PARTY, or ENTITY, | * |
| | * |
| Defendants | * |

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

TO THE PROTHONOTARY:

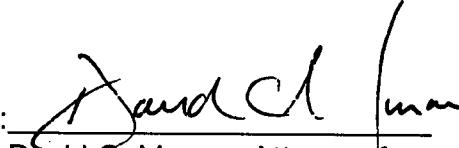
Kindly enter judgment by default in favor of the Plaintiffs and against the Defendant, Becky Catherine. Defendant Becky Catherine was served with the Complaint on September 28, 2001. On October 19, 2001, a Notice in the form required by Pa. R. C. P. 237.5 was mailed to the Defendant Becky Catherine. A true and correct copy of the

Notice is attached hereto.

MASON LAW OFFICE

DATED: 10/30/01

By:


David C. Mason, Attorney for
Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY.

Defendants

TO: BECKY CATHERINE
2372 CANNOLOT BOULEVARD
PORT CHARLOTTE, FL 33952

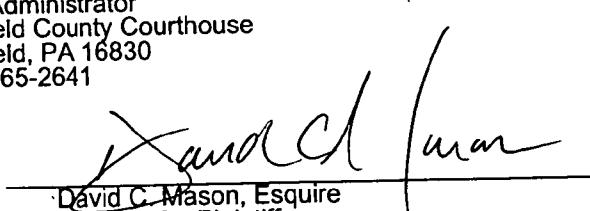
DATE OF NOTICE: OCTOBER 19, 2001

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU
IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A
JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR
PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT
ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE
FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

David Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

DATED: October 19, 2001



David C. Mason, Esquire
Attorney for Plaintiff
P. O. Box 28
Philipsburg, PA 16866
I.D. No. 39180

FILED

OCT 3 2001
OCT 3 2001
William A. Shaw
Prothonotary

176095
PA 90-00
C.P. to D.P. B. Catherine
Statement to City Mayor

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

John C. Catherine
Francis W. Catherine Sr.
Carl C. Catherine Jr.
Charles Catherine
Christopher Catherine
Plaintiff(s)

No.: 2001-01383-CD

Real Debt: \$

Atty's Comm:

Vs.

Costs: \$

Int. From:

Entry: \$20.00

Becky Catherine
Defendant(s)

Instrument: Default Judgment against Becky
Catherine

Date of Entry: October 31, 2001

Expires: October 31, 2006

Certified from the record this 31st of October, 2001



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment, Debt,
Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

| | | |
|---|---|----------------------|
| JOHN C. CATHERINE, individually | * | |
| and as Agent for FRANCIS W. | * | No. 01-1383-CD |
| CATHERINE, SR.; CARL C. | * | |
| CATHERINE, JR.; CHARLES | * | |
| CATHERINE; and CHRISTOPHER | * | |
| CATHERINE | * | |
| | * | |
| Plaintiffs | * | |
| | * | |
| | * | Type of Case: ACTION |
| vs. | * | TO QUIET TITLE |
| | * | |
| ANTHONY CATHERINE a/k/a TONY | * | |
| CATHERINE, PAULINE KNAPPER | * | |
| MARY JANE KESTER, and FRANK | * | |
| CATHERINE a/k/a BUCKY | * | |
| CATHERINE, SAM CATHERINE and | * | |
| FRANCES CATHERINE, his wife, and | * | |
| SAMUEL CATHERINE, JR., and | * | |
| ELEANOR CATHERINE a/k/a | * | |
| PAULINE CATHERINE a/k/a ELEANOR* | * | |
| BRILL a/k/a PAULINE BRILL, | * | |
| and BECKY CATHERINE, BRENDA | * | |
| CATHERINE and SAM CATHERINE, III | * | |
| their heirs, successors, executors, | * | |
| executors, administrators, and assigns, | * | |
| as well as ANY OTHER PERSON, | * | |
| PARTY, or ENTITY, | * | |
| | * | |
| Defendants | * | |

NOTICE OF ENTRY OF JUDGMENT

To: Becky Catherine
2372 Cannolot Boulevard
Port Charlotte, FL 33952

Pursuant to Rule 236, please be advised that the Court has entered a

Order
 Decree
 Judgment
 Opinion

in the above proceeding, and a copy thereof is enclosed.

