

01-1781-CD
RAYMOND L. CLOUD, JR. et al -vs- WILLIAM A. SHOFF et al

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

RAYMOND L. CLOUD, JR. :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01-1781 -CD
: :
WILLIAM A. SHOFF, his heirs, : ACTION TO QUIET TITLE
successors and assigns; :
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

FILED

OCT 29 2001

William A. Shaw
Prothonotary

CASE NUMBER: 01- 1781 -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

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

RAYMOND L. CLOUD, JR.,	:	
JAY CLAY ABERNETHY, and	:	
C. GLENN ABERNETHY, JR. and	:	
DEBRA Y. ABERNETHY, his wife,	:	
Plaintiffs	:	
VS.	:	NO. 01- -CD
WILLIAM A. SHOFF, his heirs,	:	ACTION TO QUIET TITLE
successors and assigns;	:	
WILLIAM STANLEY, his heirs,	:	
successors and assigns; and	:	
FRANK FRY, his heirs, successors	:	
and assigns and/or any person or	:	
entity claiming title in and to the	:	
herein described premises under them,	:	
Defendants	:	

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the 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 YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR'S OFFICE
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 50-51

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

RAYMOND L. CLOUD, JR.,	:	
JAY CLAY ABERNETHY, and	:	
C. GLENN ABERNETHY, JR. and	:	
DEBRA Y. ABERNETHY, his wife,	:	
Plaintiffs	:	
VS.	:	NO. 01- -CD
	:	
WILLIAM A. SHOFF, his heirs,	:	ACTION TO QUIET TITLE
successors and assigns;	:	
WILLIAM STANLEY, his heirs,	:	
successors and assigns; and	:	
FRANK FRY, his heirs, successors	:	
and assigns and/or any person or	:	
entity claiming title in and to the	:	
herein described premises under them,	:	
Defendants	:	

C O M P L A I N T

AND NOW, comes RAYMOND L. CLOUD, JR., JAY CLAY ABERNETHY and C. GLENN ABERNETHY, JR. and DEBRA Y. ABERNETHY, his wife, by and through their attorney, R. DENNING GEARHART, who aver as follows:

1. That Plaintiff, RAYMOND L. CLOUD, JR., is an adult individual, with an address of Madera, Clearfield County, Pennsylvania 16661.
2. That Plaintiff, JAY CLAY ABERNETHY, is an adult individual, with an address of R.R. #2, Box 129-J, Ginter, Clearfield County, Pennsylvania 16651.
3. That Plaintiff, C. GLENN ABERNETHY, JR. and DEBRA Y. ABERNETHY, are husband and wife, with an address of R.R. #2, Box 129-J, Ginter, Clearfield County, Pennsylvania 16651.

4. That Defendant WILLIAM A. SHOFF passed away February 10, 1958 with a last known address being in Madera, Clearfield County, Pennsylvania. A search of the appropriate records revealed an Estate being filed for William A. Shoff to File No. 23337 in the Register of Wills Office of Clearfield County. According to this Estate, he left 4 surviving children, namely, Yvonne Cynthia Knight; Norma Eliza Lewis; Roxy Pauline Stanley and Helen Blanche Rue (a/k/a Helen Blanche Cloud a/k/a H. Blanche Cloud).

5. That Defendant, WILLIAM STANLEY, is believed to have passed away with a last known address in Gulich Township, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for William Stanley in the Register of Wills Office of Clearfield County. Thus, it is believed and therefore averred that he died intestate, without issue.

6. That Defendant, FRANK FRY, is believed to have passed away with a last known address in Gulich Township, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for Frank Fry in the Register of Wills Office of Clearfield County. Thus, it is believed and therefore averred that he died intestate, without issue.

7. That the property in question is more particularly described below and has the Tax Map No. 118-M17-5:

ALL those certain pieces or parcels of land situated in Gulich Township, Clearfield County, Pennsylvania, and a small portion of land in The First Thereof situated in Blair County, Pennsylvania and part of land in The Second Thereof situated in Blair County, Pennsylvania, both being parts of tracts of land situated on the Allegheny Mountains known as the Joseph Fry lands, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at the southwest corner of said tract in line dividing Clearfield and Cambria Counties; thence by land of Miller (Muller) (?) & Co.

