

02-420-CD  
RONALD H. SMITH et al -vs- PATRICK H. MOWREY et al

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

RONALD H. SMITH, GEORGE GRISSINGER and	:	
ALFRED H. MARTIN,	:	
	:	02-420-00
	:	
PETITIONERS	:	NO. 02 - - C.D.
	:	
vs.	:	
	:	PETITION TO SET ASIDE
	:	TAX SALE AND RULE
	:	
PATRICK H. MOWREY, KIM MOWREY HOBBA,	:	
PATRICK H. MOWREY AND KIM MOWREY HOBBA,	:	
TRUSTEES OF THE PATRICK H. MOWREY FAMILY	:	
TRUST, KIM MOWREY HOBBA AND PATRICK H.	:	
MOWREY, TRUSTEES OF THE KIM MOWREY HOBBA	:	
FAMILY TRUST, CLEARFIELD COUNTY TAX CLAIM	:	
BUREAU, CARMELO J. BISBANO, TINDARO S. BISBANO,	:	
K. DARRELL AMEY, RONALD J. DABRAVALSKIE,	:	
RONALD J. DABRAVALSKIE, RONALD J.	:	
DABRAVALSKIE, JR., JOSEPH K. BROOKE, PAUL B.	:	
BROOKE, ANTHONY D. BROOKE,	:	
	:	
RESPONDENTS	:	

Filed on Behalf of:  
Petitioners

Counsel of Record for  
This Party:

Carl A. Belin, Jr., Esquire  
PA I.D. #06805

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

FILED

MAR 21 2002

William A. Shaw  
Prothonotary

**FILED**

MAR 21 2002

01/128/4 cc atty rel'n  
William A. Shaw  
Prothonotary

City, County  
of  
\$0.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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DABRAVALSKIE, JR., JOSEPH K. BROOKE, PAUL B. :  
BROOKE, ANTHONY D. BROOKE, :  
RESPONDENTS :

RULE

AND NOW this 21 day of March, 2002, upon reading and considering the foregoing Petition to Set Aside Tax Sale, a rule be issued to show cause why said tax sale should not be declared invalid and the deed delivered in said tax sale be declared void in the above-captioned case.

RULE returnable for written response April 12, 2002.

HEARING to be scheduled following filing of answer.

BY THE COURT

**FILED**

*100*  
MAR 21 2002

*01/128/1cc atty Belin*  
William A. Shaw  
Prothonotary

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BROOKE, ANTHONY D. BROOKE,	:
RESPONDENTS	:

PETITION TO SET ASIDE TAX SALE

AND NOW comes Petitioners, Ronald H. Smith, George Grissinger and Alfred H. Martin, by and through their attorneys, Belin & Kubista, and sets forth the following defects in the tax sale of September 14, 2001, as a result of which said tax sale should be declared void, and in support thereof, aver as follows:

1. The Petitioners are Ronald H. Smith, George Grissinger and Alfred H. Martin, adult individuals, having a mailing address of 475 Ducktown Road, York, Pennsylvania 17406, collectively "Smith."

2. The one of the Respondents is the Clearfield County Tax Claim Bureau, an agency created by Clearfield County under the Real Estate Tax Sale Act of July 7, 1947, P.L. 1368, 542, 72 P.S. § 5860.101 et seq. as amended.

3. That another of the Respondents are Patrick H. Mowrey and Kim Mowrey Hobba are individuals; Patrick H. Mowrey and Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust, created under Trust Agreement of Harry L. Mowrey and Florence A. Mowrey dated April 23, 1989; Kim Mowrey Hobba and Patrick H. Mowrey, Trustees of the Kim Mowrey Hobba Family Trust created under Trust Agreement of Harry L. Mowrey and Florence A. Mowrey dated April 23, 1989, have a mailing address of 362 North Park Street, Sykesville, Pennsylvania 15865, collectively "Mowrey," who purchased the property at a tax sale on September 14, 2001, as set forth in the Tax Claim Bureau Deed recorded in the Clearfield County Recorder of Deeds Office as Instrument Number 20018672.

4. That another of the Respondents are Carmelo J. Bisbano, Tindaro S. Bisbano, K. Darrell Amey, Ronald J. Dabravalskie, Ronald J. Dabravalskie, Jr., Joseph K. Brooke, Paul B. Brooke, and Anthony D. Brooke are individuals having a mailing address of 1121 Ritters Road, Reading, Pennsylvania 19606, collectively "Buckridge Camp." That a search of the Clearfield County records indicate that there is no conveyance to Buckridge Camp, however, Smith received an eviction notice on February 22, 2002 indicating Buckridge Camp had acquired the property interest. A copy of said eviction notice is attached hereto, marked Exhibit "1," and made a part hereof.

