

02-420-CD

RONALD H. SMITH et al -vs- PATRICK H. MOMREY et al

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, RONALD J.  
DABRAVALSKIE, JR., JOSEPH K. BROOKE, PAUL B.  
BROOKE, ANTHONY D. BROOKE,

RESPONDENTS

02-420-00  
NO. 02 - - C.D.

PETITION TO SET ASIDE  
TAX SALE AND RULE

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

01/12/46 CC City of  
William A. Shaw  
Prothonotary City of Wilmington

\$20.00

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 - - C.D.

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TRUSTEES OF THE PATRICK H. MOWREY FAMILY  
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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

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**

MAR 21 2002

01/1/28/1cc atty Belen  
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.**

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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,  
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RONALD J. DABRAVALSKIE, RONALD J.  
DABRAVALSKIE, JR., JOSEPH K. BROOKE, PAUL B.  
BROOKE, ANTHONY D. BROOKE,**

**RESPONDENTS**

**NO. 02 - - C.D.**

**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.

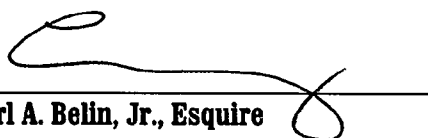
15. That as a result of the failure to give notice to Smith at his address of 475 Ducktown Road, York, Pennsylvania, and due to the failure of the posting in accordance with the law, said tax sale is void.

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

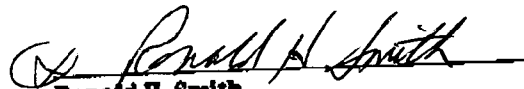
COMMONWEALTH OF PENNSYLVANIA

:  
:  
:

SS.

COUNTY OF LANCASTER

Before me the undersigned officer, personally appeared Ronald H. Smith, who being duly sworn according to law, depose 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

### EVICITION NOTICE

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

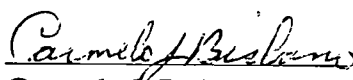
You are now occupying our property with your campers thereon.

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.

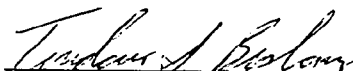
Sincerely,


BUCKRIDGE CAMP

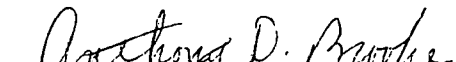
  
Carmelo J. Bisbano

  
Ronald J. Dabravalskie

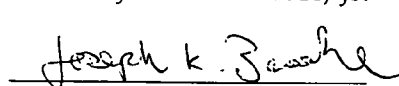
  
Paul B. Brooke

  
Tindaro S. Bisbano

  
Ronald J. Dabravalskie, Jr.

  
Anthony D. Brooke

  
K. Darrell Amey

  
Joseph K. Brooke

From Ron Smith

Taxes 2000

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

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			5.76	6.47

Payment Schedule:

Received By 5/1/00 @ 2.00 % Discount Pay --> 5.76

Between 5/2/00 AND 7/3/00 Pay --> 5.88

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

Circle Amount 3-3-00

Tax Payers Receipt Signature of Tax Collector Date Paid Paid Above

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

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			22.17	

Payment Schedule:

Received By 10/16/00 @ 2.00 % Discount Pay --> 19.75

Between 10/17/00 AND 12/18/00 Pay --> 20.15

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 At 8:30 AM

Circle Amount 8-15-00

Tax Payers Receipt Signature of Tax Collector Date Paid Paid Above

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

Description of Property: CANOPY ON L #38  
 Map # 004-000-00123-TL-01  
 Payable To: LENA GORMONT, TAX COLLECTOR  
 R R 1 BOX 13  
 FRENCHVILLE PA 16836  
 PHONE 814-263-4658  
 MY RESIDENCE  
 MON 6-8 PM & WED 6-8 PM  
 OTHER TIMES BY APPOINTMENT  
 Taxes Are Due and Payable and Payment is Requested From:  
**SMITH, RONALD**  
 475 DUCKTOWN ROAD  
 YORK PA 17406

*pd 3-1-01  
# 1491*

Real Estate Tax  
 For 2001

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			
325		0.00			
Total		0.00			
325				5.89	6.47

## Payment Schedule

Received By	5/1/01	@	2.00 % Discount Pay -->	5.77
Between	5/2/01	AND	7/3/01	Pay
Beginning	7/4/01	@	10.00 % Penalty Pay -->	6.47
Fast Pay To Pay Tax Collector	1/1/02			
Unpaid Taxes Returned To Tax Claim On	1/15/02			At 8:30 AM

Tax Payers  
 Receipt

Signature of Tax Collector

Date Paid

Paid Above

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

Bill# 767 Mail Date: 8/15/01 COUNTY OF CLEARFIELD / CLEARFIELD AREA SCHOOL DISTRICT / COVINGTON TOWNSHIP Control # 1110 - 49432

