

01-1383-CD  
JOHN C. CATHERINE etal -vs- ANTHONY CATHERINE etal

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

No. 01-1383-C2

Type of Case: ACTION  
TO QUIET TITLE

FILED

AUG 24 2001

William A. Shaw  
Prothonotary

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  
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Supreme Court ID NO. 39180

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**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

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No.

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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. 6<sup>th</sup> 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)

THERESA CATHERINE

VS.

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, Philip-  
sburg, 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 entirety 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 entirety 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 at tax

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, *Theresa Catherine*

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

NICHOLAS 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. Dorris.

TOGETHER with, etc.

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

Specially warranty

**FILED**

7cc

Atty Mason

~~FILED~~  
AUG 24 2001

Atty pd. 90.00

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

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

FILED

013:54  
AUG 28 2001

William A. Shaw  
Prothonotary

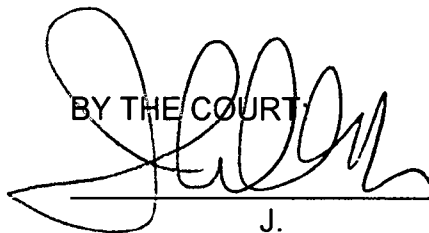
Att'y Mason  
JW

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.

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

No.

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. Cathrine, 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.  
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

No.  
Type of Case: ACTION  
TO QUIET TITLE

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,

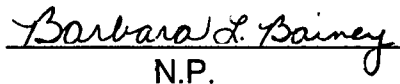
Ex. "A"

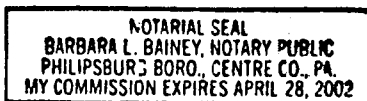
by and through their attorney DAVID C. MASON, Esquire, who being duly sworn according to law, deposes and states that after diligent search he has been unable to locate or find the whereabouts of the heirs, devisees, administrators, executors and assigns of Defendants, and further 1) has searched the 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, Esquire

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

  
N.P.



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

No.

Type of Case: ACTION  
TO QUIET TITLE

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,

Ex. "B"

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  
OCT 35 1983  
cc  
Atty Nason  
Wm A. ...  
...

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

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:**

- 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:

BECKY CATHERINE  
2372 CANNOLOT BOULEVARD  
PORT CHARLOTTE, FL 33952

4a. Article Number

7099 3220 0002 0111 2998

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

5. Received By: (Print Name)

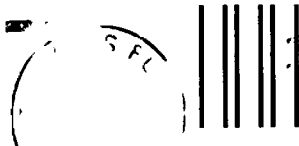
6. Signature: (Addressee or Agent)

X *Rebecca Catherine*

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

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



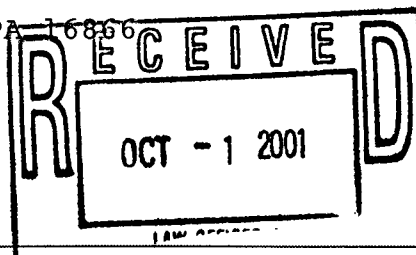
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

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

MASON LAW OFFICE

P.O. BOX 28

PHILIPSBURG, PA 16866



12



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

- ☐ Registered ☒ Certified  
☐ Express Mail ☐ Insured  
☐ Return Receipt for Merchandise ☐ 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.

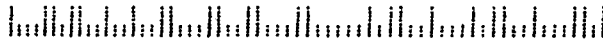
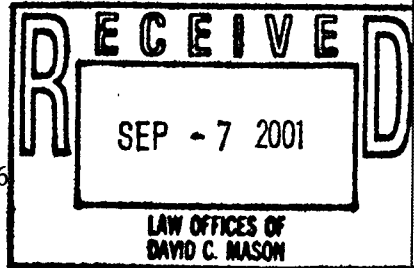
UNITED STATES POSTAL SERVICE



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:**

- 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:

Pauline Knapper  
5803 Riverside Drive  
Woodbridge, Virginia 22193

4a. Article Number

7099 3220 0002 0110 2950

4b. Service Type

- ☐ Registered ☒ Certified  
☐ Express Mail ☐ Insured  
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

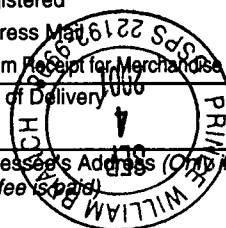
8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

PAULINE KNAPPER

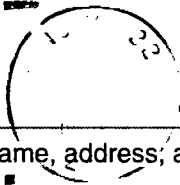
6. Signature: (Addressee or Agent)

X Pauline Knapper



Thank you for using Return Receipt Service.