5. That Smith are the owners of the premises by virtue of a Deed from Sandy Creek Forest, Inc., a Pennsylvania corporation, dated December 14, 1998, and recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 199801478.

6. That the property description of the premises which is the subject of this action is as follows:

ALL THAT CERTAIN lot or piece of ground situate in the Township of Covington, County of Clearfield, Commonwealth of PA, bounded and described according to a plan "Sandy Creek Forest" made by L. Wayne Laidacker, R.S., Lightstreet, PA dated 8/9/82 as follows, to wit:

BEGINNING at a point, a corner of land of John Variot, Jr. heirs, a corner of Lot No. 39 on said plan; thence extending from said point of Beginning North five (05°) degrees forty-four (44') minutes five (05") seconds East crossing North Woods Rd. (a 50 ft. wide private road) one thousand thirty-one and seventy-four hundredths (1031.74) feet to a point, a corner of land now or late William and May Leigey; thence extending along the same South eighty-three (83°) degrees twenty-two (22') minutes four (04") seconds East four hundred thirty (430.00) feet to a point, a corner of Lot No. 37; thence extending along the same South five (05°) degrees forty-four (44') minutes zero (00") seconds West recrossing aforesaid North Woods Rd. one thousand three and seventy-one hundredths (1003.71) feet to a point, a corner of land now or late John Variot, Jr. heirs; thence extending along the same North eighty-seven (87°) degrees six (06') minutes five (05") seconds West four hundred thirty and forty-seven hundredths (430.47) feet to the first mentioned point and place of beginning.

BEING Lot No. 38 on said plan.

UNDER AND SUBJECT to restrictions and covenants of Sandy Creek Forest.

7. That the property is assessed in Covington Township as Control Number 111-0-49429, Map Number Q04-000-00123.

8. That the property was exposed for tax sale for delinquent 1999 real estate taxes, Claim #99-4105, and delinquent 2000 real estate taxes, Claim #2000-4257.

9. That the premises were sold at a tax sale which was held by the Clearfield County Tax Claim Bureau on September 14, 2001 in Clearfield, Pennsylvania.

10. That pursuant to the Real Estate Tax Sale Law, Act of July 7, 1947, P.L. 1368, 72 P.S. § 5860.602 et seq. (the "Law") includes the following requirements:

a. that the owner of the property is to be notified by certified mail at least thirty (30) days before the date of the sale; and

b. that each property posted for sale must be posted at least ten (10) days prior to the sale.

11. That at all times prior to said tax sale Petitioner Smith were never given notice of the unpaid taxes in that said notices were mailed to an improper address: 3530 Marietta Avenue, Lancaster, Pennsylvania 17603, while the correct address of Smith was 475 Ducktown Road, York, Pennsylvania 17406.

12. That Smith paid taxes for the years of 2000 and 2001 for a related assessment for the same property and his correct address was readily ascertainable from the tax records throughout the entire period of time. A copy of the tax receipts for 2000 and 2001 are attached hereto, marked Exhibit "2" and "3," and made a part hereof.

13. That the property was not posted in accordance with the law in that the posting did not occur until September 11, 2001, three (3) days before the tax sale. A copy of said posting and affidavit is attached hereto, marked Exhibit "4," and made a part hereof.

14. That at no time prior to this posting was the property posted for tax sale as Petitioner Smith visited the property periodically during the summer and fall of 2001.

15. That as a result of the failure to give notice to Smith at his address of 475 Ducktown Road, York, Pennsylvania, and due to the failure of the posting in accordance with the law, said tax sale is void.

16. That as a result of the failure of the lack of notice under Section 72 P.S. § 5860.602, the notice is defective and the tax sale is void.

WHEREFORE, Petitioner requests Your Honorable Court to issue a rule to show cause why it should not declare the tax sale invalid and to void the deed delivered in said tax sale.

RESPECTFULLY SUBMITTED,

BELIN & KUBISTA

By

Carl A. Belin, Jr., Esquire  
Attorney for Petitioners

COMMONWEALTH OF PENNSYLVANIA

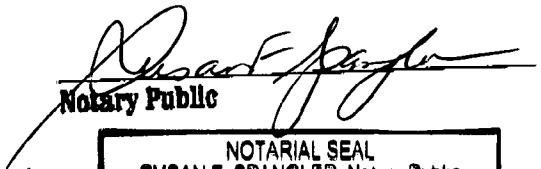
ss.