Description of Property: CANOPY ON L #38  
 Map # 004-000-00123-TL-01  
 Payable To: LENA GORMONT, TAX COLLECTOR  
 R R 1 BOX 13  
 FRENCHVILLE PA 16836  
 PHONE 814-263-4658  
 MY RESIDENCE  
 MON 2-4 PM & WED 6-8 PM  
 OTHER TIMES BY APPOINTMENT  
 Taxes Are Due and Payable and Payment is Requested From:  
**SMITH, RONALD**  
 475 DUCKTOWN ROAD  
 YORK PA 17406

Real Estate Tax  
 For 2001

Assessed Value	Tax Desc	Tax Rate	Discount	Face	Penalty
Land	School	66.00	21.02	21.45	23.60
0					
Bldg.					
325					
Total					
325				21.02	23.60

## Payment Schedule

Received By	10/15/01	@	2.00 % Discount Pay -->	21.02
Between	10/16/01	AND	12/15/01	Pay
Beginning	12/16/01	@	10.00 % Penalty Pay -->	23.60
Fast Pay To Pay Tax Collector	1/1/02			
Unpaid Taxes Returned To Tax Claim On	1/15/02			At 8:30 AM

Tax Payers  
 Receipt

Signature of Tax Collector

Date Paid

Paid Above

Entire Statement Must Be Presented With Payment. Self Addressed Stamped Envelope Must Be Enclosed When A Return Receipt Is Requested. *8-17-01 #1556*

# 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

## APPROXIMATE UPSET PRICE

THE APPROXIMATE UPSET PRICE  
WHICH THE PROPERTY SHALL BE  
SOLD IS: **\$363.67**

CALL FOR EXACT AMOUNT DUE.

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

## APPROXIMATE UPSET PRICE

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WHICH THE PROPERTY SHALL BE  
SOLD IS: **\$363.67**

CALL FOR EXACT AMOUNT DUE.

Claim # **99 - 004105**

Control # **111 . 0 - 49429**

Map Number  
**Q04-000-00123**

Property Description  
**L #38 (10.045 A)**

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**

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COPY 2

*posting*

Exhibit "4"

## 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 SKANE  
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]  
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

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

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

[Signature]  
SIGNATURE

Sworn and Subscribed to

before me this SEP 13 2001

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

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

[Signature]  
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

BELIN & KUBISTA

ATTORNEYS AT LAW

15 NORTH FRONT STREET

P. O. BOX 1

CLEARFIELD, PENNSYLVANIA 16830

FILED

MAY 21 2002

William A. Shaw  
Prothonetary

11C  
Amy Belin  
Aug 21 8:00

to



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

**FILED**

APR 01 2002

William A. Shaw  
Prothonotary

BELIN & KUBISTA  
15 North Front Street  
P.O. Box 1  
Clearfield, PA 16830  
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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. Dabravalskie,  
Ronald J. Dabravalskie, Jr., Joseph K.  
Brooke, Paul B. Brooke, Anthony D. Brooke,  
Buckridge Camp

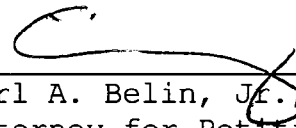
March 23, 2002

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

PS Form 3811, July 1999

Domestic Return Receipt  
Ron Smith

**COMPLETE THIS SECTION ON DELIVERY**

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

*Patrick H. Mowrey* *7-28-00*

C. Signature

*X 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

**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

PS Form 3811, July 1999

Reading, PA 19606

Domestic Return Receipt

Ron Smith

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

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

*CARMELO J BISBANO* *3/23/02*

C. Signature

*X 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

ON DELIVERY	
A. Signature X <i>Ron Smith</i>	
B. Date of Delivery MAR 22 2002	
C. Agent <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
1. Article Addressed to: Clearfield County Tax Claim Bureau 230 East Market Street Clearfield, PA 16830	
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

019:39/6cc atty  
William A. Shaw  
Prothonotary Belin  
8/2

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.

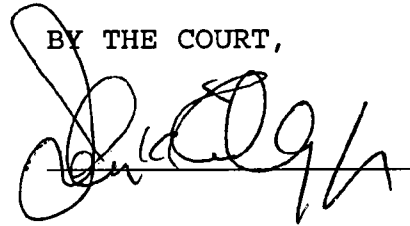
It is the further ORDER of this Court that Petitioners shall pay to the Clearfield County Tax Claim Bureau a check in the amount of Two Thousand Thirty-Six Dollars and 03/100 (\$2,036.03) which was paid to them as a result of overbid in the tax sale.

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 be "John A. G. H.", written over a horizontal line.

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/noccl @  
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. Dabravalskie, Ronald  
J. Dabravalskie, 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

---

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 26 2002

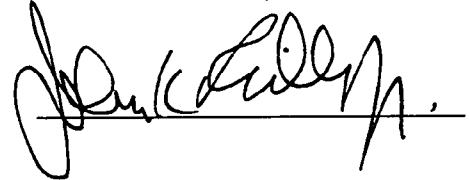
William A. Shaw  
Prothonotary

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 be "John C. Lively", is written over a horizontal line.

FILED

01:46 PM  
APR 26 2002

William A. Shaw  
Prothonotary

TCC  
Amy Belin  
CAB