

01-1666-CD  
R. WESLEY SMITH et al -vs- ISAAC STRAW ESTATE et al

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

R. WESLEY SMITH and SAMANTHA L. :  
SMITH, his wife, RAYMOND A. SMITH :  
and SHIRLEY B. SMITH, his wife, :  
Plaintiffs :

vs. :

ISAAC STRAW ESTATE, CLAYTON M. :  
STRAW, LYDIA STRAW, HARRIET S. :  
WILLIAMS, ORLANDO WILLIAMS, :  
MAHAFFEY FERGUSON, ALTA FERGUSON, :  
DR. R. E. PALMER, ROSE PALMER, :  
HARRY WILLIAMS, and JAMES :  
STEPHENSON ESTATE, their heirs, :  
executors, administrators and :  
assigns, :  
Defendants :

No. 01-1666-CD

ACTION TO QUIET TITLE

COMPLAINT

Filed on behalf of  
Plaintiffs

Counsel of Record for  
this Party:

Carl A. Belin, Jr.  
Attorney-at-Law  
Pa. I.D. 06805

Belin & Kubista  
15 North Front Street  
P.O. Box 1  
Clearfield, PA 16830

(814) 765-8972

**FILED**

OCT 08 2001

William A. Shaw  
Prothonotary

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

R. WESLEY SMITH and SAMANTHA L. :  
SMITH, his wife, RAYMOND A. SMITH :  
and SHIRLEY B. SMITH, his wife, :  
Plaintiffs :  
vs. : **No.**  
ISAAC STRAW ESTATE, CLAYTON M. :  
STRAW, LYDIA STRAW, HARRIET S. :  
WILLIAMS, ORLANDO WILLIAMS, :  
MAHAFFEY FERGUSON, ALTA FERGUSON, :  
DR. R. E. PALMER, ROSE PALMER, :  
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STEPHENSON ESTATE, their heirs, :  
executors, administrators and :  
assigns, :  
Defendants :

ACTION TO QUIET TITLE

**NOTICE**

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

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

COURT ADMINISTRATOR  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

(814) 765-2641 Ex 5982

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

R. WESLEY SMITH and SAMANTHA L.	:	
SMITH, his wife, RAYMOND A. SMITH	:	
and SHIRLEY B. SMITH, his wife,	:	
Plaintiffs	:	
	:	<b>No.</b>
vs.	:	
	:	ACTION TO QUIET TITLE
ISAAC STRAW ESTATE, CLAYTON M.	:	
STRAW, LYDIA STRAW, HARRIET S.	:	
WILLIAMS, ORLANDO WILLIAMS,	:	
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HARRY WILLIAMS, and JAMES	:	
STEPHENSON ESTATE, their heirs,	:	
executors, administrators and	:	
assigns,	:	
Defendants	:	

COMPLAINT

NOW COMES, the Plaintiffs, and by and through their attorneys Belin & Kubista, bring the following action in quiet title, and in support thereof, allege as follows:

1. That the Plaintiffs are R. Wesley Smith and Samantha L. Smith, his wife, and Raymond A. Smith and Shirley B. Smith, his wife, all of Winslow Township, Jefferson County, Pennsylvania, with a mailing address of P.O. Box 39, Reynoldsville, Pennsylvania 15851.

2. The Defendants are: Isaac Straw Estate, Lydia Straw, Harriet S. Williams, Orlando Williams, and James Stephenson Estate, whose last known address is Westover,

Clearfield County, Pennsylvania; Clayton M. Straw, whose last known address was Chicago, Illinois; Mahaffey Ferguson, Alta Ferguson, whose last known address is Clearfield, Clearfield County, Pennsylvania; Dr. R. E. Palmer and Rose Palmer, whose last known address is Monessen, Pennsylvania; and Harry Williams, whose last known address is Kerrmor, Pennsylvania.

PARCEL ONE

3. That the Plaintiffs are the owners of a tract of land identified in the Clearfield County Tax Maps as Parcel Number 109-D16-5, which is located in Chest Township, Clearfield County, Clearfield Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a common corner of lands of Dwayne Roland and Rose Palmer and the tract herein conveyed; thence South forty-eight (48°) degrees East eight hundred seventy-four and five tenths (874.5) feet to a point; thence South six (6°) degrees East five hundred (500) feet to a point; thence North sixty-five (65°) degrees West five hundred fifty-five (555) feet to a point; thence North forty-seven (47°) degrees West five hundred (500) feet to a point; thence North seventeen (17°) degrees West five hundred fifty (550) feet to a point on line of land of Dwayne Roland; thence by land of Dwayne Roland South eighty-seven (87°) degrees East to a point and place of beginning. Containing twelve and five tenths (12.5) acres, more or less. ("Parcel One").