COUNTY OF LANCASTER

Before me the undersigned officer, personally appeared Ronald H. Smith, who being duly sworn according to law, deposes and says that he is one of the Petitioners and being authorized by George Grissinger and Alfred H. Martin to execute this affidavit, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

  
Ronald H. Smith

Sworn and subscribed before me this 19 day of March, 2002.

  
Notary Public

NOTARIAL SEAL
SUSAN F. SPANGLER, Notary Public
Mount Joy Boro., Lancaster County
My Commission Expires February 17, 2006

## BUCKRIDGE CAMP

Carmelo J. Bisbano  
Tindaro S. Bisbano  
K. Darrell Amey

Ronald J. Dabravalskie  
Ronald J. Dabravalskie, Jr.

Paul B. Brooke  
Anthony D. Brooke  
Joseph K. Brooke

DATE: February 22, 2002

TO: RONALD H. SMITH, GEORGE GRISSINGER, AND ALFRED H. MARTIN

## EVICTION NOTICE

The members of Buckridge Camp recently purchased your property (Lot #38 - 10.045 Acres) in Frenchville, Covington Township, Clearfield County, PA.

You are now occupying our property with your campers thereon.

THIS LETTER SERVES YOU AS FORMAL NOTICE TO VACATE OUR PROPERTY AND REMOVE YOUR CAMPERS BY MARCH 31, 2002.

We would like your immediate cooperation.

Sincerely,

BUCKRIDGE CAMP

Carmelo J. Bisbano  
Carmelo J. Bisbano

Ronald J. Dabravalskie  
Ronald J. Dabravalskie

Paul B. Brooke  
Paul B. Brooke

Tindaro S. Bisbano  
Tindaro S. Bisbano

Ronald J. Dabravalskie, Jr.  
Ronald J. Dabravalskie, Jr.

Anthony D. Brooke  
Anthony D. Brooke

K. Darrell Amey  
K. Darrell Amey

Joseph K. Brooke  
Joseph K. Brooke

From Ron Smith

Taxes 2000

Bill# 759 Mail Date: 3/1/00 County of Clearfield, Pennsylvania / COVINGTON TOWNSHIP Control # 1110 49432

CANOPY ON L #38 Map#: Q04-000-00123-TL-01 Acreage: 0.000		Real Estate Tax For 2000	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
			Land	County	15.00	4.78	4.88	5.36
			0	TOWNSHIP	3.10	0.99	1.01	1.11
			Bldg.		0.00	0.00	0.00	0.00
			325		0.00	0.00	0.00	0.00
			Total		0.00	0.00	0.00	0.00
			325		Total			

Payment Schedule

Received By	5/1/00	@	2.00 % Discount Pay -->	5.76
Between	5/2/00	AND	5/3/00	5.98
Beginning	7/4/00	@	10.00 % Penalty Pay -->	6.47
Last Day To Pay Tax Collector	1/1/01			
Unpaid Taxes Returned To Tax Claim On	1/15/01			

Tax Payers  
Receipt  
Signature of Tax Collector  
Date Paid  
Circle Amount  
Paid Above

3-3-00

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

BILL# 759 Mail Date: 8/15/00 COUNTY OF CLEARFIELD / CLEARFIELD AREA SCHOOL DISTRICT / COVINGTON TOWNSHIP Control # 1110 - 49432

CANOPY ON L #38 Map# Q04-000-00123-TL-01		Real Estate Tax For 2000	Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
			Land	School	62.00	19.75	20.15	22.17
			0					
			Bldg.					
			325					
			Total					
			325		Total			

Payment Schedule

Received By	10/16/00	@	2.00 % Discount Pay -->	19.75
Between	10/17/00	AND	10/18/00	19.98
Beginning	12/19/00	@	10.00 % Penalty Pay -->	22.17
Last Day To Pay Tax Collector	1/1/01			
Unpaid Taxes Returned To Tax Claim On	1/15/01			

Tax Payers  
Receipt  
Signature of Tax Collector  
Date Paid  
Circle Amount  
Paid Above

8-15-00

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.

