

62-422-CD  
WILLIAM L. BOWSER Et ux / -vs- ROSELLA SHAW

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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs :  
vs. :  
ROSELLA SHAW, : Type of Case: Quiet Title Action  
her heirs, executors, administrators, : Type of Pleading: Complaint  
trustees and/or assigns, known or : Filed on Behalf of Plaintiffs  
unknown and any other person or : Counsel of Record for this  
persons, firms, partnerships, : Party; Ronald L. Collins, Esq.  
associations or corporate entities : Supreme Court ID No. 36744  
in interest, :  
Defendant : 218 South Second Street  
: Clearfield, PA. 16830  
: 814/765-5552

FILED

MAR 21 2002

William A. Shaw  
Prothonotary

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

WILLIAM L. BOWSER and	:	
ROBIN L. BOWSER, his wife,	:	
Plaintiffs	:	No. 2002 - _____ -CD
vs.	:	Type of Case: Quiet Title Action
ROSELLA SHAW,	:	
her heirs, executors, administrators,	:	
trustees and/or assigns, known or	:	
unknown and any other person or	:	
persons, firms, partnerships,	:	
associations or corporate entities	:	
in interest,	:	
Defendant	:	

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 Court House  
Clearfield, PA. 16830  
Telephone: 814-765-2641, Ext. 5982

**COMPLAINT**

**AND NOW** comes WILLIAM L. BOWSER and ROBIN L. BOWSER, his wife, by their attorney, Ronald L. Collins, Esq., and files the following Complaint:

1. The Plaintiffs are William L. Bowser and Robin L. Bowser, both of P. O. Box 14, Smoke Run, Pennsylvania 16681.

2. The Defendant is Rosella Shaw, her executors, administrators, trustees and/or assigns, and any other persons, firms, partnerships, associations or corporate entities or successors who may claim under them, and who are deceased, or no longer in existence and whose whereabouts are unknown.

3. The real property involved in and subject of this action is ALL those certain pieces or parcels of land situated in the Township of Bigler, Clearfield County, Pennsylvania, bounded and described as follows:

**THE FIRST THEREOF:** BEGINNING at the Northwest intersection of Ridge and Center Streets; thence North Twenty-eight degrees thirty minutes West (N 28° 30' W) along Center Street One Hundred Fifty (150') feet to an alley; thence along said alley South Sixty-one degrees Thirty minutes East (S 61° 30' E) Seventy-five (75') feet to a stake, being center of Lot No. 34; thence along said center line South Twenty-eight degrees Thirty minutes East (S 28° 30' E) One Hundred Fifty (150') feet to Ridge Street; thence along said Ridge Street North Sixty-one degrees thirty minutes West (N 61° 30' W) Seventy-five (75') feet to corner of Ridge Street and Center Street, and BEING known and designated in the plan of "Beyer" as Lot No. 35 and East half of Lot No. 34.

**THE SECOND THEREOF:** BEGINNING at corner of Ridge Street and a fourteen-foot alley; thence along North side of Ridge Street and in an Easterly direction Seventy-five (75') feet to center of Lot No. 34; thence in a Northerly direction on a line at right angle with Ridge Street and parallel with said fourteen-foot alley One Hundred Fifty (150') feet to alley; thence in a Westerly direction along said alley Seventy-five (75') feet to said fourteen-foot alley; thence in a Southerly direction along said last mentioned alley

One Hundred Fifty (150') feet to corner of alley and Ridge Street and place of beginning. **BEING** Lot No. 33 and the West half of Lot No. 34 in the plan of "Beyer" or Smoke Run Village.

The above parcels being collectively assessed under Clearfield County Assessment Map Number 103-K15-496-00006.

**SUBJECT**, Nevertheless, to the exceptions and reservations contained in prior deeds in the chain of title.

4. The herein premises described in Paragraph 3 were conveyed to William L. Bowser and Robin L. Bowser by Melissa Berkstresser and Jackie Nebel by quit-claim deed dated November 26, 2001, and entered for record in Clearfield County Instrument File No. 200119413 on December 4, 2001.

5. The herein described premises were originally conveyed to Ralph Shaw by deed of Pheobe Bowser and A. C. Bowser dated August 15, 1920, and entered for record in Clearfield County, Pennsylvania, Deed Book Volume 275, Page 194.

6. The said Ralph Shaw died intestate on October 28, 1953, as evidenced by Clearfield County, Pennsylvania, Estate File No. 21973 vesting the premises in his wife, Rosella Shaw and his children, Harold A. Shaw and Dora Shaw Thompson.