4. That said Parcel One was conveyed to Plaintiffs by a deed dated March 10, 1994, and recorded in the Clearfield County Recorder of Deeds Office in Deeds and Record Book 1449, page 393.

5. That Parcel One was conveyed to Benjamin Coal Company by virtue of a deed dated June 1, 1965 and recorded in the Clearfield County Recorder of Deeds Office in Deed Book 518, page 517; said premises are described as Item 30 in said deed.

6. That Mary Neal and William Neal, her husband, conveyed Parcel One to Sol Benjamin, Anna Benjamin and David J. Benjamin, co-partners, trading and doing business as the Benjamin Coal Company by deed dated May 26, 1964, and recorded in the Clearfield County Recorder of Deeds Office in Deed Book 508, page 416.

7. That Mary Neal is the same as Mary Elizabeth Straw who was a daughter of Isaac Straw and who claimed ownership of the premises by virtue of her father, Isaac Straw, by his Last Will and Testament recorded in the Clearfield County Office of the Register of Wills in Will Book U, page 458.

8. That Isaac Straw became the owner of Parcel One by deed dated February 6, 1909, and recorded in the Clearfield County Recorder of Deeds Office in Deed Book 172, page 73.

9. That Isaac Straw died on January 5, 1944 and by virtue of his Last Will and Testament devised the premises known as "the Markel Farm" to Clayton M. Straw, his son, for the period of his natural lifetime.

10. That Clayton M. Straw, his heirs, executors, and assigns, are joined as a Defendant to extinguish any interest that he has in and to Parcel One by virtue of said Will as found in Article 3 §(a).

11. That all other legatees and devisees set forth in the Will of Isaac Straw are as follows: Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams; and all legatees and devisees are joined in this quiet title action to extinguish any interest remaining in said estate or heirs following the conveyance of said Parcel One by Mary Elizabeth Straw Neal as hereinbefore referred to in Paragraph 6 to confirm title in the Plaintiffs.

#### PARCEL TWO

12. That the Plaintiffs are the owners of a tract of land consisting of 43 acres and identified in the Clearfield

County Tax Maps as Parcel Number 109-D16-6, which is located in Chest Township, Clearfield County, Clearfield Pennsylvania, more particularly bounded and described as follows:

ON the South by Route No. 17003 and Robert Owens, on the North by the land of Rose L. Palmer, on the East by State Highway Route No. 36, on the West by Isaac Straw Estate and Donald Meckley, the same containing 43 acres, more or less. ("Parcel Two")

13. That Benjamin Coal Company became the owner of Parcel Two by virtue of a deed dated June 1, 1965 and recorded in the Clearfield County Recorder of Deeds Office in Deed Book 518, page 517; said premises are described as Item 6 in said deed.

14. That Saul Benjamin, Anna Benjamin and David J. Benjamin, co-partners, trading and doing business as the Benjamin Coal Company became owners of Parcel Two by deed of R. H. Dunlap and Helen B. Dunlap dated March 23, 1964, and recorded in the Clearfield County Recorder of Deeds Office in Deed Book 507, page 167.

15. That R. H. Dunlap and Helen B. Dunlap became the owners of Parcel Two by virtue of a commissioners deed of premises described as 19 acres and as the property of James Stephenson Estate, said deed recorded in the Clearfield County Recorder of Deeds Office in Deed Book 352, page 539.



16. That the commissioners became the owners of Parcel Two by virtue of a treasurer's deed selling premises for unpaid taxes which was assessed as 19 acres and as the property of James Stephenson Estate, said deed recorded in the Clearfield County Recorder of Deeds Office in Deed Book 352, page 538.

17. That the assessment of 19 acres was of Parcel Two which is a parcel of forty-three (43) acres.

18. That one of the purposes of this quiet title action is to confirm the tax sale vesting title to Parcel Two in Plaintiffs notwithstanding the assessment was for 19 acres rather than the actual forty-three (43) acres as referred to in the tax deed.

19. That another of the purposes of this quiet title action is to extinguish any interest that the James Stephenson Estate, his heirs and assigns, may have had in and to Parcel Two due to any lack of notice or defect in the tax sale referred to in Paragraph 15 and 16 and to extinguish any interest the James Stephenson Estate, his heirs and assigns may have had in the Second Parcel following said tax sale.

20. That James Stephenson died on July 19, 1898 but the record in Clearfield County does not disclose who his heirs were and it is one of the purposes of this quiet title action

to extinguish any interest his heirs and assigns may have had in Parcel Two by virtue of the lack of any estate records.