From Ron Smith

Taxes - 2001

Bill# 767 Mail Date: 3/1/01		County of Clearfield, Pennsylvania / COVINGTON TOWNSHIP		Control #	1110 49432																																																							
<p><del>DEPARTMENT OF TAXES</del> CANOPY ON L #38</p> <p>Map # 004-000-00123-TL-01</p> <p>PAYABLE TO: LENA GORMONT, TAX COLLECTOR</p> <p>RR 1 BOX 13</p> <p>FRENCHVILLE PA 16836</p> <p>PHONE 814-253-4658</p> <p>MY RESIDENCE</p> <p>MON 6-8 PM &amp; WED 6-8 PM</p> <p>OTHER TIMES BY APPOINTMENT</p> <p>Taxes Are Due And Payable And Payment Is Requested From:</p> <p>SMITH, RONALD</p> <p>475 DUCKTOWN ROAD</p> <p>YORK PA 17406</p>		<p>Real Estate Tax For 2001</p> <table border="1"> <thead> <tr> <th>Assessed Value</th> <th>Tax Desc</th> <th>Tax Rate</th> <th>Discount</th> <th>Face</th> <th>Penalty</th> </tr> </thead> <tbody> <tr> <td>Land 0</td> <td>County TOWNSHIP</td> <td>15.00 3.10</td> <td>4.78 0.99</td> <td>4.88 1.01</td> <td>5.36 1.11</td> </tr> <tr> <td>Bldg. 325</td> <td></td> <td>0.00 0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total 325</td> <td></td> <td>0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">Total</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>pd 3-1-01 # 1491</p>		Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty	Land 0	County TOWNSHIP	15.00 3.10	4.78 0.99	4.88 1.01	5.36 1.11	Bldg. 325		0.00 0.00				Total 325		0.00				Total						<p>Payment Schedule</p> <table border="1"> <tr> <td>Received By</td> <td>5/1/01</td> <td>@</td> <td>2.00 % Discount Pay -&gt;</td> <td>5.77</td> </tr> <tr> <td>Between</td> <td>5/20/01</td> <td>AND</td> <td>7/30/01</td> <td>6.47</td> </tr> <tr> <td>Beginning</td> <td>7/4/01</td> <td>@</td> <td>10.00 % Penalty Pay -&gt;</td> <td></td> </tr> <tr> <td colspan="3">Last Day To Pay Tax Collector</td> <td>1/15/02</td> <td>At 8:30 AM</td> </tr> <tr> <td colspan="3">Unpaid Taxes Returned To Tax Claim On</td> <td>1/15/02</td> <td>Circle Amount</td> </tr> </table> <p>Tax Payers _____</p> <p>Receipt _____</p> <p>Signature of Tax Collector _____</p> <p>Date Paid _____</p> <p>Paid Above _____</p> <p>Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested.</p>		Received By	5/1/01	@	2.00 % Discount Pay ->	5.77	Between	5/20/01	AND	7/30/01	6.47	Beginning	7/4/01	@	10.00 % Penalty Pay ->		Last Day To Pay Tax Collector			1/15/02	At 8:30 AM	Unpaid Taxes Returned To Tax Claim On			1/15/02	Circle Amount
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<p>DESCRIPTION OF PROPERTY: CANOPY ON L #38 Map # Q04-000-00123-TL-01 OWNER: LENA GORMONT, TAX COLLECTOR P.O. BOX 13 R R 1 BOX 13 FRENCHVILLE PA 16836 PHONE 814-263-4658 MY RESIDENCE MON 2-4 PM &amp; WED 6-8 PM OTHER TIMES BY APPOINTMENT</p> <p><b>Taxes Are Due and Payable and Payment Is Requested Upon Receipt</b></p> <p>SMITH, RONALD 475 DUCKTOWN ROAD YORK PA 17406</p>		<p>Real Estate Tax For 2001</p>		<table border="1"> <thead> <tr> <th>Assessed Value</th> <th>Tax Desc</th> <th>Tax Rate</th> <th>Discount</th> <th>Face</th> <th>Penalty</th> </tr> </thead> <tbody> <tr> <td>Land 0</td> <td>School</td> <td>66.00</td> <td>21.02</td> <td>21.45</td> <td>23.60</td> </tr> <tr> <td>Bldg. 325</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total 325</td> <td></td> <td></td> <td>Total 21.02</td> <td>21.45</td> <td>23.60</td> </tr> </tbody> </table>		Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty	Land 0	School	66.00	21.02	21.45	23.60	Bldg. 325						Total 325			Total 21.02	21.45	23.60	
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# Clearfield County Tax Claim Bureau - NOTICE OF PUBLIC TAX SALE

