

02-175-CD
IN RE: PRIVATE SALE BY CLEARFIELD COUNTY TAX CLAIM BUREAU

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

In Re: Private Sale by Clearfield County
Tax Claim Bureau, Sandy Township Tax Map *
No. 128-D2-13 described as "25% interest *
in camp, trailer & 4.04 acres" and *
assessed to "Doris Leach" *

* Type of Pleading: Petition to
* Disapprove Sale *

* Filed on behalf of: Kathleen S.
* Ashburn, Petitioner *

* Counsel of record for this
* party: *

* David S. Ammerman, Esquire
* AMMERMAN LAW OFFICES
* 310 East Cherry Street
* Clearfield, PA 16830 *

* Supreme Court No. 06801 *

FILED

FEB 06 2002

**William A. Shaw
Prothonotary**

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

In Re: Private Sale by Clearfield County *
Tax Claim Bureau, Sandy Township Tax Map *
No. 128-D2-13 described as "25 % interest * No. 02-
in camp, trailer & 4.04 acres" and * -CD
assessed to "Doris Leach" *

PETITION TO DISAPPROVE SALE

TO: HONORABLE JOHN K. REILLY, JR.
PRESIDENT JUDGE

Petitioner sets forth the following pursuant to Act of July 8, 1947 P.L. 1368 Act VI

Section 613 as amended relating to private sales by a tax claim bureau (72 P.S. Section

5860.613(a):

1. That your Petitioner is Kathleen S. Ashburn of P.O. Box 573, Buffalo, New York 14201.
2. That your Petitioner is the niece of Doris Leach, the owner of the 25% interest. The owners of the other 3/4 interest are Earl Edinger, Josephine Duttry and Mary Gladine Ryan. Mr. Edinger and Mrs. Duttry are the aunt and uncle of your Petitioner and Mrs. Ryan is Petitioner's mother. This is a family camp with a trailer upon the premises which is currently being occupied by Earl Edinger.
3. That the Clearfield County Tax Claim Bureau did by notice in the Clearfield County Legal Journal on December 14, 2001 and December 27, 2001 advertise a proposed private sale of the above captioned premises for 9:00 a.m. on February 12, 2002 at the Tax Claim Bureau.
A true copy of said notice being labeled Exhibit "A" and attached hereto.
4. That the sales price for the premises accepted by the Tax Claim Bureau is the sum of \$150.00.
5. That your Petitioner had obtained from the Clearfield County Tax Claim Bureau a statement of the taxes plus costs and interest due to Clearfield County on the Doris Leach premises, being the sum of \$1,964.28. Said statement being labeled Exhibit "B" and attached hereto.

6. That the sale price bid of \$150.00 accepted by the Clearfield County Tax Claim Bureau is insufficient for purchase of the premises and not equal to the taxes due upon the property as listed.
7. That your Petitioner does hereby offer to pay to the Tax Claim Bureau the sum of \$1,964.28 for the premises and in guarantee thereof has concurrently with the filing of this petition presented to the Tax Claim Bureau a check for \$1,964.28 made payable to the Clearfield County Tax Claim Bureau. A true copy of said check being labeled Exhibit "C" and attached hereto.
8. That the Real Estate Tax Sale Law, Act of 1947, July 7, P.L. 1368, Article VI, Section 613 as amended (72 P.S. Section 5860.613) provides in part as follows:

" a person interested in purchasing the property may, if not satisfied that the sale price approved by the bureau is sufficient, within forty-five (45) days after notice of the proposed sale, petition the court of common pleas of the county to disapprove the sale. The court shall, in such case, after notice to each such taxing district, the owner, the bureau, the purchaser and any other person who has joined in the petition, hear all parties. After such hearing, the court may either confirm or disapprove the sale as to it appears just and proper. If the sale is disapproved, the court shall at the same time fix a price below which such property shall not be sold and order that, if no private sale can be arranged, the property be sold at public judicial sale under this act. If more than one party agrees to pay the minimum price set by the court, the court shall direct the bureau to conduct an auction-style bid of the property among the parties to the proceedings. If only one party agrees to pay the minimum price set by the court, the bureau shall sell the property to that party without the necessity of any auction."