21. That the only premises found in the Clearfield County Recorder of Deeds Office relating to this area were premises conveyed to James Stephenson by virtue of an assignment of the premises consisting of approximately 120 acres from Susan Roberts, George H. Roberts, Netta June Roberts, E. H. Plank and R.E. Plank. It is believed and averred that the 43 acres were a part of said premises.

22. That the Plaintiffs and their predecessors in title have exercised adverse, continuous, visible, notorious, exclusive and hostile possession over Parcel One and Parcel Two and have continued possession for a period in excess of 21 years.

23. That the Defendants and the Plaintiffs herein are the only persons known to the Plaintiffs who have any interest in the said premises.

WHEREFORE, Plaintiffs request:

(a) That by decree of Your Honorable Court it may be declared that the Plaintiffs have acquired title to Parcel One and Parcel Two set forth in Paragraphs 3 and 12, and that they should be allowed to enjoy said properties in peace;

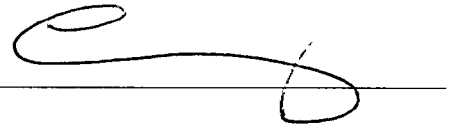
(b) That the Defendants within twenty (20) days from the receipt of the Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants be perpetually enjoined from setting up any title to said premises; from impeaching, denying or in any way attacking the Plaintiffs' title to said premises, from issuing or maintaining an ejectment of said premises or any part thereof; and

(c) Such other relief as the court deems proper.

Respectfully Submitted,

BELIN & KUBISTA

By

A handwritten signature in dark ink, appearing to be 'C. Belin, Jr.', written over a horizontal line.

Carl A. Belin, Jr., Esq.

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

Before me the undersigned officer, personally appeared R. WESLEY SMITH and SAMANTHA L. SMITH, his wife, and RAYMOND A. SMITH and SHIRLEY B. SMITH, his wife, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

R. Wesley Smith  
R. Wesley Smith

Samantha L. Smith  
Samantha L. Smith

Raymond A. Smith  
Raymond A. Smith

Shirley B. Smith  
Shirley B. Smith

Sworn and subscribed before me this 5th day of October, 2001.

Susan M. Hartzfeld  
Notary Public



BELIN & KUBISTA

ATTORNEYS AT LAW

16 NORTH FRONT STREET

P.O. BOX 1

CLEARFIELD, PENNSYLVANIA 16830

FILED

OCT 08 2001

10/01/2571 Cathy Belin pd 590.00

Wm A Shaw

prosecutor

3cc Cathy Belin

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

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vs. :

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DR. R. E. PALMER, ROSE PALMER, :  
HARRY WILLIAMS, and JAMES :  
STEPHENSON ESTATE, their heirs, :  
executors, administrators and :  
assigns, :  
Defendants :

No. 01-1466-CO

ACTION TO QUIET TITLE

AFFIDAVIT

Filed on behalf of  
Plaintiffs

Counsel of Record for  
This Party:  
Carl A. Belin, Jr., Esq.  
Pa. I.D. #06805

BELIN & KUBISTA  
15 North Front Street  
P.O. Box 1  
Clearfield, PA 16830

(814) 765-8972

**FILED**

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William A. Shaw  
Prothonotary

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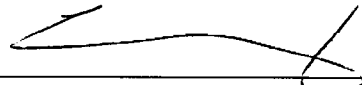
**AFFIDAVIT**

Carl A. Belin, Jr., Esquire, being duly sworn according to law, deposes and states that he is the attorney for the Plaintiff and that he attempted to ascertain the identity, whereabouts, and addresses of Defendants Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators, and assigns.

He further avers that he caused an abstractor to search the real estate and estate records of Clearfield County and that no listings in the name of Defendants Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators and assigns were found; that phone directories were consulted in Westover, Pennsylvania, Clearfield, Pennsylvania, Monessen, Pennsylvania and Chicago, Illinois, and no listings were found for Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators and assigns; that the city directories, the tax records, or the indices in the Clearfield County Recorder of Deeds Office were searched and no addresses or recent transactions in the name of Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators and assigns were found.

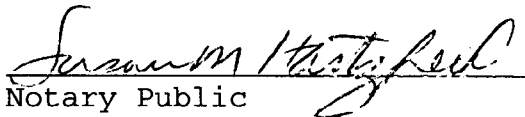


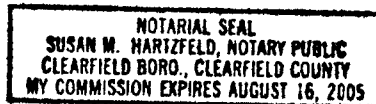
Based upon the foregoing search, personal service cannot be made upon and it is necessary that service be made by publication.

  
\_\_\_\_\_  
Carl A. Belin, Jr., Esquire  
Attorney for Plaintiffs

Sworn and subscribed before me this 8<sup>th</sup> day of

October, 2001.