Owner Or Reputed Owner

SMITH, RONALD H. ET AL  
3530 MARIETTA AVENUE  
LANCASTER PA 17603

Claim # 99 - 004105

Control # 111 . 0 - 49429

Map Number

Q04-000-00123

Property Description

L #38 (10.045 A)

936

Date and Time of Sale: 10:00 AM on September 14th, 2001

Location: CAST Building, 112 East Locust Street, Clearfield PA

Delinquent 1999 Real Estate Tax

## WARNING

YOUR PROPERTY IS ABOUT TO BE SOLD WITHOUT YOUR CONSENT FOR DELINQUENT TAXES. YOUR PROPERTY MAY BE SOLD FOR A SMALL FRACTION OF IT'S FAIR MARKET VALUE. IF YOU HAVE ANY QUESTIONS AS TO WHAT YOU MUST DO IN ORDER TO SAVE YOUR PROPERTY, PLEASE CALL YOUR ATTORNEY, THE TAX CLAIM BUREAU AT THE FOLLOWING TELEPHONE NUMBER: (814)-765-2641 OR THE COUNTY LAWYER REFERRAL SERVICE.

Eligible property owners may remove their property from jeopardy of sale by entering into an "AGREEMENT TO STAY SALE". The "AGREEMENT" requires combination of ALL delinquent taxes, costs and interest and payment of 25% of total to begin.

COPY 1

# Clearfield County Tax Claim Bureau - NOTICE OF PUBLIC TAX SALE

Owner Or Reputed Owner

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3530 MARIETTA AVENUE  
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COPY 2

*frosting*

## UPSET SALE PROPERTY POSTING

TO THE DIRECTOR OF THE TAX CLAIM BUREAU  
CLEARFIELD COUNTY, PENNSYLVANIA

I hereby certify and return, that I posted on the

11 day of Sept 2001 YEAR

due and legal notice by posting the premises on the property described on the reverse side hereof.

STATE OF PENNSYLVANIA:

SS.

COUNTY OF CLEARFIELD

Tom Steege

NAME

being duly sworn according to law, deposes and says that the facts set forth in the foregoing are true and correct to the best of my knowledge, information and belief.

Tom Steege

SIGNATURE

This notice is posted in compliance with  
Section 308-A and 602 of the Act of July 7, 1947  
P.L. 1368, as amended.

## UPSET SALE PROPERTY POSTING

TO THE DIRECTOR OF THE TAX CLAIM BUREAU  
CLEARFIELD COUNTY, PENNSYLVANIA

I hereby certify and return, that I posted on the

day of \_\_\_\_\_ YEAR

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STATE OF PENNSYLVANIA:

SS.

COUNTY OF CLEARFIELD

NAME

being duly sworn according to law, deposes and says that the facts set forth in the foregoing are true and correct to the best of my knowledge, information and belief.

SIGNATURE

This notice is posted in compliance with  
Section 308-A and 602 of the Act of July 7, 1947  
P.L. 1368, as amended.

