

02-564-CD  
EMERY G. STEPHENS vs. JERRY J. KOVACH et al

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

EMERY G. STEPHENS, :  
                         Plaintiff :  
VS.                    : NO. 02- 564 -CD  
                            :  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
                            Defendants :

CASE NUMBER: 02- -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: Plaintiff

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

**FILED**

APR 11 2002

William A. Shaw  
Prothonotary

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

EMERY G. STEPHENS, :  
                            Plaintiff :  
VS.                      : NO. 02-          -CD  
                            : :  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
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title in and to the herein described :  
premises under them, :  
                            Defendants :

**NOTICE**

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

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF  
YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR  
TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN  
GET LEGAL HELP.**

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

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

EMERY G. STEPHENS, :  
Plaintiff :  
VS. : NO. 02- -CD  
: :  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

**C O M P L A I N T**

AND NOW, comes EMERY G. STEPHENS, by and through his attorney,  
R. DENNING GEARHART, who avers as follows:

1. That Plaintiff is EMERY G. STEPHENS, an adult individual, with an address of R.R. #1, Box 525-A, Woodland, Clearfield County, Pennsylvania 16881.
2. That Defendant, JERRY J. KOVACH, is an adult individual with a last known address in the Township of Bradford, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for Jerry J. Kovach in the Register of Wills Office of Clearfield County, Pennsylvania.
3. That Defendant, SUSIE J. KOVACH, is an adult individual, with a last known address in the Township of Bradford, Clearfield County, Pennsylvania. A search of the appropriate records revealed no Estate being filed for Susie J. Kovach in the Register of Wills Office of Clearfield County, Pennsylvania.

4. That the property in question is more particularly described below and has the Tax Map No. 106-N06-33:

**ALL** that certain piece tract or parcel of land situate in the Township of Bradford, County of Clearfield County, and State of Pennsylvania, bounded and described as follows:

**BEGINNING** at an iron pin corner of the property of the Christian and Missionary Alliance Church, and also corner of land of Bruce H. Graham; thence by the line of the said Church property North seventy-eight (78) degrees thirty-eight (38) minutes East for a distance of one hundred thirty (130.0) feet, and passing through an iron pin six (6) feet from the edge of the road, to a point on the edge of the road, Township Route Number T-613 and near a highway ditch and cross drain; thence by the edge of the aforementioned road South eleven (11) degrees forty (40) minutes East for a distance of two hundred eighty-eight and five tenths (288.5) feet to a point on the said road; thence by line of land of Bruce R. Graham South eighty (80) degrees forty-seven (47) minutes West for a distance of one hundred sixty-eight and three tenths (168.3) feet to a corner of Bruce R. Graham; thence still by land of the said Bruce R. Graham North four (4) degrees zero (00) minutes West for a distance of two hundred eighty-four and six tenths (284.6) feet to an iron pin corner and place of beginning. Containing 0.985 acres.

5. That said property was purchased by Emery G. Stephens from Donald L. Gibxon and Carol L. Gibson, husband and wife, by Deed dated May 7, 1991 and entered for record in the Recorder's Office of Clearfield County to Deeds & Records Book Volume 1396, Page 324.

6. That said property was purchased by Donald L. Gibson and Carol L. Gibson, husband and wife, from Patrick H. Mowrey, et al, by Deed dated October 10, 1990 and found for record in the Recorder's Office of Clearfield County in Deeds & Records Book Volume 1392, Page 425.

7. That Harry L. Mowrey and Florence A. Mowrey, his wife conveyed their interest to Patrick H. Mowrey, et al by Deed dated April 23, 1989 and entered for record in the Recorder's Office of Clearfield County to Deeds & Records Book Volume 1278, Page 438.

8. That said property was seized and taken from Jerry J. and Susie J. Kovach for delinquent taxes by the Tax Claim Bureau of Clearfield County and conveyed to Harry L. Mowrey, et al by Deed dated July 8, 1987 and filed for record in the Recorder's Office of Clearfield County in Deeds & Records Book Volume 1169, Page 369.

9. That with respect to this property, Plaintiffs and their predecessors in title have exercised open, notorious and continuous dominion possession and control over the premises described in Paragraph 4 for a period in excess of 21 years adverse to any other claims of ownership.

10. That with respect to this property, Plaintiff and his predecessors in title believed this was conveyed to him and as a result of that belief, he has maintained it by paying taxes thereon.

11. That the purpose of this Quiet Title Action is to extinguish and cure any defects which may exist in the ownership of property more particularly described in Paragraph 4 hereof, and to extinguish any equity which the Defendants, their heirs, successors and assigns may have in the premises described in Paragraph 4 hereof.

12. That the Defendants, their heirs, successors and assigns identified in Paragraphs 2 through 3 of this Complaint are the only persons or entity known to Plaintiff who have any interest in said property and the Defendants, their heirs, successors and assigns cannot be determined if he/they continue(s) to exist. All the public records in the Clearfield County Courthouse and local telephone books have been checked prior to reaching this conclusion.

**WHEREFORE**, Plaintiff requests:

- A. that by decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 4 is in the Plaintiff and that he be allowed to enjoy said property in peace;
- B. that the Defendants, their heirs, successors and assigns, within thirty (30) days from the receipt of this Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants, their heirs, successors and assigns be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attaching the Plaintiff's title to said property, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging or conveying the said premises or any part thereof.
- C. such other relief as the court determines to be equitable and just.

Respectfully submitted,



R. Denning Gearhart, Esquire  
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

**AFFIDAVIT**

Before me, the undersigned officer, personally appeared, EMERY G. STEPHENS who being duly sworn according to law 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.



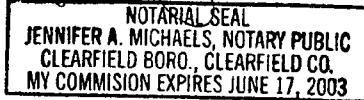
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EMERY G. STEPHENS

Sworn to and subscribed  
before me this 10<sup>th</sup> day  
of April, 2002.



Jennifer A. Michaels  
Notary Public



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IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 02-  
-CD

EMERY G. STEPHENS,  
Plaintiff

VS.  
JERRY J. KOVACH, et al,  
Defendants

COMPLAINT

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William A. Shaw  
Prothonotary

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

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

EMERY G. STEPHENS, Plaintiff :  
VS. : NO. 02- 564 -CD  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

**FILED**

APR 11 2002

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

William A. Shaw  
Prothonotary

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

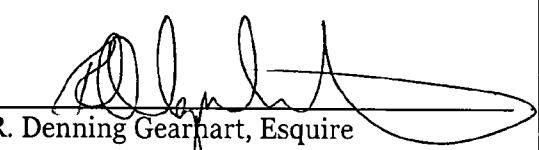
1. A search of the Courthouse records as found in Clearfield County have provided no further information as to the above-named Defendants, no heirs, successors or assigns.

2. All public records in the Clearfield County Courthouses and local telephone books have been checked prior to making this Affidavit.

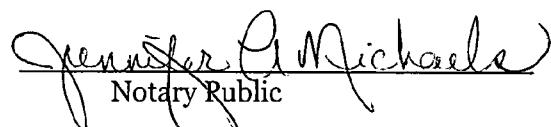
3. That I have made a good faith effort to find the whereabouts of the Defendants and all their heirs, successors and assigns.

Further, the deponent saith not.

Sworn to and subscribed before me  
this 10<sup>th</sup> Day of April, 2002.



R. Denning Gearhart, Esquire



Jennifer A. Michaels  
Notary Public

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

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IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 02-  
-CD

EMERY G. STEPHENS,  
Plaintiff

VS.  
JERRY J. KOVACH, et al,  
Defendants

AFFIDAVIT

FILED

0184584  
APR 11 2002  
Att'y

William A. Shaw  
Prothonotary

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

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

EMERY G. STEPHENS, :  
Plaintiff :  
VS. : NO. 02- 564 -CD  
: ACTION TO QUIET TITLE  
JERRY J. KOVACH and :  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

CASE NUMBER: 02- -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: MOTION FOR PUBLICATION

FILED ON BEHALF OF: Plaintiff

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

**FILED**

APR 11 2002

William A. Shaw  
Prothonotary

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

EMERY G. STEPHENS

Plaintiff

vs.

No. 05-CD

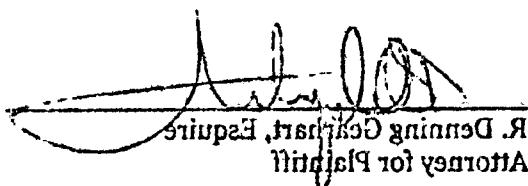
ACTION TO OVERT TITLE

JERRY J. KOVACH and  
SUSIE T. KOVACH, his wife,  
their heirs, successors and assigns,  
and/or any person or entity claiming  
title in and to the herein described  
premises under the above described  
Defendants

MOTION FOR PUBLICATION

AND NOW, to wit, this 11<sup>th</sup> day of April, 2005, on Affidavit having been  
filed by R. Deinuing Geisthart, Attorney for the Plaintiff, that the whereabouts of the above named  
Defendants, their heirs, successors and assigns, the unknown, the said R. Deinuing Geisthart moves  
the Court for leave to serve the Complaint upon the said Defendants, their heirs, successors and  
assigns, generally by publication once in The Peoples Gazette, Pennsylvania and the Clearfield  
County Daily Journal, Clearfield, Pennsylvania.

Respectfully submitted,

  
R. Deinuing Geisthart, Esquire  
Attorney for Plaintiff

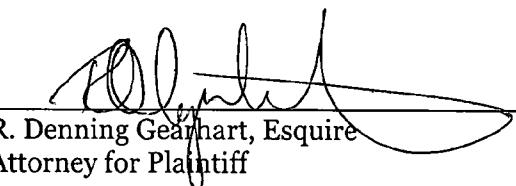
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

EMERY G. STEPHENS, :  
Plaintiff :  
VS. : NO. 02- -CD  
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SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

**MOTION FOR PUBLICATION**

AND NOW, to wit, this 11<sup>th</sup> day of April, 2002, an Affidavit having been filed by R. Denning Gearhart, attorney for the Plaintiff, that the whereabouts of the above named Defendants, their heirs, successors and assigns, are unknown, the said R. Denning Gearhart moves the Court for leave to serve the Complaint upon the said Defendants, their heirs, successors and assigns, generally by publication once in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania.

Respectfully submitted,

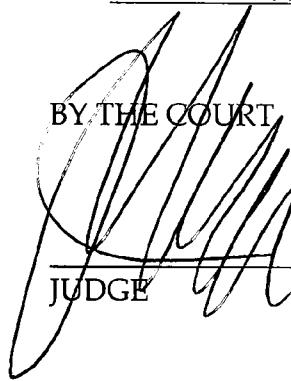
  
R. Denning Gearhart, Esquire  
Attorney for Plaintiff

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

EMERY G. STEPHENS, :  
                         Plaintiff :  
VS.                    : NO. 02-          -CD  
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SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
                            Defendants :

**ORDER**

AND NOW, to wit, this 11<sup>th</sup> day of April, 2002, upon  
consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the  
Complaint on the Defendants, their heirs, successors and assigns, by publication once in  
The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal,  
Clearfield, Pennsylvania.

BY THE COURT  
  
JUDGE

**FILED**

APR 11 2002  
0133611ccatty shawhart  
William A. Shaw  
Prothonotary  
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IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 02-  
-CD

EMERY G. STEPHENS,  
Plaintiff

VS.  
JERRY J. KOVACH, et al,  
Defendants

MOTION FOR PUBLICATION

FILED

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William A. Shaw  
Prothonotary

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

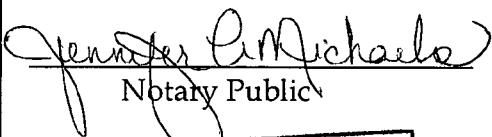
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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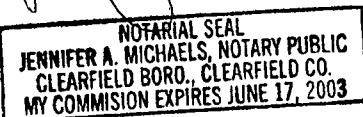
EMERY G. STEPHENS, Plaintiff :  
VS. : NO. 02-564-CD  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

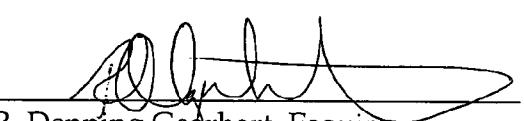
A F F I D A V I T

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

Sworn to and subscribed  
before me this 26th day of  
April, 2002

  
Notary Public



  
R. Denning Gearhart, Esquire  
Attorney for Plaintiff

FILED  
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cc  
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William A. Shaw  
Prothonotary

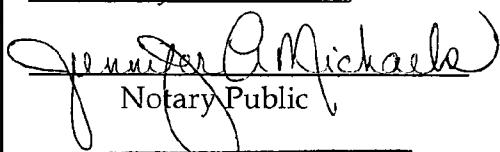
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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EMERY G. STEPHENS, :  
                            Plaintiff :  
VS. : NO. 02-564-CD  
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and/or any person or entity claiming :  
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premises under them, :  
                            Defendants :

**AFFIDAVIT**

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

Sworn to and subscribed  
before me this 8th day of  
May 2002

  
Jennifer A. Michaels  
Notary Public

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

  
R. Denning Gearhart, Esquire  
Attorney for Plaintiff

**FILED**

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William A. Shaw  
Prothonotary

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(CIVIL DIVISION)  
NO. 02-564-CD  
ACTION TO  
QUIET TITLE  
EMERY G. STEPHENS, Plaintiff  
VS.

JERRY J. KOVACH and SUSIE J.  
KOVACH, his wife, their heirs, successors and/or assigns, and/or any person or entity claiming title in and to the herein described premises under them, Defendants

NOTICE

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

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

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COURT ADMINISTRATOR'S OFFICE

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

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Township of Bradford, and more particularly described as follows:

ALL that certain piece of land situate in the Township of Bradford, County of Clearfield, County, and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner of the property of the Christian and Missionary Alliance Church, and also corner of the land of Bruce H. Graham; thence by the line of the said Church property North

seventy-eight (78) degrees thirty-eight (38) minutes East for a distance of one hundred thirty (130.0) feet, and passing through an iron pin six (6) feet from the edge of the road, to a point on the edge of the road, Township Route Number T-613 and near a highway ditch and cross drain; thence by the edge of the aforementioned road South eleven (11) degrees forty (40) minutes East for a distance of two hundred eighty-eight and five tenths (288.5) feet to a point on the said road; thence by line of land of Bruce R. Graham South eighty (80) degrees forty-seven (47) minutes West for a distance of one hundred sixty-eight and three tenths (168.3) feet to a corner of Bruce R. Graham; thence still by land of the said Bruce R. Graham North four (4) degrees zero (00) minutes West for a distance of two hundred eighty-four and six tenths (284.6) feet to an iron pin corner and place of beginning. Containing 0.985 acres.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 11th day of April, 2002, direct that notice of this action be served upon you by advertisement in The Progress and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

R. Denning Gearhart, Esquire  
Attorney for Plaintiff  
215 East Locust Street  
Clearfield, PA 16830  
(814) 765-1581

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD :  
: SS:

On this 22nd day of April, A.D. 2002, 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 16, 2002. 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

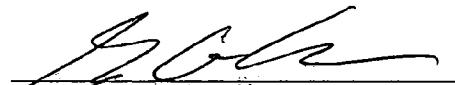
Notarial Seal  
Ann K. Law, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Sept. 16, 2004  
Member, Pennsylvania Association of Notaries

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

COUNTY OF CLEARFIELD : :

On this 1st day of May 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 19, 2002, Vol. 14 No. 16. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire  
Editor

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

Amy L. Woods  
Notary Public  
My Commission Expires

Notarial Seal  
Amy L. Woods, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Nov. 18, 2002

Member, Pennsylvania Association of Notaries

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

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

EMERY G. STEPHENS, Plaintiffs vs.  
JERRY J. KOVACH and SUSIE J.  
KOVACH, his wife, their heirs, successors  
and/or assigns, and/or any person or entity  
claiming title in and to the herein described  
premises under them, Defendants.

ACTION TO QUIET TITLE NOTICE  
No. 2002-564-CD  
NOTICE

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

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO GET LEGAL HELP.

COURT ADMINISTRATORS OFFICE,

Clearfield County Courthouse  
PA 16830. (814) 765-2641 Ext. 1

You are hereby notified that ~~the~~ Action to Quiet Title to all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Township of Bradford, and more particularly described as follows:

ALL those certain piece tract or parcel of land situate in the Township of Bradford, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin corner of the property of the Christian and Missionary Alliance Church, and also corner of land of Bruce H. Graham; thence by the line of the said Church property North seventy-eight (78) degrees thirty-eight (38) minutes East for a distance of one hundred thirty (130.0) feet, and passing through an iron pin six (6) feet from the edge of the road, to a point on the edge of the road, Township Route Number T-613 and near a highway ditch and cross drain; thence by the edge of the aforementioned road South eleven (11) degrees forty (40) minutes East for a distance of two hundred eighty-eight and five tenths (288.5) feet to a point on the said road; thence by line of land of Bruce R. Graham South eighty (80) degrees forty-seven (47) minutes West for a distance of one hundred sixty-eight and three tenths (168.3) feet to a corner of Bruce R. Graham; thence still by land of the said Bruce R. Graham North four (4) degrees zero (00) minutes West for a distance of two hundred eighty-four and six tenths (284.6) feet to an iron pin corner and place of beginning. Containing 0.985 acres.

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed the 11th day of April, 2002, direct that notice of this action be served upon you by advertisement in the Clearfield County Legal Journal and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

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

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

EMERY G. STEPHENS,

Plaintiff :

VS.

NO. 02-564-CD

JERRY J. KOVACH and

ACTION TO QUIET TITLE

SUSIE J. KOVACH, his wife,

their heirs, successors and/or assigns,

and/or any person or entity claiming

title in and to the herein described

premises under them,

Defendants :

**FILED**

JUN 06 2002

**ORDER**

William A. Shaw  
Prothonotary

AND NOW, this 6<sup>th</sup> day of JUNE, 2002, it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal Clearfield, Pennsylvania, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

1. That the above named Defendants, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in their Complaint in and for all that certain piece or parcel of land situate in the Commonwealth of Pennsylvania, County of Clearfield, Township of Bradford and more particularly described as follows:

**ALL** that certain piece tract or parcel of land situate in the Township of Bradford, County of Clearfield County, and State of Pennsylvania, bounded and described as follows:

**BEGINNING** at an iron pin corner of the property of the Christian and Missionary Alliance Church, and also corner of land of Bruce H. Graham; thence by the line of the said Church property North seventy-eight (78) degrees thirty-eight (38) minutes East for a distance of one hundred thirty (130.0) feet, and passing through an iron pin six (6) feet from the edge of the road, to a point on the edge of the road, Township Route Number T-613 and near a highway ditch and cross drain; thence by the edge of the aforementioned road South eleven (11) degrees forty (40) minutes East for a distance of two hundred eighty-eight and five tenths (288.5) feet to a point on the said road; thence by line of land of Bruce R. Graham South eighty (80) degrees forty-seven (47) minutes West for a distance of one hundred sixty-eight and three tenths (168.3) feet to a corner of Bruce R. Graham; thence still by land of the said Bruce R. Graham North four (4) degrees zero (00) minutes West for a distance of two hundred eighty-four and six tenths (284.6) feet to an iron pin corner and place of beginning. Containing 0.985 acres.

Said Order to be final and absolute unless the aforesaid Defendants, their heirs, successors and assigns, shall file exceptions to this Order within thirty (30) days of the date hereof.

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

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

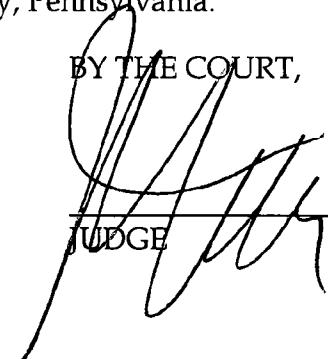
4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the premises of Plaintiff described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiff to said premises.

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

6. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT,

JUDGE



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

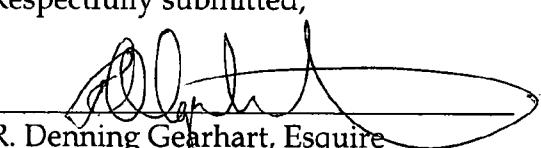
EMERY G. STEPHENS, :  
Plaintiff :  
VS. : NO. 02-564-CD  
: :  
JERRY J. KOVACH and : ACTION TO QUIET TITLE  
SUSIE J. KOVACH, his wife, :  
their heirs, successors and/or assigns, :  
and/or any person or entity claiming :  
title in and to the herein described :  
premises under them, :  
Defendants :

**PRAECIPE TO ENTER FINAL JUDGMENT**

TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendants, their heirs, successors and assigns and on behalf of the above named Plaintiff for such relief as requested in an Order dated the 6th day of June, 2002.

Respectfully submitted,

  
R. Denning Gearhart, Esquire  
Attorney for Plaintiff

Dated: July 8, 2002

**FILED**

JUL 09 2002

William A. Shaw  
Prothonotary