  
\_\_\_\_\_  
Notary Public



BEILIN & RUBINSTEIN  
ATTORNEYS AT LAW  
15 NORTH FRONT STREET  
P.O. BOX 1  
CLEVELAND, PENNSYLVANIA 16830

FILED

OCT 08 2001

2001/334/20 CC  
William A. Shaw  
Prothonotary

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

R. WESLEY SMITH and SAMANTHA L.  
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and SHIRLEY B. SMITH, his wife,  
Plaintiffs

vs.

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HARRY WILLIAMS, and JAMES  
STEPHENSON ESTATE, their heirs,  
executors, administrators and  
assigns,  
Defendants

No. 01-1666-CD

ACTION TO QUIET TITLE

MOTION FOR PUBLICATION

Filed on behalf of  
Plaintiffs

Counsel of Record for  
this Party:

Carl A. Belin, Jr., Esq.  
Pa. I.D. #08605

BELIN & KUBISTA  
15 North Front Street  
P.O. Box 1  
Clearfield, PA 16830  
(814) 765-8972

**FILED**

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William A. Shaw  
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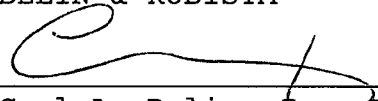
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DR. R. E. PALMER, ROSE PALMER,	:	
HARRY WILLIAMS, and JAMES	:	
STEPHENSON ESTATE, their heirs,	:	
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assigns,	:	
Defendants	:	

**MOTION FOR PUBLICATION**

AND NOW, to wit: October 8, 2001, an affidavit having been executed and filed on behalf of the Plaintiffs that the Defendants Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators, and assigns, present whereabouts are unknown, that Plaintiffs, by their attorneys, Belin & Kubista, move the Court for leave to serve the complaint on Defendants Isaac Straw Estate, Clayton M. Straw, Lydia

Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors and assigns, by publication in *The Progress* and the *Clearfield County Legal Journal*, Clearfield, Pennsylvania one (1) time.

BELIN & KUBISTA



---

Carl A. Belin, Jr., Esquire

BELIN & KUBISTA

ATTORNEYS AT LAW

15 NORTH FRONT STREET

PHILADELPHIA

CLEARFIELD, PENNSYLVANIA 16830

FILED

OCT 08 2001

By *William A. Shaw*

Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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**FILED**

OCT 08 2001

William A. Shaw  
Prothonotary

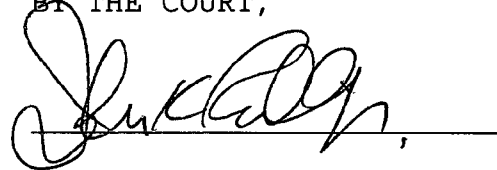
ORDER

AND NOW, to wit: this 8 day of Oct, 2001,

upon consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on the Defendants, Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators and assigns by general publication one time in *The Progress* and the *Clearfield County Legal Journal*, Clearfield, Pennsylvania not less than thirty

(30) days prior to November 19, 2001, the date set for hearing  
of said Complaint in the Courtroom at Clearfield, Pennsylvania at  
3:00 o'clock p.m.

BY THE COURT,

A handwritten signature in black ink, appearing to be "J. K. [unclear]", is written over a horizontal line.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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No. 01 - 1666 - CD

ACTION TO QUIET TITLE

AFFIDAVIT OF SERVICE

Filed on behalf of  
Plaintiffs

Counsel of Record for  
This Party:  
Carl A. Belin, Jr., Esq.  
Pa. I.D. #06805

BELIN & KUBISTA  
15 North Front Street  
P.O. Box 1  
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(814) 765-8972

**FILED**

NOV 15 2001

William A. Shaw  
Prothonotary

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STEPHENSON ESTATE, their heirs, :  
executors, administrators and :  
assigns, :  
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

CARL A. BELIN, JR., attorney for the above named Plaintiffs,  
being duly sworn according to law, deposes and states that Notice  
of the Quiet Title Action was served upon Defendants, Isaac Straw  
Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando  
Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose  
Palmer, Harry Williams, and James Stephenson Estate, their heirs,

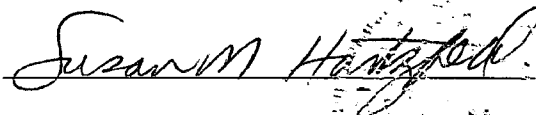
executors, administrators, and assigns, by publication in *The Progress* a newspaper on October 11, 2001, as evidenced by the Proof of Publication dated November 12, 2001, attached hereto AND by publication in the *Clearfield County Legal Journal*, Clearfield, on October 19, 2001, as evidenced by the Proof of Publication dated October 24, 2001, attached hereto.