## UPSET SALE PERSONAL SERVICE

PERSON SERVED: \_\_\_\_\_

RELATION/POSITION: \_\_\_\_\_

PLACE OF SERVICE: \_\_\_\_\_

TIME OF SERVICE: 6:40

NUMBER OF ATTEMPTS: 1

Tom Steege

SIGNATURE

Sworn and Subscribed to

before me this SEP 13 2001

day of Sept 2001

Yr. 2001

Judy C. Trahan

NOTARY PUBLIC

## UPSET SALE PERSONAL SERVICE

PERSON SERVED: \_\_\_\_\_

RELATION/POSITION: \_\_\_\_\_

PLACE OF SERVICE: \_\_\_\_\_

TIME OF SERVICE: \_\_\_\_\_

NUMBER OF ATTEMPTS: \_\_\_\_\_

SIGNATURE

Sworn and Subscribed to

before me this \_\_\_\_\_

day of \_\_\_\_\_

Yr. \_\_\_\_\_

NOTARY PUBLIC

CLERAFFIELD, PENNSYLVANIA 16830  
P. O. BOX 1  
15 NORTH FRONT STREET  
ATTORNEYS AT LAW  
BELIN & KUBISTA

**FILED**  
11CC  
ATTY Belin  
MAIL 21 2002  
DUE  
William A. Shaw  
Prothonotary  
Att'd. \$0.00

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

RONALD H. SMITH, GEORGE GRISSINGER	:	
and ALFRED H. MARTIN,	:	
PETITIONERS	:	
VS.	:	NO. 02 - 420 - C.D.
	:	CERTIFICATE OF SERVICE
PATRICK H. MOWREY, KIM MOWREY	:	
HOBBA, PATRICK H. MOWREY AND KIM	:	
MOWREY HOBBA, TRUSTEES OF THE	:	
PATRICK H. MOWREY FAMILY TRUST,	:	
KIM MOWREY HOBBA AND PATRICK H.	:	
MOWREY, TRUSTEES OF THE KIM MOWREY	:	
HOBBA FAMILY TRUST, CLEARFIELD	:	
COUNTY TAX CLAIM BUREAU, CARMELO	:	
J. BISBANO, TINDARO S. BISBANO,	:	
K. DARRELL AMEY, RONALD J.	:	
DABRAVALSKIE, RONALD J.	:	
DABRAVALSKIE, JR., JOSEPH K.	:	
BROOKE, PAUL B. BROOKE, ANTHONY D.	:	
BROOKE,	:	
RESPONDENTS	:	

Filed on Behalf of:  
Petitioners

Counsel of Record for  
This Party:

Carl A. Belin, Jr., Esquire  
PA I.D. #06805

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

**FILED**

APR 01 2002

William A. Shaw  
Prothonotary

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

RONALD H. SMITH, GEORGE GRISSINGER	:	
and ALFRED H. MARTIN,	:	
PETITIONERS	:	
VS.	:	NO. 02 - 420 - C.D.
	:	
PATRICK H. MOWREY, KIM MOWREY	:	
HOBBA, PATRICK H. MOWREY AND KIM	:	
MOWREY HOBBA, TRUSTEES OF THE	:	
PATRICK H. MOWREY FAMILY TRUST,	:	
KIM MOWREY HOBBA AND PATRICK H.	:	
MOWREY, TRUSTEES OF THE KIM MOWREY	:	
HOBBA FAMILY TRUST, CLEARFIELD	:	
COUNTY TAX CLAIM BUREAU, CARMELO	:	
J. BISBANO, TINDARO S. BISBANO,	:	
K. DARRELL AMEY, RONALD J.	:	
DABRAVALSKIE, RONALD J.	:	
DABRAVALSKIE, JR., JOSEPH K.	:	
BROOKE, PAUL B. BROOKE, ANTHONY D.	:	
BROOKE,	:	
RESPONDENTS	:	

CERTIFICATE OF SERVICE

This is to certify that the undersigned has sent a certified copy of Petition to Set Aside Tax Sale and Rule in the above-captioned matter to the following parties by certified mail, return receipt requested on the following dates. Said return receipts are attached hereto.

Patrick H. Mowrey, Kim Mowrey Hobba,  
Patrick H. Mowrey and Kim Mowrey Hobba,  
Trustees of the Patrick H. Mowrey Family  
Trust, Kim Mowrey Hobba and Patrick H.

Trustees of The Kim Mowrey Hobba Family  
Trust  
March 23, 2002

Carmelo J. Bisbano, Tindaro S. Bisbano, K.  
Darrell Amey, Ronald J. Dabrvalskie,  
Ronald J. Dabrvalskie, Jr., Joseph K.  
Brooke, Paul B. Brooke, Anthony D. Brooke,  
Buckridge Camp  
March 23, 2002

Clearfield County Tax Claim Bureau  
March 22, 2002

BELIN & KUBISTA

By   
Carl A. Belin, Jr., Esq.  
Attorney for Petitioners

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Mr. Patrick H. Mowrey  
Ms. Kim Mowrey Hobba  
Patrick H. Mowrey & Kim Mowrey  
Hobba Trustees  
Kim Mowrey Hobba & Patrick H.  
Mowrey Trustees  
362 North Park Street  
Sykesville, PA 15865

2. Article Number (Copy from service label)  
7099 3400 0016 7883 0302

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

*Patrick H. Mowrey* 07-30-02

C. Signature

*Patrick H. Mowrey*  Agent  
 Addressee

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PS Form 3811, July 1999

Domestic Return Receipt  
Ron SMith

102595-00-M-0952

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Mr. Carmelo J. Bisbano  
Mr. Tindaro S. Bisbano  
K. Darrell Amey  
Mr. Ronald J. Dabavalskie  
Mr. Ronald J. Dabavalskie Jr.  
Mr. Joseph K. Brooke  
Mr. Paul B. Brooke  
Mr. Anthony D. Brooke  
Buckridge Camp