7. By deed dated January 16, 1954, and entered for record in Clearfield County Deed Book 441, Page 223, Dora Shaw Thompson and Jack R. Thompson conveyed the intestate interest of Dora Shaw Thompson in the herein described premises to Rosella Shaw.

8. By deed dated January 28, 1958, and entered for record in Clearfield County Deed Book Volume 465, Page 87, Harold A. Shaw and Catherine Shaw, his wife, conveyed the intestate interest of Harold A. Shaw to Rosella Shaw.

9. The conveyance of the intestate interest of Dora Shaw Thompson and Harold A. Shaw, together with the intestate interest already vested in Rosella Shaw at the time of the transfer set forth in Paragraphs 7 and 8, vested the entire interest in the herein described premises in Rosella Shaw.

10. It is believed that Rosella Shaw passed away in approximately 1956. No estate of record could be located in Clearfield County or any of the adjoining counties to Clearfield County nor could any deeds be located in Clearfield County, Pennsylvania, which indicated that the premises were conveyed by Rosella Shaw prior to her death.

11. The current assessment for the herein described premises show the assessment as "Rosella Shaw, c/o Jack Thompson, 39655th Drive, Gresham, Oregon." Jack Thompson was the son-in-law of Rosella Shaw, and the husband of Dora Shaw Thompson, the daughter of Rosella Shaw. Jack Thompson was the father of Melissa Berkstresser and Jackie Nebel, the Grantors of the quit-claim deed to Plaintiffs as set forth in Paragraph 4 herein.

12. Melissa Berkstresser has informed the Plaintiffs that Dora Shaw Thompson and Jack Thompson, her parents, passed away respectively in the year 1989 and in the year 2000.

13. Harold A. Shaw would have been the other intestate heir of Rosella Shaw. The Plaintiffs have been informed by Melissa Berkstresser, a niece of Harold A. Shaw, that Harold A. Shaw and Catherine Shaw, his wife, have been deceased for many years, and to the best of her knowledge, they had no intestate heirs. No estates for Harold A. Shaw and Catherine Shaw, his wife, could be located in Clearfield County, or in any of the adjoining counties to Clearfield County.

14. The premises described in Paragraph 3 herein have been continuously assessed to Rosella Shaw from 1959 to the present, a period in excess of 43 years.

15. This Quiet-Title Action is necessary in order to extinguish nay right, title, claim or interest of the above named Defendant, her heirs, executors, administrators, trustees, and assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest as a result of any incorrect assessments or missing deeds affecting the rights of said parties, or nay person or party claiming therefrom or claiming any right, title or interest in said premises described in Paragraph 3 herein.

16. This Quiet-Title Action is necessary to establish a proper chain of title out of which the real property subject of this action comes, because of irregularities in the chain of title, including possible unrecorded deeds, variances in the descriptions, tax sale deeds, unclear tax assessments and quit-claim deeds, and missing or non-existent estate records, all of which raise a question as to the chain of title to the property and create a cloud on the title.

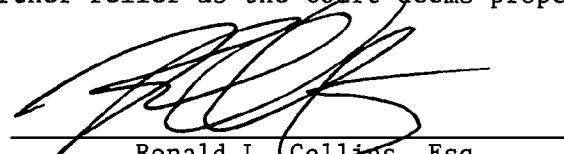
17. It is finally averred that this Quiet-Title Action is necessary to determine the validity or discharge of any document, obligation or deed affecting any right, title and interest in the property subject of this action, which may affect the rights of the Defendants.

WHEREFORE, Plaintiffs being this action and respectfully request the Court to decree as follows:

a. That the Plaintiffs, their heirs, executors, personal representatives and assigns are seized of an absolute and indefeasible title to the property situated in the Township of Bigler, Clearfield County, Pennsylvania, described herein, and that an Order and Decree be entered adjudicating that each Defendant and any of their heirs, successors, executors, administrators, trustees, or assigns, known or unknown, or any other person or persons, firms, partnerships, associations, or corporate entities in interest be forever barred from asserting any right, title, lien or interest in the herein described parcel of land.

b. That such other relief be granted as may be necessary in establishing Plaintiffs' title, including determinations on the validity, or discharge of any documents, obligations, or deeds affecting right, title and interest in the property described herein.

c. Such other and further relief as the Court deems proper.



Ronald L. Collins, Esq.  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA:

: §

COUNTY OF CLEARFIELD

:

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared WILLIAM L. BOWSER and ROBIN L. BOWSER, who, being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

William L. Bowser  
William L. Bowser

Robin L. Bowser  
Robin L. Bowser

Sworn to and subscribed  
before me this 15<sup>th</sup>  
day of March,  
2002.