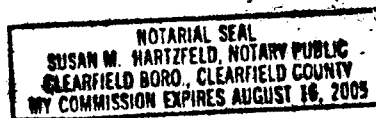
Carl A. Belin, Jr., Esquire

SWORN AND SUBSCRIBED before me this 15<sup>th</sup> day of

November, 2001.



Notary Public



PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 12th day of November, 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 October 11, 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

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION  
No. 01-1666-CD  
ACTION TO  
QUIET TITLE  
R. WESLEY SMITH and SAMAN-  
THA L. SMITH, his wife, RAY-  
MOND A. SMITH and SHIRLEY B.  
SMITH, his wife, Plaintiffs  
vs.  
ISAAC STRAW ESTATE, CLAY-  
TON M. STRAW, LYDIA STRAW,  
HARRIET S. WILLIAMS, ORLAN-  
DO WILLIAMS, MAHAFFEY FER-  
GUSON, ALTA FERGUSON, DR.  
R. E. PALMER, ROSE PALMER,  
HARRY WILLIAMS, and JAMES  
STEPHENSON ESTATE, their  
heirs, executors, administrators  
and assigns, Defendants  
- TO: ISAAC STRAW ESTATE,  
CLAYTON M. STRAW, LYDIA  
STRAW, HARRIET S. WILLIAMS,  
ORLANDO WILLIAMS, MAHAFFEY  
FERGUSON, ALTA FERGUSON,  
DR. R. E. PALMER, ROSE  
PALMER, HARRY WILLIAMS, and  
JAMES STEPHENSON ESTATE,  
THEIR HEIRS, SUCCESSORS,  
ADMINISTRATORS AND AS-  
SIGNS:

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you. 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, 1 North Second Street, Clearfield, Pennsylvania 16830, (814) 765-2641, Ext. 5962.

You are hereby notified that an Action to Quiet Title to the following premises situate in Cheat Township, Clearfield County, Pennsylvania, more particularly bounded and described as follows:

CLEARFIELD COUNTY TAXMAP

PARCEL NUMBER 109-D16-5:

BEGINNING at a common corner of lands of Dwayne Roland and Rose Palmer and the tract herein conveyed; thence South forty-eight (48) degrees East eight hundred seventy-four and five tenths (874.5) feet to a point; thence South six (6) degrees East five hundred (500) feet to a point; thence North sixty-five (65) degrees West five hundred fifty-five (555) feet to a point; thence North forty-seven (47) degrees West five hundred (500) feet to a point; thence North seventeen (17) degrees West five hundred fifty (550) feet to a point on line of land of Dwayne Roland; thence by and of Dwayne Roland South eighty-seven (87) degrees East to a point and place of beginning, containing twelve and five tenths (12.5) acres, more or less. ( " Parcel One" )

CLEARFIELD COUNTY TAXMAP

PARCEL NUMBER 109-D16-6:

ON the South by Route No. 17003 and Robert Owens, on the North by the land of Rose L. Palmer, on the East by State Highway Route No. 36, on the West by Isaac Straw Estate and Donald Meckley, the same containing 43 acres, more or less. ( " Parcel Two" )

That the purposes of this Quiet Title Action include the following: to extinguish any interest Clayton M. Straw, his heirs, executors, and assigns may have had in the premises by virtue of the Will of Isaac Straw as set forth in Paragraph 9 of the Complaint which is hereby incorporated by reference and made a part hereof; to extinguish any interest remaining in the estate of Isaac Straw or heirs following the conveyance of Parcel One by Mary Elizabeth Straw Neal as set forth in Paragraph 6 of the complaint which is hereby incorporated by reference and made a part hereof; to confirm the tax sale vesting title to Parcel Two in Plaintiffs notwithstanding the assessment was for 19 acres rather than the actual forty-three (43) acres as referred to in the tax deed; to extinguish any interest that the James Stephenson Estate, his heirs and assigns, may have had in and to Parcel Two due to any lack of notice or defect in the tax sale referred to in Paragraph 15 and 16 of the complaint which are hereby incorporated by reference and made a part hereof; and to extinguish any interest the James Stephenson Estate, his heirs and assigns may have had in the Second Parcel following said tax sale; to extinguish any interest the heirs and assigns of James Stephenson may have had in Parcel Two by virtue of the lack of any estate records.