WHEREFORE, your Petitioner requests your Honorable Court to issue an order for for a hearing on the within petition as provided by law.

Respectfully submitted,



David S. Ammerman, Esquire
Attorney for Petitioner
Supreme Court I.D. #06801

VERIFICATION

I, KATHLEEN S. ASHBURN, verify that the statements made in the foregoing Petition to Disapprove Sale are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

Kathleen S. Ashburn
Kathleen S. Ashburn

EXHIBIT "A"

Legals

001

Notice is hereby given of the proposed private sale by the Clearfield County Tax Claim Bureau on a parcel of land in SANDY TOWNSHIP known as Map #128-D02-000-0013 and described as "25% INT. IN CAMP, TRAILER & 1.04 A" and assessed to "DORIS LEACH".

Sale will be held on FEBRUARY 12, 2002, at 9:00 AM in the Tax Claim Bureau, 730 E Market Street, Clearfield. The property will be sold free and clear of all tax claims and tax judgments. A bid of \$150.00 has been received and accepted by the Bureau. Any party not satisfied with the accepted sale price must, within forty-five days of this notice, petition the Court of Common Pleas to disapprove the sale.

12/14/27/01

Date 1/21/02

Clearfield County Tax Claim Bureau

Dist 128 Ward 0 Control 96722 Taxpayer LEACH, DORIS
Map # D02-000-00013 Desc. 25% INT. IN CAMP, TRAILER &

Year-Claim#	Agr Payment Frq	Tax	Costs	Interest	Balance
1994-007715		115.88	201.00	72.14	389.02
1995-007889		142.58	20.00	75.92	238.50
1996-008184		145.47	51.00	60.01	256.48
1997-008324		146.88	51.00	51.77	249.65
1998-008823		152.66	51.00	40.07	243.73
1999-008803		153.39	51.00	26.46	230.85
2000-009231		153.39	20.00	12.66	186.05

2001 -

155.00

15.00 Total Due: 1794.28

At 10:57 AM

On 1/21/02

1964.28

EXHIBIT "B"

203787

CNB
COUNTY NATIONAL BANK
MAIN OFFICE, CLEARFIELD, PA
MEMBER FDIC
22-1676
960

PAY TO THE ORDER OF CLEARFIELD COUNTY TAX CLAIM DATE 2/5/02 \$ 1,964.28

C. N. B. T 964 10128 DOLLARS

CASHIER'S CHECK

RE: KATHLEEN ASHBURN
REMITTER mrp

Payable Through
Firststar Bank of Minnesota, N.A.
St. Paul, MN

John W. B. [Signature] PRESIDENT AND CASHIER
EXECUTIVE VICE PRESIDENT
AND CASHIER

MP

203787-096016765-0140010371017

EXHIBIT "C"

DAVID S. AMMERMAN

Attorney at Law

4
Lap over margin

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

PETITION TO DISAPPROVE
SALE

Petitioner: Kathleen S.
Ashburn

Sandy Township Tax Map #
128-D2-13, 25% interest
in camp, trailer & 4.04
acres assessed to
"Doris Leach"

Filing Date: 02/05/02

No. 02-
-CD

FILED

FEB 06 2002

10:00 AM
William A. Shaw
Prothonotary

pp \$80.00

3cc at the Ammerman
3cc

DAVID S. AMMERMAN
Attorney at Law
310 EAST CHERRY STREET
CLEARFIELD, PA 16830

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

In Re: Private Sale by Clearfield County *
Tax Claim Bureau, Sandy Township Tax Map *
No. 128-D2-13 described as "25% interest * No. 02-175-CD
in camp, trailer & 4.04 acres" and *
assessed to "Doris Leach" *
*
*

ORDER

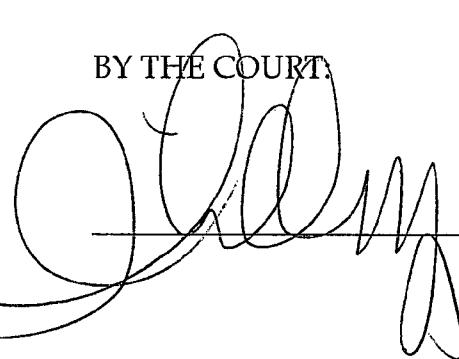
AND NOW, this 10th day of February, 2002, upon consideration of the
Petition to Disapprove the above-referenced private sale, timely filed on behalf of
Petitioner Kathleen S. Ashburn, it is hereby ORDERED that a hearing be held thereon on
the 14th day of March, 2002, at 3:00 o'clock P.m. in Courtroom
Number 1 of the Clearfield County Courthouse, pursuant to Section 5860.613 of the
Real Estate Tax Sale Law. The Petitioner shall give notice of said hearing to each taxing
district, the owner of the property, the Clearfield County Tax Claim Bureau and the
prospective purchaser of the property. It is further ORDERED that the private sale
scheduled for February 12, 2002 be postponed pending the outcome of said hearing.

BY THE COURT:

FILED

FEB 06 2002

6/15513ccath/Ammerman
William A. Shaw
Prothonotary



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

In Re: Private Sale by Clearfield County
Tax Claim Bureau, Sandy Township Tax Map *
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in camp, trailer & 4.04 acres" and *
assessed to "Doris Leach" *
* * * * No. 02- 175-CD

**MOTION FOR LEAVE TO WITHDRAW
PETITION TO DISAPPROVE SALE**

TO: HONORABLE JOHN K. REILLY, JR.
PRESIDENT JUDGE

AND NOW COMES, David S. Ammerman, attorney for Kathleen S. Ashburn, Petitioner in the above-captioned case and moves your Honorable Court for leave to withdraw the petition to disapprove the above proposed tax sale originally scheduled by the Clearfield County Tax Claim Bureau for February 12, 2002 and to authorize the refund of the Petitioner's guaranty and direct the Clearfield County Tax Claim Bureau to proceed with the sale to the proposed purchasers, or their nominee.

Respectfully submitted,



David S. Ammerman, Esquire
Attorney for Petitioner,
Kathleen S. Ashburn

Date: March 13, 2002

310 EAST CHERRY STREET CLEARFIELD, PA 16830
Attorney at Law
DAVID S. AMMERMAN

—Lap over margin—

NO. 02-175-CD

IN RE: Private Sale by
Clearfield County Tax
Claim Bureau, Sandy
Township Tax Map
No. 128-D2-13 described as
"25% interest in camp,
trailer & 4.04 acres" and
assessed to "Doris Leach"

MOTION FOR LEAVE TO
WITHDRAW PETITION TO
DISAPPROVE SALE

DAVID S. AMMERMAN
Attorney at Law
310 EAST CHERRY STREET
CLEARFIELD, PA 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

FILED

MAR 13 2002

William A. Shaw
Prothonotary

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

In Re: Private Sale by Clearfield County *
Tax Claim Bureau, Sandy Township Tax Map *
No. 128-D2-13 described as "25% interest * No. 02-175-CD
in camp, trailer & 4.04 acres" and *
assessed to "Doris Leach" *
*
*

ORDER

AND NOW, this 13 day of March, 2002, the motion by counsel of
Petitioner for leave to withdraw the petition to disapprove the tax sale is granted and the
Clearfield County Tax Claim Bureau is hereby authorized to return the guaranty of
Petitioner by endorsing the cashier's check of County National Bank No. 203787 dated
February 5, 2002 to David S. Ammerman, Attorney for Kathleen S. Ashburn and further,
that the Clearfield County Tax Claim Bureau be and hereby is authorized to proceed with
the sale of the above property originally scheduled for February 12, 2002, to the proposed
purchasers or their nominee.

BY THE COURT:



P.J.

FILED

MAR 13 2002
01:45 PM
William A. Shaw
Prothonotary
3 Court St. PA 15801