Brenda L. Keith  
Notary Public

NOTARIAL SEAL  
BRENDA L KEITH, Notary Public  
Woodward Twp., Clearfield County  
My Commission Expires Aug. 14, 2004

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

WILLIAM L. BOWSER and	:	
ROBIN L. BOWSER, his wife,	:	
Plaintiffs	:	No. 2002 - _____ -CD
vs.	:	Type of Case: Quiet Title Action
	:	
ROSELLA SHAW,	:	
her heirs, executors, administrators,:	:	
trustees and/or assigns, known or	:	
unknown and any other person or	:	
persons, firms, partnerships,	:	
associations or corporate entities	:	
in interest,	:	
Defendant	:	

MOTION FOR SERVICE BY PUBLICATION

1. Your Petitioners are WILLIAM L. BOWSER and ROBIN L. BOWSER, his wife, Plaintiffs in the above captioned matter.

2. Petitioners, by attached affidavit incorporated herein by reference thereto, believe that the named Defendants are deceased, or that their whereabouts are unknown.

WHEREFORE, Petitioners, by their attorney, Ronald L. Collins, Esq., request that your Honorable Court grant and order that the therein named Defendants be served by publication as required by law.



Ronald L. Collins, Esq.  
Attorney for Plaintiff

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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs : No. 2002 - \_\_\_\_\_-CD  
vs. : Type of Case: Quiet Title Action  
ROSELLA SHAW, :  
her heirs, executors, administrators, :  
trustees and/or assigns, known or :  
unknown and any other person or :  
persons, firms, partnerships, :  
associations or corporate entities :  
in interest, :  
Defendant :  
:

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

: §  
COUNTY OF CLEARFIELD :  
:

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared WILLIAM L. BOWSER and ROBIN L. BOWSER, his wife, who, being duly sworn according to law, depose and say that the name of the Defendant, her heirs, successors, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, are no longer in existence and their whereabouts are unknown to the Plaintiffs.

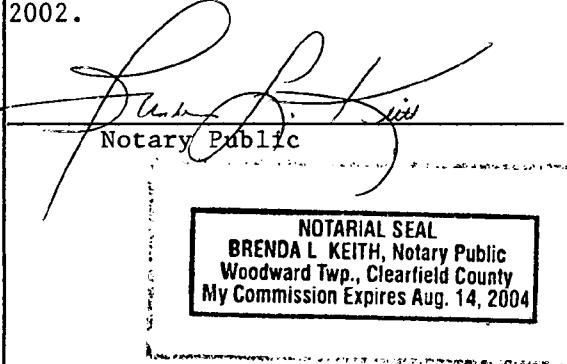
Plaintiffs and their attorney have made an investigation to locate the aforesaid Defendants that are unknown, by checking the records of Clearfield County which included deed indices, Orphan's Court records, assessment records, voter's registration records, and miscellaneous indices

in the Clearfield County Prothonotary Office. Telephone directories in the area of the Defendants' last known address were checked, and local postal authorities in the area of the Defendants' last known addresses were contacted. The Defendants were not found because they are no longer in existence and their whereabouts are unknown.

William L. Bowser  
William L. Bowser

Robin L. Bowser  
Robin L. Bowser

Sworn to and subscribed  
before me this 15<sup>th</sup>  
day of March,  
2002.



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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs :  
vs. : No. 2002 - 422 -CD  
: Type of Case: Quiet Title Action  
ROSELLA SHAW, :  
her heirs, executors, administrators, :  
trustees and/or assigns, known or :  
unknown and any other person or :  
persons, firms, partnerships, :  
associations or corporate entities :  
in interest, :  
Defendant :  
:

**FILED**

APR 01 2002  
0113412cc at 500  
William A. Shaw  
Prothonotary  
Collins  
RPS

ORDER DIRECTING COMPLAINT TO BE SERVED  
BY ADVERTISEMENT ON DEFENDANTS

AND NOW, this 20<sup>th</sup> day of March, 2002, the within Action  
being an Action to Quiet Title and the Plaintiffs having made affidavit that  
the address of the Defendants are unknown and cannot be ascertained, and  
therefore upon Motion of Ronald L. Collins, Esquire, Attorney for Plaintiffs, it  
is Ordered and Decreed that substitute service by publication be made upon  
the Defendants whose addresses are unknown, or who may no longer be in  
existence, by giving notice in The Progress, a newspaper of general  
circulation published in the Clearfield County area, and in the Clearfield  
County Legal Journal, to all of the above named Defendants, such publication  
to be one (1) time only, stating that this action has been filed, and that  
this Complaint must be pleaded to within twenty (20) days after publication  
of notice; otherwise judgment will be taken against all of the Defendants by  
default.