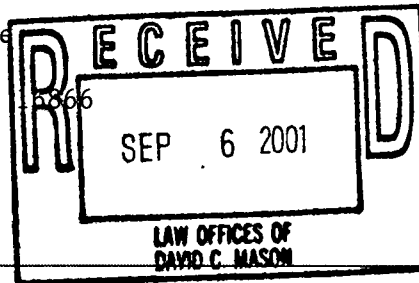
UNITED STATES POSTAL SERVICE



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 18866



1E66E+002A



Ex. "A"

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 11482

CATHERINE, JOHN C. ind. &amp; 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.

Sworn to Before Me This

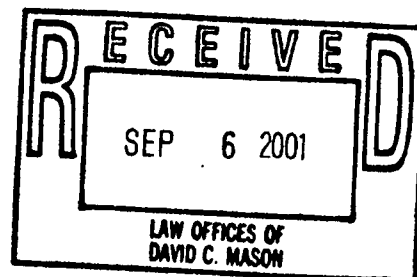
\_\_\_\_ Day Of \_\_\_\_\_ 2001

So Answers,

*Chester A. Hawkins*  
*by Nancy 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.

  
Notary Public  
My Commission Expires

Notarial Seal  
Amy L. Woods, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Nov. 18, 2002  
Member, Pennsylvania Association of Notaries

David C Mason  
PO Box 28  
Philipsburg PA 16866

Ex "C"

IN THE COURT OF COMMON PLEAS  
PENNSYLVANIA  
CIVIL ACTION

JOHN C. CATHERINE, individually  
and as Agent for FRANCIS W.  
CATHERINE, SR.; CARL C. CATHERINE,  
JR.; CHARLES CATHERINE, and  
CHRISTOPHER CATHERINE, Plaintiffs  
vs. ATHONY CATHERINE a/k/a TONY  
JANE KESTER, and FRANK CATHERINE  
a/k/a BUCKY CATHERINE, SAM  
CATHERINE, his wife, and SAMUEL  
CATHERINE, JR., and ELEANOR  
CATHERINE a/k/a PAULINE CATHERINE  
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.

ACTION TO QUIET TITLE NOTICE

TO: ATHONY 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  
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.  
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,  
erected, and more fully described as  
follows:

BEGINNING at a post on 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.  
McCart'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. Hold, R. B. Wigton and Wm. Dorris.  
If you wish to defend, you must enter a  
written appearance personally or by attorney  
and 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 by the court 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)  
765-2541.  
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 claim,  
rights and interests inconsistent with  
Plaintiffs claim of title, as set forth in the  
Complaint.  
DAVID C. MASON, PO Box 28,  
Phillipsburg 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.

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

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

JAMES C. CATHERINE, Individually and jointly as Trustees for Progressive Publishing Company, Inc.; 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, 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 SAMUEL CATHERINE, JR., and ELEANOR CATHERINE a/k/a PAULINE CATHERINE a/k/a ELEANOR 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 portions made to D. W. Holt and Wm. Dorris.