WHEREUPON said Court ordered that notice of said action and the facts thereto be served on the Defendants Isaac Straw Estate, Clayton M. Straw, Lydia Straw, Harriet S. Williams, Orlando Williams, Mahaffey Ferguson, Alta Ferguson, Dr. R. E. Palmer, Rose Palmer, Harry Williams, and James Stephenson Estate, their heirs, executors, administrators and assigns, by the Plaintiffs by advertisement requiring Defendants above named, their heirs, executors, administrators and assigns, to answer the said complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiffs before the Court at a hearing to be held on November 19, 2001, at 3:00 P.M., at the Clearfield County Courthouse, Clearfield, Pennsylvania.

BELIN & KUBISTA, Attorneys at Law, 15 North Front Street, Clearfield, Pennsylvania, Attorneys for Plaintiff.

Are you all tied up???

Need

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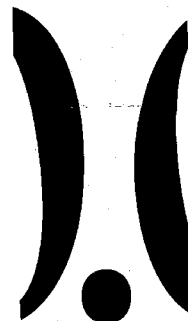
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## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 24th day of October 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 October 19, 2001, Vol. 13 No. 42. 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

Belin & Kubista  
PO Box 1  
Clearfield, PA 16830

premises by virtue of the Will of Isaac as set forth in Paragraph 9 of the complaint which is hereby incorporated by reference and made a part hereof; to extinguish any interest remaining in the estate of Isaac Straw or heirs following the conveyance of Parcel One by Mary Elizabeth Straw Neal as set forth in Paragraph 6 of the complaint which is hereby incorporated by reference and made a part hereof; to confirm the tax sale vesting title to Parcel Two in Plaintiff notwithstanding the assessment was for 19 acres rather than the actual forty-three (43) acres as referred to in the tax deed; to extinguish any interest that the James Stephenson Estate, his heirs and assigns, may have had in and to Parcel Two due to any lack of notice or defect in the tax sale referred to in Paragraph 15 and 16 of the complaint which are hereby incorporated by reference and made a part hereof, and to extinguish any interest the James Stephenson Estate, his heirs and assigns may have had in the Second Parcel following said tax sale; to extinguish any interest the heirs and assigns of James Stephenson may have had in Parcel Two by virtue of the lack of any estate records.

WHEREUPON the Court ordered that notice of said action and the facts thereto be served on the Defendants ISAAC STRAW ESTATE, CLAYTON M. STRAW, LYDIA STRAW, HARRIET S. WILLIAMS, ORLANDO WILLIAMS, MAHAFFEY FERGUSON, ALTA FERGUSON, DR. R. E. PALMER, ROSE PALMER, HARRY WILLIAMS, and JAMES STEPHENSON ESTATE, their heirs, executors, administrators and assigns, by the Plaintiffs by advertisement requiring Defendants above named, their heirs, executors, administrators and assigns, to answer the said complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiffs before the Court at a hearing to be held on November 19, 2001, at 3:00 p.m., at the Clearfield County Courthouse, Clearfield, Pennsylvania.

BELIN & KUBISTA, Attorneys at Law,  
15 North Front Street, Clearfield, PA 16830  
Attorneys for Plaintiff.

the land subject to the mortgage is:  
ALL THAT CERTAIN tract of land designated as Lot No. 745, Section No. 14C in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations show or contained in prior instruments of record and in the aforementioned recorded plan.

2. The Declaration of Restrictions for Treasure Lake of Pennsylvania, Inc., recorded in misc. Book Volume 146, page 476.

3. All minerals and mining rights of every kind and nature.

4. The right of the owner and/or operator of any recreational facilities within said Treasure Lake Subdivision to assess fees and charges against Grantee, her heirs, administrators, executors, successors, and assigns for the use and/or maintenance of any such facilities which if unpaid, shall become a lien upon the land and be an encumbrance against it.

BEING the same premises title to which became vested in Deborah D. Ingham by deed of the Recreation Land Corporation, dated July 12, 1993, and recorded in the Recorder's Office of Clearfield County, Pennsylvania in Deed Book Volume 1565, page 354.

SEIZED, taken in execution to be sold as the property of DEBORAH D. INGHAM, at the suit of INDIANA FIRST SAVINGS BANK. JUDGMENT NO. 01-683-CD.

Chester A. Hawkins, Sheriff.

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#### TAX SALE

Notice is hereby given of the proposed private sale by the Clearfield County Tax Claim Bureau on a parcel of land in BURNSIDE BOROUGH known as Map #002-A13-309-00065 and described as "LOT #40" and assessed to "UNKNOWN OWNER".