2. Article Number (Copy from service label)  
1121 Ritters Camp 7099 3400 0016 7883 0289

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

*Carmelo J. Bisbano* 3/23/02

C. Signature

*Carmelo J. Bisbano*  Agent  
 Addressee

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PS Form 3811, July 1999

Domestic Return Receipt

Reading, PA 19606

Ron Smith

102595-00-M-0952

**ON DELIVERY**Clearly B. Date of Delivery  
MAP 22.2002

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Clearfield County Tax Claim  
Bureau  
230 East Market Street  
Clearfield, PA 16830

C. Signature  
*X Jean Orr*  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

Agent  
 Addressee

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
7099 3400 0016 7883 0319

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Ron Smith

**BELIN & KUBISTA**  
ATTORNEYS AT LAW  
15 NORTH FRONT STREET  
P. O. BOX 1  
CLEARFIELD, PENNSYLVANIA 16830

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

RONALD H. SMITH, GEORGE GRISSINGER	:	
and ALFRED H. MARTIN,	:	
PETITIONERS		:
	:	NO. 02 - 420 - C.D.
VS.	:	
	:	
	:	
PATRICK H. MOWREY, KIM MOWREY	:	
HOBBA, PATRICK H. MOWREY AND KIM	:	
MOWREY HOBBA, TRUSTEES OF THE	:	
PATRICK H. MOWREY FAMILY TRUST,	:	
KIM MOWREY HOBBA AND PATRICK H.	:	
MOWREY, TRUSTEES OF THE KIM MOWREY	:	
HOBBA FAMILY TRUST, CLEARFIELD	:	
COUNTY TAX CLAIM BUREAU, CARMELO	:	
J. BISBANO, TINDARO S. BISBANO,	:	
K. DARRELL AMEY, RONALD J.	:	
DABRAVALSKIE, RONALD J.	:	
DABRAVALSKIE, JR., JOSEPH K.	:	
BROOKE, PAUL B. BROOKE, ANTHONY D.	:	
BROOKE,	:	
RESPONDENTS		:

**FILED**

APR 18 2002  
01913916cc atly  
William A. Shaw  
Prothonotary Berlin

## ORDER

AND NOW, this 18 day of April, 2002, the Court being advised by the Petitioners that the Petition to Set Aside Tax Sale was served on all parties and that no written response as required by the Rule to Show Cause having been filed and the Court having been advised that the Clearfield County Tax Claim

Bureau through counsel is in agreement that Petitioners were not afforded adequate and sufficient notice of the tax sale as required by the Real Estate Tax Sale Law, Act of July 7, 1947, P.L. 1368, 72 P.S. § 5860.602 et seq. it is the ORDER of this Court that the tax sale of Parcel Q04-000-00123 described as Lot No. 38 (10.045 Acres) is hereby set aside and is hereby declared void and of no further effect.

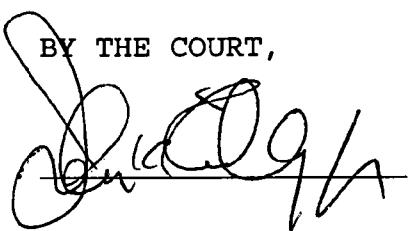
It is the further ORDER of this Court that Petitioners shall pay within twenty (20) days from the date of this Order all unpaid taxes returned to the Clearfield County Tax Claim Bureau together with penalties and costs collectable by the tax sale.

It is the further ORDER of this Court that Petitioners shall pay to the Clearfield County Tax Claim Bureau a check in the amount of Two Thousand Thirty-Six Dollars and 03/100 (\$2,036.03) which was paid to them as a result of overbid in the tax sale.

It is the further ORDER of this Court that the Clearfield County Tax Claim Bureau shall remit and reimburse Patrick H. Mowrey, Kim Mowrey Hobba, Patrick H. Mowrey and Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust, and Kim

Mowrey Hobba and Patrick H. Mowrey, Trustees of the Kim Mowrey  
Hobba Family Trust all monies paid by them.

BY THE COURT,

A handwritten signature in black ink, appearing to read "John D. O'Gorman".