BY THE COURT

J.

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

WILLIAM L. BOWSER and	:	
ROBIN L. BOWSER, his wife,	:	
Plaintiffs	:	No. 2002 - _____-CD
vs.	:	Type of Case: Quiet Title Action
ROSELLA SHAW,	:	
her heirs, executors, administrators,	:	
trustees and/or assigns, known or	:	
unknown and any other person or	:	
persons, firms, partnerships,	:	
associations or corporate entities	:	
in interest,	:	
Defendant	:	

**ACTION TO QUIET TITLE  
NOTICE**

TO: ROSELLA SHAW, her heirs, executors, administrators, trustees and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Bigler, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

**THE FIRST THEREOF:** BEGINNING at the Northwest intersection of Ridge and Center Streets; thence North Twenty-eight degrees thirty minutes West (N 28° 30' W) along Center Street One Hundred Fifty (150') feet to an alley; thence along said alley South Sixty-one degrees Thirty minutes East (S 61° 30' E) Seventy-five (75') feet to a stake, being center of Lot No. 34; thence along said center line South Twenty-eight degrees Thirty minutes East (S 28° 30' E) One Hundred Fifty (150') feet to Ridge Street; thence along said Ridge Street North Sixty-one degrees thirty minutes West (N 61° 30' W) Seventy-five (75') feet to corner of Ridge Street and Center Street, and BEING known and designated in the plan of "Beyer" as Lot No. 35 and East half of Lot No. 34.

**THE SECOND THEREOF:** BEGINNING at corner of Ridge Street and a fourteen-foot alley; thence along North side of Ridge Street and in an Easterly direction Seventy-five (75') feet to center of Lot No. 34; thence in a Northerly direction on a line at right angle with Ridge Street and parallel with said fourteen-foot alley One Hundred Fifty (150') feet to alley; thence in a Westerly direction along said alley Seventy-five (75') feet to said fourteen-foot alley; thence in a Southerly direction along said last mentioned alley One Hundred Fifty (150') feet to corner of alley and Ridge Street and place

of beginning. **BEING** Lot No. 33 and the West half of Lot No. 34 in the plan of "Beyer" or Smoke Run Village.

The above parcels being collectively assessed under Clearfield County Assessment Map Number 103-K15-496-00006.

**SUBJECT**, Nevertheless, to the exceptions and reservations contained in prior deeds in the chain of title.

**TAKE NOTICE** that the Plaintiff is the owner of the land described hereinabove and that he has requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in him, free and clear of the claims of the persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under them, or all persons or entities claiming any right, title or interest in the land described fail to plead to the Plaintiff's complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Court may direct, the Defendants, their heirs, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors or assigns.

#### **NOTICE**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**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 Administrator  
Clearfield County Court House  
Clearfield, PA. 16830  
814-765-2641

RONALD L. COLLINS, ESQ.  
218 South Second Street  
Clearfield, PA. 16830

**FILED**

No cc

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MAR 21 2002

RECEIVED  
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for Accts

William A. Shaw  
Prothonotary

Ron Collumb

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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs : No. 2002 - 422 -CD  
vs. : Type of Case: Quiet Title Action  
: :  
ROSELLA SHAW, :  
her heirs, executors, administrators, :  
trustees and/or assigns, known or :  
unknown and any other person or :  
persons, firms, partnerships, :  
associations or corporate entities :  
in interest, :  
Defendant : :

**AFFIDAVIT OF SERVICE**

Before me, William A. Shaw, Prothonotary, personally appeared Ronald L. Collins, Esq., who, being duly sworn according to law, deposes and says that service was made in this case by publication in The Progress one time only on April 5, 2002, and the Clearfield County Legal Journal one time only for the week of April 12, 2002, as appears by sworn proof hereto attached. And further that all the named Defendants are no longer in existence, or their whereabouts are unknown and were not served in any other manner. No appearance having been entered on behalf of any of the Defendants nor any answer filed by any of them, Plaintiffs have caused this Affidavit to be made for the purpose of obtaining a Decree of Court under Pa. R.C.P. 1066.

**FILED**  
03:19:04 NO  
APR 14 2003 CC  
KCD

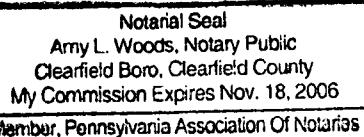
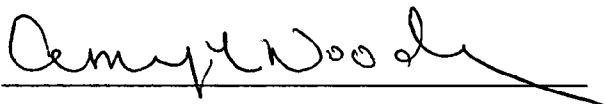
William A. Shaw  
Prothonotary

WHEREFORE, this Affidavit of Service made by the manner aforesaid is made for the purpose of obtaining a Decree of Court.