South 2 1/2 degrees East 220 perches to corner; thence along line of tract South 87 1/2 degrees East 112 perches to stones; thence by residue of tract and purpart No. 8 North 2 1/2 degrees West 220 perches, more or less, to stones in aforesaid County line; thence along said County line North 87 1/2 degrees West 112 perches. CONTAINING 154 acres, more or less.

THE SECOND THEREOF: BEGINNING at a corner of purpart No. 7 in line dividing Clearfield and Cambria Counties at a distance of about 200 perches on a course North 87 1/2 degrees from stones, the intersecting corner of Clearfield, Cambria and Blair Counties; thence by land of Joseph Fry Estate residue of tract and purpart No. 7 North 2 1/2 degrees East 220 perches to stones in tract line; thence by said tract line South 87 1/2 degrees East 136 perches to corner of Robert Chilton land; thence along same South 2 1/2 degrees West 179 perches to line of Robert chilton survey of 28 acres; thence by line of same South 85 degrees West about 20 perches to corner of said piece; thence by same South 40 degrees West about 20 perches to corner of land of Thomas and Alfred Pour's; thence by line of same North 50 degrees West 21 perches to post on side of turnpike; thence along same North 84 degrees West 11 perches to post corner of a larger lot of land owned by said Pour's; thence along the same North 80 degrees West 26 perches to stones; thence by the same South 2 1/2 degrees West 36 perches to post on aforesaid County line; thence along said County line North 87 1/2 degrees West 43 perches, more or less, CONTAINING 153 acres and 60 perches, more or less.

8. That said property was conveyed by Frank E. Fry, widower, to Mary Shultz Johnson, by Deed dated December 12, 1931 and entered for record in the Recorder's Office of Clearfield County in Deed Book Volume 301, Page 12.

9. That said property was then sold to the County at Commissioner's Sales for nonpayment of taxes; first in 1925, again in 1936, and then again in 1944. Lands Sold to County Book 3, Page 29, indicates that 171 acres assessed to A.J. Fry in Gulich township was sold to Frank Fry at Commissioner's Sale on August 10, 1927 for \$150.47.

However, there is no deed on record from the Commissioners to Frank Fry. The assessment records further indicate that the County Commissioners sold this property to William Stanley in 1936 for nonpayment of taxes. However, there is no deed on record from the Commissioners to William Stanley. Lands Sold to County Book 5 indicates that

171 acres sold as property of Frank Fry for 1930 taxes, but assessed under the name of William Stanley) was sold to Jane H. Shoff at Commissioners Sale on January 24, 1942 for \$14.00.

10. That Jane H. Shoff purchased 169 acres by Commissioners Deed dated May 29, 1942 and recorded September 26, 1951 as property assessed in the name of William Stanley (Frank Fry) and entered for record in the Recorder's Office of Clearfield County to Deed Book Volume 386, Page 539.

11. That said property was then conveyed by Jane H. Shoff to William A. Shoff by Deed dated May 10, 1950 and entered for record September 26, 1951 in the Recorder's Office of Clearfield County to Deed Book 415, Page 590. William A. Shoff passed away on February 10, 1958 leaving a Will which was probated in Clearfield County with a File Number of 23337. That Will indicated his beneficiaries to be Yvonne Cynthia Knight; Norma Eliza Lewis; Roxy Pauline Stanley and Helen Blanche Rue. That Will further states that "the property is to remain as it is, not to be broken up into separate shares."

12. That Yvonne Knight, single and Roxanne E. Stanley, single conveyed each their undivided one-fourth interest to Blanch Rue by Deed dated May 13, 1966 and recorded May 16, 1966 and entered for record in the Recorder's Office of Clearfield County to Deed Book Volume 521, Page 576.

13. That Norma E. Lewis and Clair J. Lewis, her husband, conveyed her undivided one-fourth interest to H. Blanche Cloud and Raymond L. Cloud, Jr., her husband by Deed dated November 11, 1986 and recorded November 12, 1986 and entered for record in the Recorder's Office of Clearfield County to Deeds & Records Book

Volume 1121, Page 170. This now gives Blanch Rue a/k/a H. Blanch Cloud one hundred (100%) percent interest in the property herein.