Dated:



Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

*
* No. 01-1383-CD
*

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE,
their heirs, successors, executors,
executors, administrators, and assignees,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

Type of Case: ACTION
TO QUIET TITLE

Defendants

FILED

OCT 31 2001

William A. Shaw
Prothonotary

ORDER

AND, NOW this 5 day of October, 2001, it appearing

that a Complaint to Quiet Title in the above stated action was served on the Defendants, their heirs, administrators and/or assigns of each and all other person,

persons, firms, partnerships or corporate entities in interest and by Affidavit of David C. Mason, Esquire, Attorney for Plaintiffs, no Answer has been filed in said Action on behalf of the said Defendants, and on motion of David C. Mason, Esquire, Attorney for Plaintiffs, it is hereby ORDERED AND DECREED:

1. That the said Defendants, ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER, MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III., and their heirs, successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, executors, successors and/or assigns, and all other 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 its Complaint in and to **ALL** that certain tract of land situate, lying and being in Morris Township, Clearfield County, Pennsylvania, described on the Tax Map thereof as #124-Q10-117 containing 11.38 acres, more or less, together with improvements thereon erected, and more fully described as follows:

BEGINNING at a post on a line of Peter Stevenson; thence East thirty two perches on line of R. B. Wigton Coal Co. to a post; thence North One Hundred perches on line of Allport heirs to a post; thence West thirty-two perches to a post corner on Wm. McCann's line; thence South One Hundred perches to a post and place of beginning. Containing twenty acres, more or less. It being part of a larger tract of land conveyed by James Allport to Samuel Waring and recorded in the Recorder's Office of said County in Deed Book G,

Page 247; and the said Samuel Waring, now deceased. The Orphans Court of Clearfield by partition decreed the same to Wm. Waring: Thence reconveyed by Wm. Waring to the present grantor.

EXCEPTING the reservations made to D. W. Holt, R. B. Wigton and Wm. Dorris.

2. That if the said Defendants, ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER, MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs administrators, and/or assigns, and all other persons, firms, partnerships or corporate entities in interest have not filed said exceptions within thirty (30) days, the Prothonotary shall enter Final Judgment upon Praecept of the Plaintiff.

3. That the rights of the Plaintiff are superior to the rights of the Defendants, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

4. That the said Plaintiff has title fee simple to the premises as described in the Complaint as against the Defendants, ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER, MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III., and their heirs, successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may

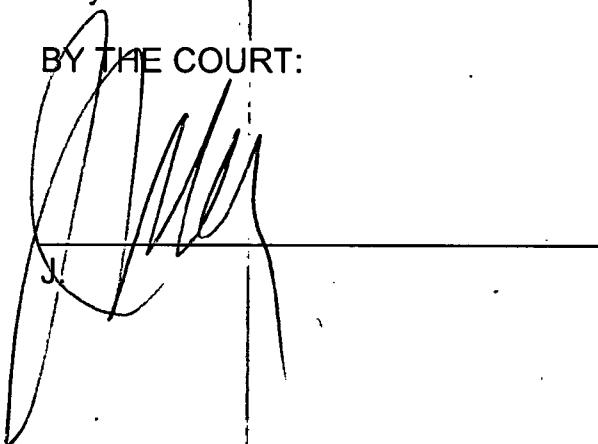
claim interest in the property herein, their heirs, executors, successors and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

5. That the Defendants, ANTHONY CATHERINE a/k/a TONY CATHERINE, PAULINE KNAPPER, MARY JANE KESTER, and FRANK CATHERINE a/k/a BUCKY CATHERINE, SAM CATHERINE and FRANCES CATHERINE, his wife, and SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR BRILL a/k/a PAULINE BRILL, and BECKY CATHERINE, BRENDA CATHERINE and SAM CATHERINE, III., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest are enjoined from setting up title to the premises of the Plaintiff, described in said Complaint and from impeaching, denying or in any way attacking the title of the Plaintiff to said premises.

6. That these proceedings or an authenticated copy thereof, shall at all times hereafter be taken as evidence of the facts declared and established hereby.

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

BY THE COURT:

A handwritten signature in black ink, appearing to read "J. L. [Signature]". The signature is written in a cursive style with a large, stylized initial 'J' and 'L'.

FILED

Q13-4723 2cc
OCT 3 1 2001 Atty Mason

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No. 01-1383-CD
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assigns,
as well as ANY OTHER PERSON,
PARTY, or ENTITY.