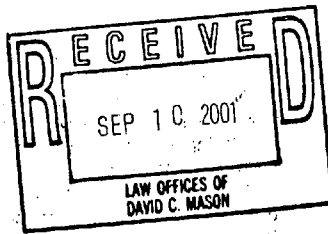
NOTICE

If you wish to defend you must enter a written appearance in this action or by attorney and file your defenses of 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



**Send To:**

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

Clearfield, Curwen  
Haffey, Philips

**Pay In Advance**

**Do not return,**  
send  
ad stamped  
along with ad.

Members

School: \_\_\_\_\_

Message: \_\_\_\_\_

**Located In: Clearfield, Houtzdale, M**

**All Cost**  
**All Ads Payable**

**For picture**  
please  
self-addressed  
envelope also

**Offices in**  
**Coalport**

Ex. "D"

FILED

OCT 12 2001

*William A. Shaw*  
Prothonotary

*2012-03-13 C-ethy 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

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

Type of Pleading: Praecipe for  
Entry of Judgment v. Defendants:  
Mary Jane Kester & Pauline  
Knapper

**FILED**

**OCT 12 2001**

William A. Shaw  
Prothonotary

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.  
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

No. 01-1383-CD

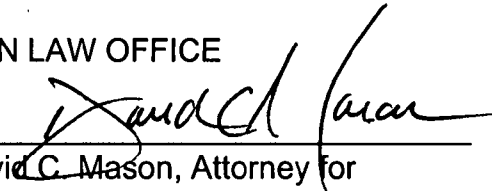
**PRAECIPE FOR ENTRY OF JUDGMENT**

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.

DATED: 10-12-01

MASON LAW OFFICE

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

**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

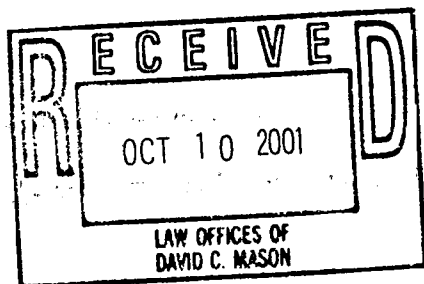
acknowledge receipt of a copy of the Complaint, and give my consent to the entry of judgment in favor of the Plaintiff and against me.

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

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

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 12<sup>th</sup> day of Sept., 2001.

Mary Jane Kester

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

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

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

Type of Pleading: Praeipe for  
Entry of Default Judgment v. Defendant:  
Frank Catherine

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



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

CIVIL ACTION, LAW LAW OFFICE

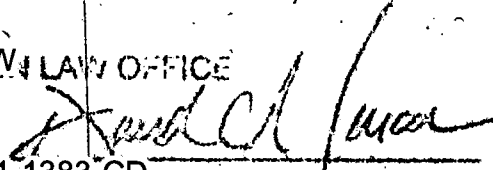
JOHN C. CATHERINE, individually  
and as Agent for FRANCIS W.  
CATHERINE, SR.; CARL C.  
CATHERINE, JR.; CHARLES  
CATHERINE; and CHRISTOPHER  
CATHERINE

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

By:   
No. 01-1383-CD, Attorney for  
Plaintiffs

**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**

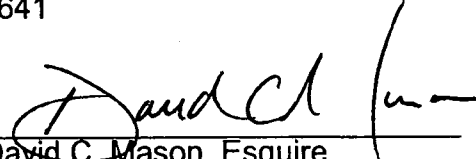
**IMPORTANT NOTICE**

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

~~SP~~ William A. Shaw  
Notary Public

not. to Dy. F. Cathrine  
Statement to City of Mead

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:

Entry: \$20.00

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)

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**

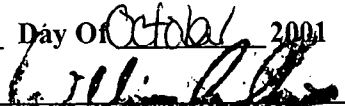
Cost	Description
28.10	SHFF. HAWKINS PAID BY: ATTY.
44.00	SHFF. NAU PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

**FILED**


OCT 15 2001

0132pm  
William A. Shaw  
Prothonotary

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 Hamer  
Chester A. Hawkins  
Sheriff

#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

3. Defendant(s)

4. Type of Writ or Complaint

SERVE AT

5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.