14. That a portion of said property was then conveyed by Raymond L. Cloud, Jr., a widower, to Jay Clay Abernethy, an adult individual, by Deed dated August 8, 2001 and entered for record in the Recorder' Office of Clearfield County to Instrument No. 200112491.

15. That a portion of said property was also then conveyed by Raymond L. Cloud, Jr., a widower, to C. Glenn Abernethy, Jr. and Debra Y. Abernethy, husband and wife, by Deed dated August 8, 2001 and entered for record in the Recorder' Office of Clearfield County to Instrument No. 200112490.

16. That with respect to this property, Plaintiffs and their predecessors in title have exercised open, notorious and continuous dominion possession and control over the premises described in Paragraph 7 for a period in excess of 21 years adverse to any other claims of ownership.

17. That with respect to this property, Plaintiffs and their predecessors in title believed this was conveyed to them and as a result of that belief, they have maintained it by paying taxes thereon.

18. That the purpose of this Quiet Title Action is to extinguish and cure any defects which may exist in the ownership of property more particularly described in Paragraph 7 hereof, and to extinguish any equity which the Defendants, their heirs, successors and assigns may have in the premises described in Paragraph 7 hereof.

19. That the Defendants, their heirs, successors and assigns identified in Paragraphs 4 through 6 of this Complaint are the only persons or entity known to

Plaintiffs who have any interest in said property and the Defendants, their heirs, successors and assigns cannot be determined if he/they continue(s) to exist. All the public records in the Clearfield County Courthouse and local telephone books have been checked prior to reaching this conclusion.

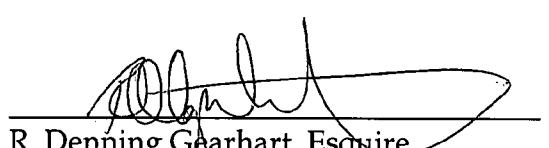
WHEREFORE, Plaintiffs request:

A. that be decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 7 is in the Plaintiffs and that they be allowed to enjoy said property in peace;

B. that the Defendants, their heirs, successors and assigns, within thirty (30) days from the receipt of this Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants, their heirs, successors and assigns be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attaching the Plaintiffs' title to said property, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging or conveying the said premises or any part thereof.

C. such other relief as the court determines to be equitable and just.

Respectfully submitted,


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

: SS:

AFFIDAVIT

Before me, the undersigned officer, personally appeared, RAYMOND L. CLOUD, JR. who being duly sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information, and belief.

Raymond L. Cloud, Jr.
RAYMOND L. CLOUD, JR.

Sworn to and subscribed
before me this 26th day
of October, 2001.

Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

AFFIDAVIT

Before me, the undersigned officer, personally appeared, JAY CLAYABERNETHY who being duly sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information, and belief.



JAY CLAY ABERNETHY

Sworn to and subscribed
before me this 26th day
of October, 2001.



Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

: SS:

AFFIDAVIT

Before me, the undersigned officer, personally appeared, C. GLENN ABERNETHY, JR. and DEBRA Y. ABERNETHY who being duly sworn according to law deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information, and belief.

C. Glenn Abernethy
C. GLENN ABERNETHY, JR.

Debra Y. Abernethy
DEBRA Y. ABERNETHY

Sworn to and subscribed
before me this 26th day
of October, 2001.

Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

FILED

OCT 29 2001
01/20/07 Gatt Gearhart
William A. Shaw
Prothonotary, PO 190.00

1cc atty Gearhart

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

RAYMOND L. CLOUD, JR., :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01- 1781 -CD
WILLIAM A. SHOFF, his heirs, :
successors and assigns; : ACTION TO QUIET TITLE
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

CASE NUMBER: 01-CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: MOTION FOR PUBLICATION

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
215 East Locust Street
Clearfield, PA 16830
(814) 765-1581

FILED

OCT 29 2001

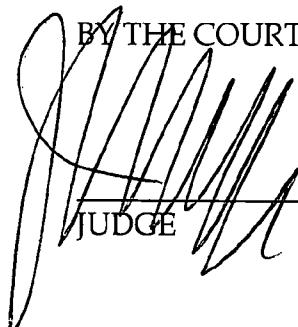
John A. Shaw
Notary

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

RAYMOND L. CLOUD, JR., :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01- -CD
: :
WILLIAM A. SHOFF, his heirs, : ACTION TO QUIET TITLE
successors and assigns; :
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

O R D E R

AND NOW, to wit, this 31st day of October, 2001, upon
consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of
the Complaint on the Defendants, their heirs, successors and assigns, by publication once
in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal,
Clearfield, Pennsylvania.