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

R. WESLEY SMITH and SAMANTHA L. SMITH, his wife, RAYMOND A. SMITH and SHIRLEY B. SMITH, his wife, Plaintiffs  
vs. ISAAC STRAW ESTATE, CLAYTON M. STRAW, LYDIA STRAW, HARRIET S. WILLIAMS, ORLANDO WILLIAMS, MAHAFFEY FERGUSON, ALTA FERGUSON, DR. R. E. PALMER, ROSE PALMER, HARRY WILLIAMS, and JAMES STEPHENSON ESTATE, their heirs, executors, administrators and assigns, Defendants.

No. 2001-1666-CD

ACTION TO QUIET TITLE NOTICE  
TO: ISAAC STRAW ESTATE,  
CLAYTON M. STRAW, LYDIA STRAW,

HARRIET S. WILLIAMS, WILLIAMS, MAHAFFEY FERGUSON, ALTA FERGUSON, DR. R. E. PALMER, ROSE PALMER, HARRY WILLIAMS, and JAMES STEPHENSON ESTATE, their heirs, executors, administrators and assigns.

**NOTICE**

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE 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.

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, 1 North Second Street, Clearfield, PA 16830 (814) 765-2641 ex. 5982.

You are hereby notified that an Action to Quiet Title to the following premises situate in Chest Township, Clearfield County, Pennsylvania, more particularly bounded and described as follows:

CLEARFIELD COUNTY TAX MAP PARCEL NUMBER 109-D16-5: BEGINNING at a common corner of lands of Dwayne Roland and Rose Palmer and the tract herein conveyed; thence South forty-eight (48) degrees East eight hundred seventy-four and five tenths (874.5) feet to a point; thence South six (6) degrees East five hundred (500) feet to a point; thence North sixty-five (65) degrees West five hundred fifty-five (555) feet to a point; thence North forty-seven (47) degrees West five hundred (500) feet to a point on line of land of Dwayne Roland; thence by land of Dwayne Roland South eighty-seven (87) degrees East to a point and place of beginning. Containing twelve and five tenths (12.5) acres, more or less. ("Parcel One").

CLEARFIELD COUNTY TAX MAP PARCEL NUMBER 109-D16-6: ON the South by Route No. 17003 and Robert Owens, on the North by the land of Rose L. Palmer, on the East by State Highway Route No. 36, on the West by Isaac Straw Estate and Donald Meckley, the same containing 43 acres, more or less. ("Parcel Two").

That the purposes of this Quiet Title Action include the following: to extinguish any interest Clayton M. Straw, his heirs, executors, and assigns may have had in the

interested in said business are  
J. Lindholm, of R.D. #1, Box 291,  
Brockway, Pennsylvania 15824, and  
Kimberly J. Kohler, of P.O. Box 123, Falls  
Creek, Pennsylvania 15840.

JAMIE C. STELLO, ESQUIRE, 103  
North Gilpin Street, Punxsutawney, PA  
15767.

#### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN, that  
Articles of Incorporation were filed with the  
Department of State of the Commonwealth  
of Pennsylvania on the 13th day of  
September, 2001, for the purpose of  
obtaining a Certificate of Incorporation of a  
proposed business corporation to be  
organized under the Corporation Law of the  
Commonwealth of Pennsylvania of 1988.  
The name of the corporation is DOTT'S  
IMAGING CONSULTING INC. The  
purpose is to conduct mobile and fixed x-ray  
and imaging activity as well as to market  
and manage the same.

SOBEL, COLLINS & KNARESBORO,  
Attorneys at Law, 218 South Second Street,  
Clearfield, Pennsylvania, 16830.

#### NOTICE OF NAME CHANGE

NOTICE IS HEREBY GIVEN that the  
Petition of MICHAEL ALAN BAKER, was  
filed in the Court of Common Pleas of  
Clearfield County, Pennsylvania, to No. 01-  
1640-CD praying for a decree to change his  
name to MICHAEL ALAN SHIPLEY.

The Court has fixed the 10th day of  
December, 2001 at 1:30 o'clock p.m. in  
Courtroom No. 1 of the Clearfield County  
Courthouse, Clearfield, Pennsylvania, as  
the time and place for hearing of the said  
Petition, when and where all persons  
interested may appear and show cause, if  
any they have, why the prayer of said  
Petition should not be granted.

R. DENNING GEARHART, 215 East  
Locust Street, Clearfield, PA 16830 (814)  
765-1581.

#### NOTICE OF NAME CHANGE

NOTICE IS HEREBY GIVEN that the  
Petition of SCOTT THOMAS BAKER, was  
filed in the Court of Common Pleas of  
Clearfield County, Pennsylvania, to No. 01-  
1641-CD praying for a decree to change his  
name to SCOTT THOMAS SHIPLEY.

The Court has fixed the 10th day of

Laurance and Millie Summer  
North by a section of the "old" Route 255  
(macadam) used as an access road to the  
property now, or formerly, of Louis and Mary  
Ann Cimino.