Ronald L. Collins, Esq.  
Attorney for Plaintiffs

Sworn to and subscribed  
before me this 14<sup>th</sup>,  
day of April,  
2003..



## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 27th day of March, A.D. 2003, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of April 5, 2003. 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.

Margaret E. Krebs  
Sworn and subscribed to before me the day and year aforesaid.

Ann K. Law  
Notary Public Clearfield, Pa.

My Commission Expires  
September 16, 2004

Notarial Seal  
Ann K. Law, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Sept. 16, 2004  
Member, Pennsylvania Association of Notaries

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
No. 2002-422-C

Type of Case:

Quiet Title Action

WILLIAM L. BOWSER and ROBIN  
L. BOWSER, his wife, Plaintiffs  
vs.

ROSELLA SHAW, her heirs, executors, administrators, trustees and/or assigns, known or unknown and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendant

ACTION TO  
QUIET TITLE

NOTICE

TO: ROSELLA SHAW, her heirs, executors, administrators, trustees, and/or assigns, known or unknown, and any other person or persons, firms, partnerships, associations or corporate entities in interest, Defendants.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Bigler, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

THE FIRST THEREOF: BEGINNING at the Northwest intersection of Ridge and Center Streets; thence North Twenty-eight degrees thirty minutes West (N 28° 30' W) along Center Street One Hundred Fifty (150') feet to an alley; thence along said alley South Sixty-one degrees Thirty minutes East (S 61° 30' E) Seventy-five (75') feet to a stake, being center of Lot No. 34; thence along said center line South Twenty-eight degrees Thirty minutes East (S 28° 30' E) One Hundred Fifty (150') feet to Ridge Street; thence along said Ridge Street North Sixty-one degrees Thirty minutes West (N 61° 30' W) Seventy-five (75') feet to corner of Ridge Street and Center Street, and BEING known and designated in the plan of "Beyer" as Lot No. 35 and East half of Lot No. 34.

THE SECOND THEREOF: BEGINNING at corner of Ridge Street and a fourteen-foot alley; thence along North side of Ridge Street and in an Easterly direction Seventy-five (75') feet to center of Lot No. 34; thence in a Northerly direction on a line at right angle with Ridge Street and parallel with said fourteen-foot alley One Hundred Fifty (150') feet to alley; thence in a Westerly direction along said alley Seventy-five (75') feet to said fourteen-foot alley; thence in a Southerly direction along said last mentioned alley One Hundred Fifty (150') feet to corner of alley and Ridge Street and place of beginning. BEING Lot No. 33 and the West half of Lot No. 34 in the plan of "Beyer" or Smoke Run Village.

The above parcels being collectively assessed under Clearfield County Assessment Map Number 103-K15-496-00006.

SUBJECT, Nevertheless, to the exceptions and reservations contained in prior deeds in the chain of title.

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that he has requested in their Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in him, free and clear of the claims of the persons or entity claiming or who might claim title under them, and all other persons or entities claiming any right, title or interest in the land described, or anyone claiming by, through or under them. Should the above named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under them, or all persons or entities claiming any right, title or interest in the land described fail to plead to the Plaintiff's complaint last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Courts may direct, the Defendants, their heirs, successors and assigns, and any other person, persons or entity claiming or who might claim title under them, or all other persons or entities claiming any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors or assigns.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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Court Administrator  
Clearfield County  
Courthouse  
Clearfield, PA 16830  
814-765-2641  
RONALD L. COLLINS, ESQ.  
218 South Second Street  
Clearfield, PA 16830

4.5-1d-b

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
:  
COUNTY OF CLEARFIELD :

On this 30th day of July AD 2002, 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 April 12, 2002, Vol. 14 No. 15. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

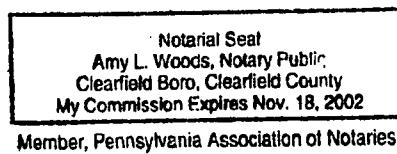


Gary A. Knaresboro, Esquire  
Editor

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



Notary Public  
My Commission Expires



Ronald Collins  
218 South Second St  
Clearfield PA 16830

and described as follows:

THE FIRST THEREOF: BEGINNING at the Northwest intersection of Ridge and Center Streets; thence North Twenty-eight degrees thirty minutes West (N 28° 30' W) along Center Street One Hundred Fifty (150') feet to an alley; thence along said alley South Sixty-one degrees Thirty minutes East (S 61° 30' E) Seventy-five (75') feet to a stake, being center of Lot No. 34; thence along said center line of South Twenty-eight degrees Thirty minutes East (S 28° 30' E) One Hundred Fifty (150') feet to Ridge Street; thence along said Ridge Street North Sixty-one degrees thirty minutes West (N 61° 30' W) Seventy-five (75') feet to corner of Ridge Street and Center Street, and BEING known and designated in the plan of "Beyer" as Lot No. 35 and East half of Lot No. 34.