BY THE COURT,
JUDGE

FILED, cc
of 1:00pm Atty Gearhart
OCT 31 2001
William A. Shaw
Prothonotary

FILED

OCT 29 2001
012.0711/CC atty, Gearhart
William A. Shaw
Prothonotary

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

RAYMOND L. CLOUD, JR., :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01- 1781 -CD
: :
WILLIAM A. SHOFF, his heirs, : ACTION TO QUIET TITLE
successors and assigns; :
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

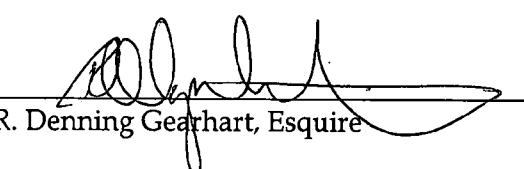
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

R. DENNING GEARHART, who being duly sworn according to law, deposes and says that in support of his Motion For Publication, the following:

1. I have searched the Courthouse records and found no estate for William Stanley and Frank Fry, and no heirs, successors or assigns.
2. All public records in the Clearfield County Courthouse and local telephone books have been checked prior to making this Affidavit.
3. That I have made a good faith effort to find the whereabouts of the Defendants and all their heirs, successors and assigns.

Further, the deponent sayeth not.


R. Denning Gearhart, Esquire

Sworn to and subscribed
before me this 29th day
of October, 2001.

Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

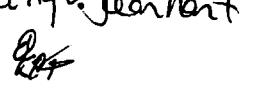
FILED

OCT 29 2001

W. 01 a 10711 cc a t h y. Gearhart

William A. Shaw

Prothonotary

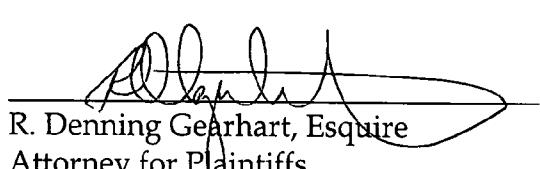


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

RAYMOND L. CLOUD, JR.,	:	
JAY CLAY ABERNETHY, and	:	
C. GLENN ABERNETHY, JR. and	:	
DEBRA Y. ABERNETHY, his wife,	:	
	Plaintiffs	:
VS.	:	NO. 01-1781-CD
	:	
WILLIAM A. SHOFF, his heirs,	:	ACTION TO QUIET TITLE
successors and assigns;	:	
WILLIAM STANLEY, his heirs,	:	
successors and assigns; and	:	
FRANK FRY, his heirs, successors	:	
and assigns and/or any person or	:	
entity claiming title in and to the	:	
herein described premises under them,	:	
	Defendants	:

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in The Progress the Notice for the Complaint with regard to the Quiet Title Action filed to the above on the Defendant, his heirs, successors and assigns, as evidenced by Exhibit 'A' attached hereto.


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

Sworn to and subscribed

before me this 12th day
of November, 2001.

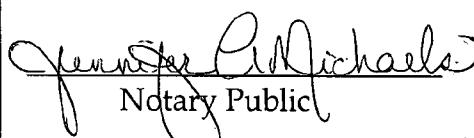
FILED

NOV 13 2001

619-101-002

JENNIFER A. SHAW

Notary Public


Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
(CIVIL DIVISION)
NO. 01-1781 CD
ACTION TO
QUIET TITLE
RAYMOND L. CLOUD, JR., JAY
CLAY ABERNETHY, and C.
GLENN ABERNETHY, JR. and DE-
BRA Y. ABERNETHY, his wife,
Plaintiffs
VS.
WILLIAM A. SHOFF, his heirs,
successors and assigns; WILLIAM
STANLEY, his heirs, successors
and assigns; and FRANK FRY, his
heirs, successors and assigns
and/or any person or entity claiming
title in and to the herein described
premises under them, Defendants
NOTICE

TO THE ABOVE-NAMED DEFEN-
DANTS their heirs, successors and
assigns:

YOU HAVE BEEN SUED IN
COURT. If you wish to defend
against the claims set forth in the
following pages, you must take ac-
tion within twenty (20) days after
this Complaint and Notice are
served, by entering a written ap-
pearance personally or by attorney
and filing in writing with the Court
your defenses or objections to the
claim set forth against you. You are
warned that if you fail to do so, the
case may proceed without further
notice for any money claimed in the
Complaint of 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 PA-
PER TO YOUR LAWYER AT
ONCE. YOU DO NOT HAVE A
LAWYER OR CANNOT AFFORD
ONE, GO TO OR TELEPHONE
THE OFFICE SET FORTH BELOW
TO FIND OUT WHERE YOU CAN
GET LEGAL HELP.

COURT ADMINISTRATOR'S
OFFICE, Clearfield County Court-
house, Clearfield, PA 16830,
(814)765-2811 Ext 501-51

You are hereby notified that an
Action to Quiet Title to all that cer-
tain piece or parcel of land situated in
the Commonwealth of Pennsylvania,
County of Clearfield, Township of
Gulich with the Tax Map No.
118-M17-5, and more particularly
described as follows:

ALL those certain pieces or par-
cels of land situate in Gulich Town-
ship, Clearfield County, Pennsylva-
nia, and a small portion of land in
The First Thereof situated in Blair
County, Pennsylvania and part of
land in The Second Thereof situated
in Blair County, Pennsylvania,
both being parts of tracts of land sit-
uated on the Allegheny Mountains
known as the Joseph Fry lands,
bounded and described as follows:

THE FIRST THEREOF: BEGIN-
NING at the southwest corner of
said tract in line dividing Clearfield
and Cambria Counties; thence by
land of Miller (Miller) and Co.
South $2\frac{1}{2}$ degrees East 220
perches to corner; thence along
line of tract South $87\frac{1}{2}$ degrees
East 112 perches to stones;
thence by residue of tract and pur-
part No. 8 North $2\frac{1}{2}$ degrees West
220 perches, more or less, to
stones in aforesaid County line;
thence along said County line North
 $87\frac{1}{2}$ degrees West 112 perches.
CONTAINING 154 acres, more or
less.

THE SECOND THEREOF: BE-
GGINING at a corner of purpart No.
7 in line dividing Clearfield and
Cambria Counties at a distance of
about 200 perches on a course
North $87\frac{1}{2}$ degrees from stones,
the intersecting corner of Clear-
field, Cambria and Blair Counties;
thence by land of Joseph Fry Es-
tate residue of tract and purpart No.
7 North $2\frac{1}{2}$ degrees East 220
perches to stones in tract line;
thence by said tract line South $87\frac{1}{2}$ degrees
East 136 perches to corner of Robert
Chilton and; thence along
same South $2\frac{1}{2}$ degrees
West 112 perches to line of Robert
Oulton Squire of 20 acres more
by line of same South 85 degrees
West about 20 perches to corner of
said piece; thence by same South
40 degrees West about 20
perches to corner of land of
Thomas and Alfred Pour's; thence by
line of same North 50 degrees
West 21 perches to post on side of
turnpike; thence along same North
84 degrees West 11 perches to
post corner of a larger lot of land
owned by said Pour's; thence
along the same North 80 degrees
West 26 perches to stones; thence
by the same South $2\frac{1}{2}$ degrees
West 36 perches to post on aforesaid
County line; thence along said
County line North $87\frac{1}{2}$ degrees,
West 43 perches, more or less,
CONTAINING 153 acres and 60
perches, more or less.

Further, the Court of Common
Please of Clearfield County, Pennsyl-
vania, did by Order executed the
31st day of October 2001, direct
that notice of this action be served
upon you by the advertisement in
The Progress and that if you do not
appear or otherwise defend such
action within thirty (30) days from
the date of advertisement, you shall
be, by appropriate order, forever
barred from asserting any right,
title or interest of claim of the
Plaintiff as set forth in his Com-
plaint.

J. Dennis Gearhart, Esquire,
Attorney for Plaintiffs, 215 Locust
Street, Clearfield, PA 16830,
(814)765-1581

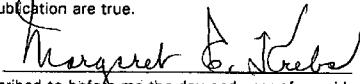
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

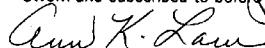
COUNTY OF CLEARFIELD : :

On this 7th 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, deposed and says that she is the President 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 November 5, 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 Borough, Clearfield County
My Commission Expires Sept. 16, 2004
Member, Pennsylvania Association of Notaries

service will receive the ~~is~~ today at 3:30 p.m. A vigil will be held today at 8:30 both at the funeral home.