6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)

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

75.00

9.00

9.00

2.50

21.00

.50

2.00

44.00

31.00

17. AFFIRMED and subscribed to before me this 24

20. day of Sept 20 01

21. Signature of Sheriff

22. Date

23. Caronne Peters

Notary Public

18. Signature of Dep. Sheriff

19. Date

24. I ACKNOWLEDGE BEFORE THE SHERIFF'S RETURN SIGNATURE

25. Date Received

Notarial Seal

Corinne Peters, Notary Public

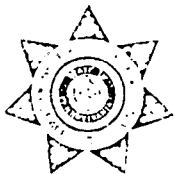
Shillington Boro, Centre County

My Commission Expires 09-28-2005

Member, Pennsylvania Association of Notaries



#1589



# Sheriff's Office Clearfield County

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

CHESTER A. HAWKINS  
SHERIFF

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

DARLENE SHULTZ  
CHIEF DEPUTY

MARGARET PUTT  
OFFICE MANAGER

MARILYN HAMM  
DEPT. CLERK

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 deputize 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 1746-AB  
PA 75.00

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

Type of Pleading: Praecipe for Entry of  
Default Judgment v. Defendant Becky  
Catherine

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**

OCT 3 1 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

No. 01-1383-CD

**PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

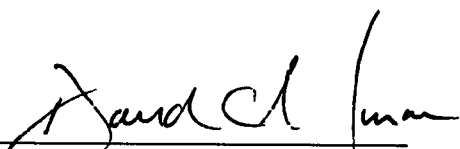
Kindly enter judgment by default in favor of the Plaintiffs and against the Defendant, Becky Catherine. Defendant Becky Catherine was served with the Complaint on September 28, 2001. On October 19, 2001, a Notice in the form required by Pa. R. C. P. 237.5 was mailed to the Defendant Becky Catherine.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

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: BECKY CATHERINE  
2372 CANNOLOT BOULEVARD  
PORT CHARLOTTE, FL 33952

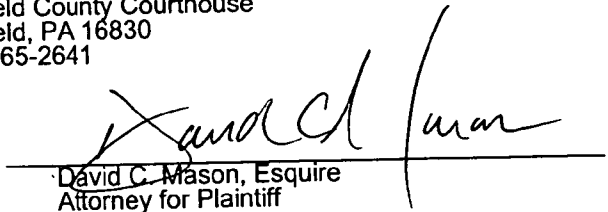
DATE OF NOTICE: OCTOBER 19, 2001

**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 31 2001

09521 City of Macon  
William A. Shaw  
Prothonotary

pd 90.00  
Est. to Dg. B. Catherine  
~~Est.~~ Statement to City of Macon

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

COPY

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.  
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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

**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  
  X   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

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

FILED

OCT 31 2001

William A. Shaw  
Prothonotary

ORDER

AND, NOW this 31 day of OH, 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 Praecipe 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:



---

FILED

01347721  
OCT 31 2001

William A. Shaw  
Prothonotary

2cc

Atty Mason

WAS

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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

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.  
CATHERINE, SR.; CARL C.  
CATHERINE, JR.; CHARLES  
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CATHERINE

Plaintiffs

vs.

ANTHONY CATHERINE a/k/a TONY  
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MARY JANE KESTER, and FRANK  
CATHERINE a/k/a BUCKY  
CATHERINE, SAM CATHERINE and  
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SAMUEL CATHERINE, JR., and  
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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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

**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

*WPA*  
012161185  
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

No. 01-1383-CD

Type of Case: ACTION  
TO QUIET TITLE

**FILED**

DEC 07 2001

William A. Shaw  
Prothonotary

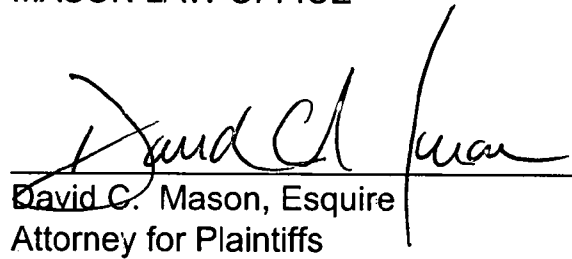
PRAECIPE FOR FINAL JUDGMENT

TO THE PROTHONOTARY:

A Decree in the above action having been made on the 31<sup>st</sup> 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**

013:09:001  
DEC 07 2001

William A. Shaw  
Prothonotary

*WAS*