THE SECOND THEREOF: BEGINNING at corner of Ridge Street and a fourteen-foot alley; thence along North side of Ridge Street and in an Easterly direction Seventy-five (75') feet to center of Lot No. 34; thence in a Northerly direction on a line at right angle with Ridge Street and parallel with said fourteen-foot alley One Hundred Fifty (150') feet to alley; thence in a Westerly direction along said alley Seventy-five (75') feet to said fourteen-foot alley; thence in a Southerly direction along said last mentioned alley One Hundred Fifty (150') feet to corner of alley and Ridge Street and place of beginning. BEING Lot No. 33 and the West half of Lot No. 34 in the plan of "Beyer" or Smoke Run Village.

The above parcels being collectively assessed under Clearfield County Assessment Map Number 103-K15-496-00006.

SUBJECT, Nevertheless, to the exceptions and reservations contained in prior deeds in the chain of title.

TAKE NOTICE that the Plaintiff are the owners of the land described hereinabove and that they have requested in their complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of all Defendants, their heirs and assigns, and any other person or persons claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above-named Defendants, their heirs, or assigns, or any other person, persons or entity claiming or who might claim title under the land described fail to plead to the Plaintiffs' Complaint within twenty (20) days from the last publication of this Notice, or fail to take such action within thirty (30) days after default judgment as the Court may direct, the Defendants, their

heirs, successors and assigns, and "any other person, persons or entities claiming any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors or assigns.

#### NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for the relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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 Court House, Clearfield, PA 16830. (814) 765-2641, Ext. 5982.

RONALD L. COLLINS, ESQUIRE, 218 South Second Street, Clearfield, PA 16830.

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

NO. 02-428-CD

DREW A. BORSUK and DENISE B. BORSUK, his wife, Plaintiffs vs. CORDELIA LUTZ, MAGGIE LUTZ, IDA SMEAL, HARRY LUTZ, CHARLES LUTZ, ALFRED LUTZ, CORA LUTZ, ORNETTA LUTZ, all believed to be deceased and their cumulative heirs, devisees, successors, administrators, executors and assigns, and all other persons or entities in interest, known or unknown, claiming by, through or under them, and ANN MARIE NADZAM.

#### ACTION TO QUIET TITLE

TO: CORDELIA LUTZ, MAGGIE LUTZ, IDA SMEAL, HARRY LUTZ, CHARLES LUTZ, ALFRED LUTZ, CORA LUTZ, ORNETTA LUTZ, or their legal representatives.

TAKE NOTICE that a Complaint has been filed to Quiet Title to premises described as follows:

Parcel "A" identified by county assessment map #110-R7-22 described as follows in the Clearfield County Recorder's Office in Deed dated November 16, 1999 filed as Instrument No. 1999-20149:

of course without further notice by the Court in 10 days.

First & Final Account of James A. Netterblade, Sr., Executor for the Estate of Mildred F. Netterblade, late of Cooper Township, Clearfield County, PA, DECEASED.

First and Final Account of Clearfield Bank & Trust Company, Executor for the Estate of Florence A. Turner, late of Woodland, Clearfield County, PA, DECEASED.

First & Final Account of Carol Johns Shimmel, Executrix for the Estate of Loya R. Brown a/k/a Loya Johns Brown, late of Curwensville, Clearfield County, PA, DECEASED.

Second & Partial Account of S & T Bank, Trustee of Robert W. Fulton Trust B, late of DuBois, Clearfield County, PA, DECEASED.

First & Final Account of Mary L. Vitarelli, Administratrix C.T.A. for the Estate of Lewis Desander, late of the City of DuBois, Clearfield County, PA, DECEASED.

ADV: April 5, & 12th, 2002

KAREN L. STARCK, REGISTER OF WILLS & CLERK OF THE ORPHANS' COURT.

#### FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Act of Assembly No. 295, approved December 16, 1982, P.L. 1309, 54 Pa. C.S.A. Section 301, et seq. of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on the 26th day of September, 2001 of a Fictitious Name Registration for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of C & S RECOVERY, with principal place of business at R.D. #2, Box 422, DuBois, PA 15801. CHRISTOPHER J. BALLIET is the owner and only entity interested in said business.

BLAISE J. FERRARACCIO, Esquire, Ferraraccio & Noble, 301 East Pine Street, Clearfield, PA, Solicitor for Applicant.

#### NOTICE OF NAME CHANGE

NOTICE is hereby given that DANIEL R. McBRIDE, on behalf of BRANDON MICHAEL PELTON, has filed a Petition for Change of Name to BRANDON MICHAEL McBRIDE. The Court has scheduled hearing of this Petition for June 20, 2002 at

1:30 p.m. in Courtroom 1 of the Clearfield County Courthouse. Interested parties may appear and show cause, if they may have objections, as to why said Petition should not be granted.

MARK S. WEAVER, P.O. Box 170, Clearfield, PA 16830.

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

IN RE: ALEXIS LORETTA FULMER  
DOB: NOVEMBER 26, 1999

No. 02-454-CD

#### NOTICE-CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on March 22, 2002, the Petition of Russell McCreadie was filed in the above-named Court, praying for decree to change the name of his daughter, Alexis Loretta Fulmer to Alexis Loretta McCreadie.

The Court has fixed the 17th day of June, 2002, at 1:30 p.m. in the Courtroom No. 2 of the Clearfield County Courthouse, as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said Petition should not be granted.

BRIAN K. MARSHALL, Attorney-at-Law, 211 North Second Street, Clearfield, PA 16830.

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

WILLIAM L. BOWSER and ROBIN L. BOWSER, his wife, Plaintiffs vs. ROSELLA SHAW, his heirs, executors, administrators, trustees and/or assigns, known or unknown and any other person or persons, firms, partnerships, associations, or corporate entities in interest, Defendant.

No. 02-422-CD

#### ACTION TO QUIET TITLE

#### NOTICE

TO: ROSELLA SHAW, his heirs, executors, administrators, trustees and/or assigns, known or unknown and any other person or persons, firms, partnerships, associations, or corporate entities in interest, Defendant.

You have been sued in Court. You are hereby notified that an Action to Quiet Title to the premises in the Township of Bigler, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded

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

WILLIAM L. BOWSER and	:	
ROBIN L. BOWSER, his wife,	:	
Plaintiffs	:	No. 2002 - <u>422</u> -CD
vs.	:	Type of Case: Quiet Title Action
ROSELLA SHAW,	:	
her heirs, executors, administrators,	:	
trustees and/or assigns, known or	:	
unknown and any other person or	:	
persons, firms, partnerships,	:	
associations or corporate entities	:	
in interest,	:	
Defendant	:	

FILED  
01/31/2003  
APR 14 2003  
KBL  
No. 03  
cc

William A. Shaw  
Prethernotary

## **MOTION FOR JUDGMENT**

NOW, April 14, 2003, an Affidavit having been executed and presented herewith on behalf of the Plaintiff showing that the Complaint was served by publication on all of the Defendants in The Progress on April 5, 2002, and in the Clearfield County Legal Journal during the week of April 12, 2002, and further that all the named Defendants are no longer in existence, or their whereabouts are unknown and were not served in any other manner, and no Defendants having entered an appearance or filed an Answer or having expressed any purpose or intent to be heard or desire to assert title to said property, and twenty (20) days having elapsed since the last publication and it appearing that it was impossible to serve any other Defendants by any other means.

WHEREFORE, Ronald L. Collins, Esq., prays Your Honorable Court, as attorney for the Plaintiff, that judgment be entered in favor of the Plaintiff and against the Defendants, their successors, trustees and assigns,

known or unknown, and that any other person or persons, firms, partnerships, associations, or corporate entities in interest, with direction that they file suit in ejectment or otherwise enter proceedings to contest the case within thirty (30) days, or judgment may be entered against them from asserting any title or claim to the real estate in this action.



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Attorney for Plaintiffs

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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs : No. 2002 - 422 -CD  
vs. : Type of Case: Quiet Title Action  
: Type of Pleading:  
ROSELLA SHAW, : Order of Court  
her heirs, executors, administrators, : Filed on Behalf of Plaintiffs  
trustees and/or assigns, known or : Counsel of Record for this  
unknown and any other person or : Party: Ronald L. Collins, Esq.  
persons, firms, partnerships, : Supreme Court ID NO. \_\_\_\_\_  
associations or corporate entities :  
in interest, : 218 South Second Street  
Defendant : Clearfield, PA. 16830  
814/765-5552

FILED

APR 16 2003

ORDER OF COURT

William A. Shaw NOW, April 16, 2003, an Affidavit having been made that  
Prothonotary service was made by publication in The Progress on April 5, 2002, and  
the Clearfield County Legal Journal during the week of  
April 12, 2002 and it appearing that it was impossible to serve any  
other Defendants by any other means,

IT IS ORDERED AND DECREED that Defendants file suit in ejectment or  
otherwise enter a proceeding to contest the case within thirty (30) days, or  
this Order of Court shall become final upon Praeclipe by Plaintiffs, which  
hereby Orders and Decrees that title to the land subject of this action is  
vested absolutely in the Plaintiffs, their heirs and assigns, free and  
clear of any and all claims of any nature by any of the named Defendants,  
their successors, trustees and assigns, known or unknown, and any other  
persons, firms, partnerships, associations or corporate entities in  
interest.

or by anyone claiming by, through or under them or any of them, and that the Plaintiffs are seized of an indefeasible title to the land situated in the Township of Bigler, Clearfield County, Pennsylvania, bounded and described as follows:

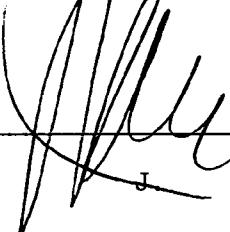
**THE FIRST THEREOF:** BEGINNING at the Northwest intersection of Ridge and Center Streets; thence North Twenty-eight degrees thirty minutes West (N 28° 30' W) along Center Street One Hundred Fifty (150') feet to an alley; thence along said alley South Sixty-one degrees Thirty minutes East (S 61° 30' E) Seventy-five (75') feet to a stake, being center of Lot No. 34; thence along said center line South Twenty-eight degrees Thirty minutes East (S 28° 30' E) One Hundred Fifty (150') feet to Ridge Street; thence along said Ridge Street North Sixty-one degrees thirty minutes West (N 61° 30' W) Seventy-five (75') feet to corner of Ridge Street and Center Street, and BEING known and designated in the plan of "Beyer" as Lot No. 35 and East half of Lot No. 34.

**THE SECOND THEREOF:** BEGINNING at corner of Ridge Street and a fourteen-foot alley; thence along North side of Ridge Street and in an Easterly direction Seventy-five (75') feet to center of Lot No. 34; thence in a Northerly direction on a line at right angle with Ridge Street and parallel with said fourteen-foot alley One Hundred Fifty (150') feet to alley; thence in a Westerly direction along said alley Seventy-five (75') feet to said fourteen-foot alley; thence in a Southerly direction along said last mentioned alley One Hundred Fifty (150') feet to corner of alley and Ridge Street and place of beginning. BEING Lot No. 33 and the West half of Lot No. 34 in the plan of "Beyer" or Smoke Run Village.

The above parcels being collectively assessed under Clearfield County Assessment Map Number 103-K15-496-00006.

**SUBJECT,** Nevertheless, to the exceptions and reservations contained in prior deeds in the chain of title.

BY THE COURT



**FILED**

cc to A.H. Collins

01145761  
APR 16 2003

William A. Shaw  
Fraternotary

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

WILLIAM L. BOWSER and :  
ROBIN L. BOWSER, his wife, :  
Plaintiffs : No. 2002 - 422 -CD  
vs. : Type of Case: Quiet Title Action  
ROSELLA SHAW, :  
her heirs, executors, administrators, :  
trustees and/or assigns, known or :  
unknown and any other person or :  
persons, firms, partnerships, :  
associations or corporate entities :  
in interest, :  
Defendant :  
FINAL PRAECIPE

**FILED**

JUN 10 2003

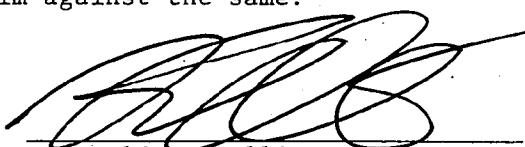
D 11:30 AM

William A. Shaw  
Prothonotary

No Court Con

TO: WILLIAM A. SHAW, Prothonotary of Said Court

The Defendant above named having failed to institute an action in ejectment or legal or equitable action to establish any claim they have to the premises subject of this action within thirty (30) days as directed by Order of Court dated the 16<sup>th</sup> day of April, 2003, you are hereby directed to enter judgment prohibiting the Defendant, her heirs, administrators, executors and assigns from forever setting up any title to the premises subject of this action or in any way attacking the Plaintiffs' title to the said property, or making claim against the same.

  
Ronald L. Collins, Esq.  
Attorney for Plaintiffs

Dated:

6/9/03