Born Oct. 1, 1935 Philipsburg, she was a daughter of Porter and Melissa (I) Albright.

She was a member of the King Catholic Church Houtzdale.

On Nov. 6, 1953, at Lawrence Catholic Church Houtzdale, she wed Arma who survives in Houtzdale.

She is also survived by daughter, Brenda Berg Madera; three sons, Mike Berg and his wife, Doni Midland, Mich., Barry Berg Houtzdale, and David Berg Ginter.

Also surviving are five children, Baren Berg Houtzdale, Timothy and Berg, both of Rockwood, and Courtney and Megan both of Ginter.

In addition, she is also survived by five sisters, I Martin of Brisbin, I Phillips, Mrs. Raymond C Phillips and Mrs. Earl G Yarger, all of Houtzdale and Mrs. Jack (Lena) Woods of Decatur; three brothers, Albright of Altoona, W. Albright of Philipsburg, Richard Albright of Brisbin. A number of nieces and nephews also survive.

Mrs. Berg was preceded in death by her parents; a Jessie Cramer and two brothers, Earl and Porter.

The family suggests memorial contributions be made to Central Pennsylvania Hospital Association, in care of D Unit, Altoona Hospital Howard Ave., Altoona, Pa.

Legalese

NOTICE

The Governing Board of the Clearfield-Jefferson Mental Health and Rehabilitation Program will meet at the Brockway Office, 1200 West Street, Suite 110, Brockway, PA, on Thursday, November 15, 2001, at 9:00 A.M. This is the regularly scheduled meeting, and the public is cordially invited to attend.

11-5-1d-b

PUBLIC NOTICE

A Small Flows Treatment Facility (SFTF) has been proposed to serve a single family dwelling in Graham Township, Clearfield County. The site is located on the north side of S.R. 2030, .9 miles west of the West Branch School District buildings. The project is entitled "Norman Park" and Crystal Huber. Small Flows Treatment Facility and the size is 3.52 acres. The lot will be subdivided from the lands of David and Delta Kanouff, Tax Code 116-P9-05. The treatment facility will discharge to an unnamed perennial tributary to Moravian Run.

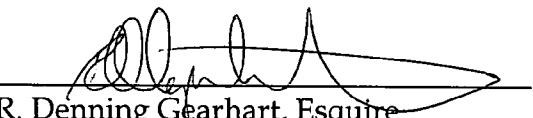
Planning Module Component 3s has been submitted to Chest Township and a 30 day public comment is requested beginning on the date

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

RAYMOND L. CLOUD, JR., :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01-1781-CD
: :
WILLIAM A. SHOFF, his heirs, : ACTION TO QUIET TITLE
successors and assigns; :
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in the Clearfield County Legal Journal the Notice for the Complaint with regard to the Quiet Title Action filed to the above on the Defendant, his heirs, successors and assigns, as evidenced by Exhibit 'A' attached hereto.


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

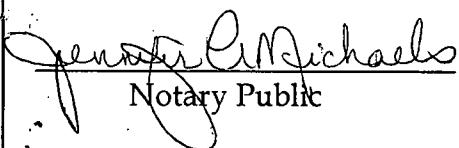
Sworn to and subscribed

before me this 20th day
of November, 2001.

FILED

NOV 21 2001

o/2:16/m,
William A. Shaw
Prothonotary
No CC


Jennifer A. Michaels
Notary Public

NOTARIAL SEAL
JENNIFER A. MICHAELS, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES JUNE 17, 2003

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

COUNTY OF CLEARFIELD : :

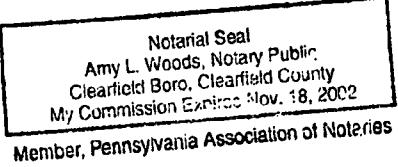
On this 13th day of November AD 2001, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 9, 2001, Vol. 13 No. 45. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