Defendants

Type of Pleading: CERTIFICATE OF SERVICE

Filed on Behalf of: PLAINTIFF

Counsel of Record for this Party:
David C. Mason, Esquire
409 North Front Street
P.O. Box 28
Philipsburg, PA 16866
814-342-2240
Supreme Court ID NO. 39180

FILED

NOV 09 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually *
and as Agent for FRANCIS W. * No. 01-1383-CD
CATHERINE, SR.; CARL C. *
CATHERINE, JR.; CHARLES *
CATHERINE; and CHRISTOPHER *
CATHERINE *

Plaintiffs *
* Type of Case: ACTION
vs. * TO QUIET TITLE
*

ANTHONY CATHERINE a/k/a TONY *
CATHERINE, PAULINE KNAPPER *
MARY JANE KESTER, and FRANK *
CATHERINE a/k/a BUCKY *
CATHERINE, SAM CATHERINE and *
FRANCES CATHERINE, his wife, and *
SAMUEL CATHERINE, JR., and *
ELEANOR CATHERINE a/k/a *
PAULINE CATHERINE a/k/a ELEANOR *
BRILL a/k/a PAULINE BRILL, *
and BECKY CATHERINE, BRENDA *
CATHERINE and SAM CATHERINE, III *
their heirs, successors, executors, *
executors, administrators, and assigns, *
as well as ANY OTHER PERSON, *
PARTY, or ENTITY, *

Defendants

CERTIFICATE OF SERVICE

AND NOW, comes the Plaintiff, JOHN C. CATHERINE, individually, and as Agent for Francis W. Catherine, Sr.; Carl C. Catherine, Jr.; Charles Catherine; and Christopher Catherine, by and through their attorney, DAVID C. MASON, ESQUIRE, who files the following Certificate of Service, and in support thereof avers that I caused to be mailed a Final Order entered in the above captioned action under date of October 31, 2001, by placing the same in the United States mail, postage pre-paid and addressed as follows:

Pauline Knapper
5803 Riverside Drive
Woodbridge, VA 22193

Mary Jane Kester
28 Clover Park #4 Drive
Rochester, NY 14618

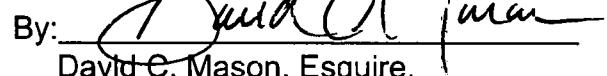
Becky Catherine
2372 Cannolot Boulevard
Port Charlotte, FL 33952

Frank Catherine
424 Sheffield Street
Philipsburg, PA 16866

The said Final Order having been mailed to each of the above individuals under date of November 2, 2001.

MASON LAW OFFICE

Nov 5, 2001

By: 

David C. Mason, Esquire,
Attorney for Plaintiff

FILED

NOV 09 2001

2001-2-16
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

JOHN C. CATHERINE, individually
and as Agent for FRANCIS W.
CATHERINE, SR.; CARL C.
CATHERINE, JR.; CHARLES
CATHERINE; and CHRISTOPHER
CATHERINE

* No. 01-1383-C1

Plaintiffs

* Type of Case: ACTION
* TO QUIET TITLE

vs.
ANTHONY CATHERINE a/k/a TONY
CATHERINE, PAULINE KNAPPER
MARY JANE KESTER, and FRANK
CATHERINE a/k/a BUCKY
CATHERINE, SAM CATHERINE and
FRANCES CATHERINE, his wife, and
SAMUEL CATHERINE, JR., and
ELEANOR CATHERINE a/k/a
PAULINE CATHERINE a/k/a ELEANOR
BRILL a/k/a PAULINE BRILL,
and BECKY CATHERINE, BRENDA
CATHERINE and SAM CATHERINE, III
their heirs, successors, executors,
executors, administrators, and assignees,
as well as ANY OTHER PERSON,
PARTY, or ENTITY,

Defendants

FILED

DEC 07 2001

William A. Shaw
Prothonotary

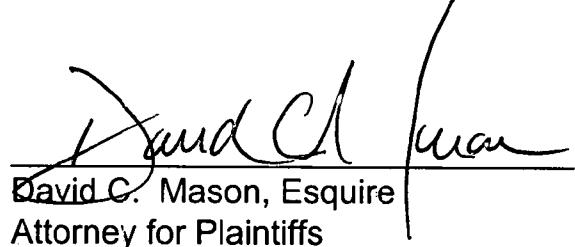
PRAECIPE FOR FINAL JUDGMENT

TO THE PROTHONOTARY:

A Decree in the above action having been made on the 31st day of Oct.,

2001, and thirty (30) days having elapsed since entry thereof, you are directed to enter Final Judgment in favor of the Plaintiffs in the above-captioned action, pursuant to the Pennsylvania Rules of Civil Procedure.

MASON LAW OFFICE



David C. Mason, Esquire

Attorney for Plaintiffs

DATED: 12/5/01

FILED

03092001
DEC 07 2001

cc

William A. Shaw
Prothonotary

E. K. Shaw