ALSO DESCRIBED AS BEGINNING  
at northeasterly corner of land now or  
formerly of Joseph Berry at corner of land  
and State Highway, thence along line of  
State Highway northerly direction 200 feet  
to a post, thence by lands of Younts, to a  
post at the right of way of Pennsylvania  
Railroad in an Easterly direction 150 feet;  
thence along line of right-of-way of  
Pennsylvania Railroad in a southerly  
direction 200 feet to a post, thence in a  
westerly direction along line of lands now or  
formerly of Joseph Berry 175 feet to a post  
at the place of beginning.

You have been sued in Court. The  
purpose of this quiet title action is to  
extinguish any right or equity which the  
Defendants above named and their heirs,  
administrators, executors and assigns may

BELIN & KUBISTA  
ATTORNEYS AT LAW

15 NORTH FRONT STREET  
PO BOX 1  
CLEARFIELD PENNSYLVANIA 16830

FILED

NOV 15 2001

10:46 AM

William A. Shaw  
Prothonotary

*[Signature]*

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

R. WESLEY SMITH and SAMANTHA L. :  
SMITH, his wife, RAYMOND A. SMITH :  
and SHIRLEY B. SMITH, his wife, :  
Plaintiffs :

vs. :

ISAAC STRAW ESTATE, CLAYTON M. :  
STRAW, LYDIA STRAW, HARRIET S. :  
WILLIAMS, ORLANDO WILLIAMS, :  
MAHAFFEY FERGUSON, ALTA FERGUSON, :  
DR. R. E. PALMER, ROSE PALMER, :  
HARRY WILLIAMS, and JAMES :  
STEPHENSON ESTATE, their heirs, :  
executors, administrators and :  
assigns, :  
Defendants :

No. 01 - 1666 - CD

ACTION TO QUIET TITLE

**FILED**

NOV 19 2001

William A. Shaw  
Prothonotary

ORDER

AND NOW, this 19th day of November, 2001, an Affidavit of Service of the Complaint with Notice to Defend having been filed stating that the complaint and notice was served on all Defendants by publication, and no responsive pleading having been filed by said Defendants, the Defendants having not appeared in person or by attorney upon motion of Carl A. Belin, Jr., Attorney for Plaintiff, it is the **ORDER** of this Court that title to said premises is found to be vested in the Plaintiffs and that they be allowed to enjoy said property in peace. Said

property being situate in Chest Township, Clearfield County, Pennsylvania, being more particularly bounded and described as follows:

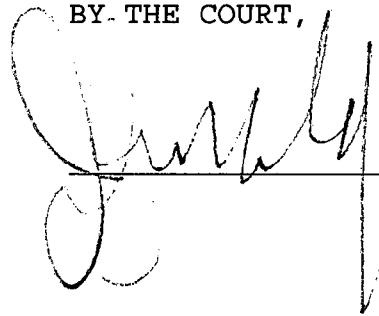
**CLEARFIELD COUNTY TAX MAP PARCEL NUMBER**  
**109-D16-5: BEGINNING** at a common corner of lands of Dwayne Roland and Rose Palmer and the tract herein conveyed; thence South forty-eight (48°) degrees East eight hundred seventy-four and five tenths (874.5) feet to a point; thence South six (6°) degrees East five hundred (500) feet to a point; thence North sixty-five (65°) degrees West five hundred fifty-five (555) feet to a point; thence North forty-seven (47°) degrees West five hundred (500) feet to a point; thence North seventeen (17°) degrees West five hundred fifty (550) feet to a point on line of land of Dwayne Roland; thence by land of Dwayne Roland South eighty-seven (87°) degrees East to a point and place of beginning. Containing twelve and five tenths (12.5) acres, more or less. ("Parcel One").

**CLEARFIELD COUNTY TAX MAP PARCEL NUMBER**  
**109-D16-6:** ON the South by Route No. 17003 and Robert Owens, on the North by the land of Rose L. Palmer, on the East by State Highway Route No. 36, on the West by Isaac Straw Estate and Donald Meckley, the same containing 43 acres, more or less. ("Parcel Two").

It is the FURTHER ORDER of this Court that unless the Defendants file a responsive pleading to the complaint or institute an action in ejectment within thirty (30) days of the

date hereof, the Defendants shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest of the claim of the Plaintiffs set forth in their Complaint. If Defendants fail to take such action within the thirty (30) day period, the Prothonotary on Praecipe of the Plaintiffs shall enter final judgment against Defendants.

BY THE COURT,

A handwritten signature in cursive script, written in dark ink, positioned above a horizontal line. The signature is somewhat stylized and appears to be a single name.