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

Amy L. Woods
Notary Public
My Commission Expires



R. Denning Gearhart
215 East Locust St
Clearfield, PA 16830

First Publication

SECKINGER, ANNA, Dec'd
Late of Smithmill
Executor: RICHARD HOLES
Attorney: RONALD E. ARCHER
711 Hannah Street
Houtzdale, PA 16651

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
ORPHAN'S COURT DIVISION

IN RE: THE ADOPTION OF:

TIMOTHY FAULS
(D.O.B. 6/19/00)

NO. 2792

TO: Mari Ann Haines
NOTICE

A petition to involuntarily terminate your parental rights has been filed by Clearfield County Children, Youth and Family Services asking the court to end all the rights you have to your child, Timothy Fauls. The Court has set a hearing to consider ending all of your rights to your child. That hearing will be held in the Clearfield County Courthouse in Courtroom No. 2 on the 19th day of November, 2001, at 9:00 o'clock a.m.

You are warned that, even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without you being present. You have a right to be represented at the hearing by a lawyer. 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.

David Meholic Court Administrators Clearfield County Courthouse, Clearfield, PA 16830. (814) 765-2641 Ext. 5982.

Or Clearfield County Children, Youth and Family Services, 650 Leonard Street, Clearfield, Pennsylvania, 16830 (814) 765-1541.

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

RYAN M. SHIFTER, Plaintiff vs.,
ALYSSA DAWN SHIFTER, Defendant.
No. 98-602-CD
IN DIVORCE

NOTICE OF INTENTION TO
REQUEST ENTRY OF 3301 (d)

DIVORCE DECREE

TO: ALYSSA DAWN SHIFTER,
Defendant.

You have been sued in an action for divorce. You have failed to answer the Complaint or file a Counter-Affidavit to the 3301 (d) Affidavit. Therefore, on or after November 26, 2001, the other party can request the Court to enter a final Decree in Divorce.

If you do not file with the Prothonotary of the Court an answer with your signature notarized or verified or a Counter-Affidavit by the above date, the Court can enter a final Decree in Divorce. A Counter-Affidavit which you may file with the Prothonotary of the Court was previously served upon you.

Unless you have already filed with the Court a written claim for economic relief, you must do so by the above date or the Court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form Counter-Affidavit alone does not protect your economic claims.

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, Ext. 88-89.
GLEASON, CHERRY & CHERRY,
P.O. BOX 505, DuBois, PA 15801.

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

RAYMOND L. CLOUD, JR., JAY CLAY ABERNETHY, and C. GLENN ABERNETHY, JR., and DEBRA Y. ABERNETHY, his wife, Plaintiffs vs. WILLIAM A. SHOFF, his heirs, successors and assigns; WILLIAM STANLEY, his heirs, successors and assigns; and FRANK FRY, his heirs, successors and assigns and/or any person or entity claiming title in and to the herein described premises under them, Defendants.

ACTION TO QUIET TITLE NOTICE
No. 2001-1781-CD
NOTICE

TO THE ABOVE NAMED DEFENDANTS their heirs, successors and assigns:

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 claim set forth against you. You are warned that if you fail to do so, the case may proceed 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 GET LEGAL HELP.

COURT ADMINISTRATORS OFFICE, Clearfield County Courthouse, Clearfield, PA 16830. (814) 765-2641 Ext. 50-51.

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Township of Gulich with the Tax Map No. 118-M17-5, and more particularly described as follows:

ALL those certain pieces or parcels of land situated in Gulich Township, Clearfield County, Pennsylvania, and a small portion of land in The First Thereof situated in Blair County, Pennsylvania and part of land in The Second Thereof situated in Blair County, Pennsylvania, both being parts of tracts of land situated on the Allegheny Mountains known as the Joseph Fry lands, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at the southwest corner of said tract in line dividing Clearfield and Cambria Counties; thence by land of Miller (Muller) (?) & Co. South 2 1/2 degrees East 220 perches to corner; thence along line of tract South 87 1/2 degrees East 112 perches to stones; thence by residue of tract and purpart No. 8 North 2 1/2 degrees West 20 perches, more or less, to stones in aforesaid County line; thence along said County line North 87 1/2 degrees West 112 perches. CONTAINING 154 acres, more or less.