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

RONALD H. SMITH, GEORGE GRISSINGER :  
and ALFRED H. MARTIN, :  
PETITIONERS :  
: NO. 02 - 420 - C.D.  
vs. :  
: CERTIFICATE OF SERVICE  
:  
PATRICK H. MOWREY, KIM MOWREY :  
HOBBA, PATRICK H. MOWREY AND KIM :  
MOWREY HOBBA, TRUSTEES OF THE :  
PATRICK H. MOWREY FAMILY TRUST, :  
KIM MOWREY HOBBA AND PATRICK H. :  
MOWREY, TRUSTEES OF THE KIM MOWREY :  
HOBBA FAMILY TRUST, CLEARFIELD :  
COUNTY TAX CLAIM BUREAU, CARMELO :  
J. BISBANO, TINDARO S. BISBANO, :  
K. DARRELL AMEY, RONALD J. :  
DABRAVALSKIE, RONALD J. :  
DABRAVALSKIE, JR., JOSEPH K. :  
BROOKE, PAUL B. BROOKE, ANTHONY D. :  
BROOKE, :  
RESPONDENTS :

Filed on Behalf of:  
Petitioners

Counsel of Record for  
This Party:

Carl A. Belin, Jr., Esquire  
PA I.D. #06805

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

**FILED**

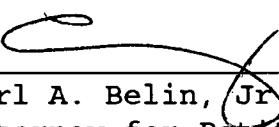
APR 18 2002  
01257/ncc/9  
William A. Shaw  
Prothonotary

Mowrey Hobba and Patrick H. Mowrey, Trustees  
of The Kim Mowrey Hobba Family Trust  
362 North Park Street  
Sykesville, PA 15865

Carmelo J. Bisbano, Tindaro S. Bisbano, K.  
Darrell Amey, Ronald J. Dabrawalskie, Ronald  
J. Dabrawalskie, Jr., Joseph K. Brooke, Paul  
B. Brooke, Anthony D. Brooke, Buckridge Camp  
1121 Ritters Camp  
Reading, PA 19606

Clearfield County Tax Claim Bureau  
230 East Market Street  
Clearfield, PA 16830

BELIN & KUBISTA

By   
Carl A. Belin, Jr., Esq.  
Attorney for Petitioners

**BELIN & KUBISTA**  
ATTORNEYS AT LAW  
15 NORTH FRONT STREET  
P O BOX 1  
CLEARFIELD, PENNSYLVANIA 16830

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

RONALD H. SMITH, GEORGE GRISSINGER	:	
and ALFRED H. MARTIN,	:	
PETITIONERS	:	
VS.	:	
	:	
	:	
PATRICK H. MOWREY, KIM MOWREY	:	
HOBBA, PATRICK H. MOWREY AND KIM	:	
MOWREY HOBBA, TRUSTEES OF THE	:	
PATRICK H. MOWREY FAMILY TRUST,	:	
KIM MOWREY HOBBA AND PATRICK H.	:	
MOWREY, TRUSTEES OF THE KIM MOWREY	:	
HOBBA FAMILY TRUST, CLEARFIELD	:	
COUNTY TAX CLAIM BUREAU, CARMELO	:	
J. BISBANO, TINDARO S. BISBANO,	:	
K. DARRELL AMEY, RONALD J.	:	
DABRAVALSKIE, RONALD J.	:	
DABRAVALSKIE, JR., JOSEPH K.	:	
BROOKE, PAUL B. BROOKE, ANTHONY D.	:	
BROOKE,	:	
RESPONDENTS	:	

FILED  
APR 22 2008

APR 26 2002

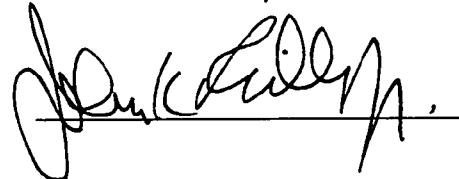
William A. Shaw  
Prothonotary

**AMENDED ORDER**

AND NOW, this 26 day of April, 2002, the Court having entered an Order declaring the tax sale void and of no effect by Order dated April 18, 2002, and the Court having been advised that a tax deed has been recorded as to said tax sale, it is the Order of the court that the deed from the Tax Claim Bureau of

Clearfield County, Pennsylvania to Patrick H. Mowrey, Kim Mowrey Hobba, Patrick H. Mowrey and Kim Mowrey Hobba, Trustees of the Patrick H. Mowrey Family Trust, and Kim Mowrey Hobba and Patrick H. Mowrey, Trustees of the Kim Mowrey Hobba Family Trust dated November 19, 2001, which is recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 200118672 be and is hereby declared void. The Prothonotary is hereby authorized to certify this Order to the Recorder of Deeds for recording and for notation on said tax deed.

BY THE COURT,

A handwritten signature in black ink, appearing to read "John K. Kilday, Jr.", is written over a horizontal line. The signature is fluid and cursive, with "John K. Kilday" on the top line and "Jr." on the bottom line.

FILED

01146874  
APR 26 2002

7CC

Atty Belin

ESQ

William A. Shaw  
Prothonotary