THE SECOND THEREOF: BEGINNING at a corner of purpart No. 7 in line dividing Clearfield and Cambria Counties at a distance of about 200 perches on a course North 87 1/2 degrees FROM STONES THE INTERSECTING CORNER OF Clearfield, Cambria and Blair Counties; thence by land of Joseph Fry Estate residue of tract and purpart No. 7 North 2 1/2 degrees East 220 perches to stones in tract line; thence by said tract line South 87 1/2 degrees East 136 perches to corner of Robert Chilton land; thence along same South 2 1/2 degrees West 179 perches to line of Robert Chilton survey of 28 acres; thence by line of same South 85 degrees West about 20 perches to corner of land of

Thomas and Alfred Pour's thence by line of same North 50 degrees West 21 perches to post on side of turnpike; thence along same North 84 degrees West 11 perches to post corner of a larger lot of land owned by said Pour's; thence along the same North 80 degrees West 26 perches to stones; thence by the same South 2 1/2 degrees West 36 perches to post on aforesaid County line; thence along said County line North 87 1/2 degrees West 43 perches, more or less, CONTAINING 153 acres and 60 perches, more or less.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 31st day of October, 2001, direct that notice of this action be served upon you by advertisement in the Clearfield County Legal Journal and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

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

SHERIFF'S SALE OF VALUABLE REAL ESTATE

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, DECEMBER 7, 2001 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price or sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

ALL that certain piece or parcel of land,

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

✓RAYMOND L. CLOUD, JR., :
✓JAY CLAY ABERNETHY, and ✓ :
✓C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01-1781-CD
: :
✓WILLIAM A. SHOFF, his heirs, ✓ : ACTION TO QUIET TITLE
successors and assigns; :
✓WILLIAM STANLEY, his heirs, ✓ :
successors and assigns; and :
✓FRANK FRY, his heirs, successors ✓ :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants :

PRAECIPE TO ENTER FINAL JUDGMENT

TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendant, his heirs, successors and assigns and on behalf of the above named Plaintiffs for such relief as requested in an Order dated the 12th day of December, 2001.

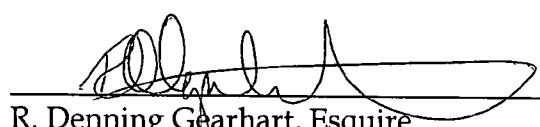
Respectfully submitted,

FILED

JAN 15 2002

01855/noce

William A. Shaw
Prothonotary


R. Denning Gearhart, Esquire

Attorney for Plaintiffs

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

RAYMOND L. CLOUD, JR., :
JAY CLAY ABERNETHY, and :
C. GLENN ABERNETHY, JR. and :
DEBRA Y. ABERNETHY, his wife, :
Plaintiffs :
VS. : NO. 01-1781-CD

WILLIAM A. SHOFF, his heirs, :
successors and assigns; :
WILLIAM STANLEY, his heirs, :
successors and assigns; and :
FRANK FRY, his heirs, successors :
and assigns and/or any person or :
entity claiming title in and to the :
herein described premises under them, :
Defendants : ACTION TO QUIET TITLE

FILED

DEC 12 2001

O R D E R

William A. Shaw
Prothonotary

AND NOW, this 12th day of DECEMBER, 2001, it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

1. That the above named Defendants, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with

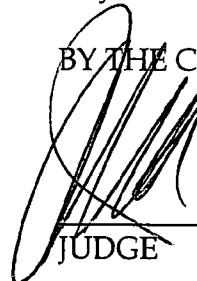
2. That if said above named Defendants, their heirs, successors and assigns, shall not have filed said exceptions within thirty (30) days, the Prothonotary, upon Praecept of Plaintiffs, shall enter final judgment for Plaintiffs and against said named Defendants, their heirs, successors and assigns.

3. That the rights of Plaintiffs in said premises are at all times superior to the rights of said named Defendants, their heirs, successors and assigns and that the Plaintiffs have title in fee simple to said premises described in the Complaint as against said Defendants, their heirs, successors and assigns.

4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the premises of Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiffs to said premises.

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

6. 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,

JUDGE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)
NO. 01-1781-CD

RAYMOND L. CLOUD, JR., et al.,
Plaintiffs

VS:

WILLIAM A. SHOFF, et al.,
Defendants

O R D E R

FILED 4cc 01/32/01 DECF 12 2001
Atty Geachert

William A. Shaw
Prothonotary

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA.