

02-918-CD
DONNA P. NEALS -vs- SAMUEL CHURNER etal

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

Type of Case: ACTION
TO QUIET TITLE

Type of Pleading: COMPLAINT

Filed on Behalf of: PLAINTIFF

Counsel of Record for this Party:

David C. Mason, Esquire
409 North Front Street
P.O. Box 28
Philipsburg, PA 16866
814-342-2240
Supreme Court ID NO. 39180

ORIGINAL
TO C/A

WJ motion

FILED

JUN 07 2002

01:00/63
William A. Shaw
Prothonotary

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BY ATT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly	*	No.
known as DONNA RICHARDSON,	*	
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
SAMUEL CHURNER, ALVIE W.	*	
OGDEN, SAMUEL DAWSON,	*	
JOHN HESCO, JR., and their	*	
heirs, successors, administrators,	*	
executors, and assigns, as well as ANY	*	
OTHER PERSON, PARTY, or ENTITY,	*	
	*	
Defendant(s)		

COMPLAINT IN ACTION TO QUIET TITLE

PURSUANT TO PA. R.C.P. §1061(b)(1) and (b) (2)

AND NOW, comes the Plaintiff, DONNA P. NEALS, formerly known as DONNA RICHARDSON, by and through her attorney, DAVID C. MASON, ESQUIRE, and sets forth a claim against the Defendants named herein and represents as follows:

1. Plaintiff is Donna P. Neals, formerly known as Donna Richardson, with a current address of 5002 Ferncrest Drive, Winter Park, Florida, 32792-9213.

2. Defendants are:

A. Samuel Churner is presumed to be deceased, however, no estate records have been filed in Clearfield County, Pennsylvania.

B. Alvie W. Ogden is presumed to be deceased, and the estate proceedings may be found in Clearfield County (File #85-493).

C. Samuel Dawson is presumed to be deceased, however, no estate records have been filed in Clearfield County, Pennsylvania.

D. John Hesco, Jr., is presumed to be deceased, however, no estate records have been filed in Clearfield County, Pennsylvania.

3. Plaintiff is the owner of certain land situate, lying and being in Beccaria Township, Clearfield County, Pennsylvania, by virtue of a Deed dated December 30, 1985, from Patricia G. Johnson and her husband, Donald J. Johnson, said Deed being of record in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania, in Deed Book Volume 1060 at Page 368. A true and correct copy of said Deed is attached hereto as Exhibit "A" and incorporated herein by reference.

4. The aforesaid Deed contains descriptions of three (3) separate parcels. Parcel #1 is the tract which is the subject of this Quiet Title Action and is identified as Tax Map Parcel No. 101-K15-526-21, described as follows:

ALL that certain parcel or tract of land located and situate in the Township of Beccaria, County of Clearfield and State of Pennsylvania, consisting of 1L, formerly owned by Alvie Ogden and which premises currently bears assessment No. 101-K15-506-21:

BEING the same premises as were sold by the Treasurer of Clearfield County to the Commissioners by Deed dated the 15th day of November, 1965, Deed Book No. 696, Page 499; thereafter the same were sold by the County Commissioners to Marie Kistler, by Deed dated November 21, 1973, recorded in Deed Book No. 696, Page 501. The said Marie K. Kistler, widow, granted and conveyed the same to Raymond H. English and Sheree L. English, and further

BEING the same premises which vested in Gertrude Schillinger by Deed dated September 16, 1980, and recorded in the Office for the recording of Deeds of Clearfield County in Deed Book Volume 802 at Page 197.

This parcel is described as **PARCEL ONE** in a Deed from Patricia G. Johnson and Donald J. Johnson, her husband, to

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

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Defendant(s)

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Filed on Behalf of: PLAINTIFF

Counsel of Record for this Party:

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Plaintiff	*	
	*	
	*	
vs.	*	
	*	
SAMUEL CHURNER, ALVIE W.	*	
OGDEN, SAMUEL DAWSON,	*	
JOHN HESCO, JR., and their	*	
heirs, successors, administrators,	*	
executors, and assigns, as well as ANY	*	
OTHER PERSON, PARTY, or ENTITY,	*	
	*	
Defendant(s)	*	

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 an 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 CAN GET LEGAL HELP.


David C. Mason, Esquire

Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly	*	No.
known as DONNA RICHARDSON,	*	
	*	
Plaintiff	*	
	*	
vs.	*	
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SAMUEL CHURNER, ALVIE W.	*	
OGDEN, SAMUEL DAWSON,	*	
JOHN HESCO, JR., and their	*	
heirs, successors, administrators,	*	
executors, and assigns, as well as ANY	*	
OTHER PERSON, PARTY, or ENTITY,	*	
	*	
Defendant(s)		

COMPLAINT IN ACTION TO QUIET TITLE

PURSUANT TO PA. R.C.P. §1061(b)(1) and (b) (2)

AND NOW, comes the Plaintiff, DONNA P. NEALS, formerly known as DONNA RICHARDSON, by and through her attorney, DAVID C. MASON, ESQUIRE, and sets forth a claim against the Defendants named herein and represents as follows:

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BEING the same premises as were sold by the Treasurer of Clearfield County to the Commissioners by Deed dated the 15th day of November, 1965, Deed Book No. 696, Page 499; thereafter the same were sold by the County Commissioners to Marie Kistler, by Deed dated November 21, 1973, recorded in Deed Book No. 696, Page 501. The said Marie K. Kistler, widow, granted and conveyed the same to Raymond H. English and Sheree L. English, and further

BEING the same premises which vested in Gertrude Schillinger by Deed dated September 16, 1980, and recorded in the Office for the recording of Deeds of Clearfield County in Deed Book Volume 802 at Page 197.

This parcel is described as **PARCEL ONE** in a Deed from Patricia G. Johnson and Donald J. Johnson, her husband, to

Donna Richardson by Deed dated December 30, 1975, and recorded in Deed Book Volume 1060 at Page 368.

5. This tract of land was first described in a Deed from Thomas Dawson and Annie Dawson, his wife, to Samuel Dawson and Mamie Dawson, his wife, dated August 6, 1918, and recorded in Deed Book Volume 229 at Page 220. This parcel of land is described as follows:

BEGINNING at a point on the North side of Township road leading from Smoke Run to Beccaria; thence along the line of said Township Road North $26\frac{1}{2}$ degrees East One Hundred and Nineteen (119) feet more or less to a point on said road; thence in a Northwesterly direction One Hundred and Thirteen (113) feet to a point and dirt dump; thence along the line of dirt dump in a Northernly direction to a point on dirt dump Eighty (80) feet; thence in a Westernly direction along the line of dirt dump to a point on dirt dump to a point on dirt dump Seventy Two (72) feet; thence along the line of dirt dump in a Northernly direction to a point on dirt dump and land of the present Grantors Nineteen (19) feet; thence thru the land of the present Grantors One Hundred and Twenty Seven (127) feet to an alley; thence along the line of said alley in a Southernly direction One Hundred and Sixty Four (164) feet to the Township Road and place of beginning, it being part of a larger tract of land which became vested in the present Grantors by Deed from R. P. Root and Mary Root, his wife, dated the 27th day of May, A.D. 1905 and recorded in the Clearfield in the Office for the recording of Deed's Deed Book Vol. 154, Page 31.

6. Thereafter, the assessment records in Clearfield County reveal that the assessment for this tract was transferred from Samuel Dawson to John Hesco, Jr., for tax year 1936.

7. It is believed and therefore averred that John Hesco, Jr., acquired this tract by virtue of an unrecorded Deed from Samuel Dawson.

8. By virtue of a Treasurer's Deed dated 1942, and recorded in Deed Book Volume 368 at Page 73, the subject premises were sold as the property of John Hesco, Jr.

9. At a Tax Sale conducted by the Commissioners of Clearfield County on April 24, 1950, the subject premises were sold to Alvie W. Ogden, as recorded in "Lands Sold To The County Book 11 at Page 120."

10. The County Commissioners purchased the property at a Treasurer's Sale on August 2, 1965, and by virtue of a Commissioners' Sale held October 8, 1973, did sell the same to Marie Kistler. The Commissioners' deed is recorded in Deed Book Volume 696 at Page 501.

11. Raymond H. and Sheree L. English acquired the premises by virtue of a Quit Claim Deed from Marie Kistler dated July 25, 1978, and recorded in Deed Book Volume 802 at Page 194.

12. Gertrude Schillinger acquired the premises by virtue of a Deed from Raymond H. and Sheree L. English, by Deed dated September 16, 1980, and recorded in Deed Book Volume 802 at Page 197.

13. Patricia G. Johnson acquired the premises by and through the Estate of Gertrude Schillinger, deceased, who died July 15, 1984, and whose Will may be examined in Clearfield County, Pennsylvania, Register of Wills Office, File # 85-171.

14. It is presumed and therefore averred that John Hesco, Jr., is deceased, yet no estate appears of record for him in Clearfield County.

15. It is presumed and therefore averred that Samuel Churner is deceased, yet no estate appears of record for him in Clearfield County.

16. Alvie W. Ogden died November 16, 1985, intestate. His estate proceedings which may be found in Clearfield County (File #85-493) reveal that at the time of his death he was survived by his widow, Mabel J. Ogden and a son Richard D. Ogden.

17. Plaintiff avers that it is the purpose of this Action to Quiet Title to extinguish any of the Defendant's interest as a result of any improprieties in the assessment or sale for nonpayment of real estate taxes of the subject premises.

18. That the Plaintiff and her predecessors in title have exercised dominion, possession and control of the subject premises for a period in excess of twenty one (21) years, and that said possession has been continuous, open, exclusive, notorious and adverse.

19. That it is believed and therefore averred that the said Defendant was fully apprised of the tax sale effecting his interest in the said real estate as hereinbefore described, had due notice thereof, through advertisement in a newspaper of general circulation, through posting of the said premises, by actual notice as provided by registered mail, and that the said Defendant named herein failed and neglected to take any action in order to protect his respective interests in the said premises, he being fully apprised of the same and fully knowledgeable as to the sale of said premises to your Plaintiff herein or her predecessors in title.

20. That at no time did the herein named Defendant attempt to secure possession of the said estate, contest the title of the Plaintiff and/or her predecessors in title or assert any interest adverse to that of Plaintiff or her predecessors in title by any legal action or by formal acknowledgment thereof.

21. That the premises herein described in Paragraph 3 is the same premises that Plaintiff and her predecessors in title have been in open, exclusive, continuous, notorious, hostile and uninterrupted possession for a period in excess of twenty one (21) years, possession of the said premises having been acquired by the Plaintiff and her predecessors in title as hereinabove set forth.

22. That the said Plaintiff together with her predecessors in title have, commencing with the year 1973, and continuing up to the present time, made valuable improvements to the said premises, maintained the same premises, paid all current real estate taxes, and evidenced a settled intent of excluding all individuals from the use, actual occupation or constructive possession of the premises.

23. That at no time did the herein named Defendants attempt to secure possession of the said premises, contest the title of the Plaintiff or her predecessors in title, or assist in the maintenance, repair or improvements of those premises hereinbefore described nor has any asserted any interest adverse to the Plaintiff by any legal action.

WHEREFORE, Plaintiff files this action and respectfully requests the following:

(a) That the Defendants, their heirs, administrators, executors, successors and assigns and all other persons having claim to the premises herein described be forever barred from asserting any right, title or interest in the land described herein inconsistent with the interest or title of Plaintiff unless the Defendants, their heirs, administrators, executors, successors and assigns, or those person asserting any right, title or interest in said premises, bring an action of ejectment or other legal or equitable action to establish his claim to the premises described herein or any portion of the same, within the time set by the Court.

(b) That an Order of Court be made declaring the Plaintiff to be the sole owner and to have exclusive possession of the premises described herein by virtue of her open, notorious, exclusive, uninterrupted and hostile possession of the premises for a period in excess of twenty-one (21) years.

(c) That an Order be made setting aside any defect which may have resulted from lack of notice of the said tax claim, and/or tax sale, or any other defect or irregularity occurring in the proceedings leading up to and resulting in the tax sale wherein the Plaintiff and her predecessors in title secured title, and further confirming all actions of the tax office with respect to the notice requirements and further confirming all other actions undertaken by the tax office preparatory to or in consummation of the subsequent sale, all of which is as provided under the applicable sections of the Pennsylvania Real Estate Tax Sale Law.

(d) Such further Order as may be necessary for the granting of further relief.

MASON LAW OFFICE

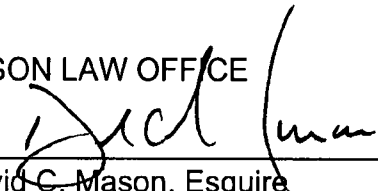
By: 

David C. Mason
Attorney for Plaintiff

VERIFICATION

I, **DAVID C. MASON**, Attorney for the Plaintiff, do verify that the statements made in this Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

MASON LAW OFFICE



David C. Mason, Esquire
Attorney for Plaintiff

Vol 1060 PAGE 368

This Deed,

MADE the 30th day of December
in the year nineteen hundred and eighty-five (1985)
BETWEEN PATRICIA G. JOHNSON and DONALD J. JOHNSON, her husband,
currently of 1674 Kingston, Longwood, Florida 32750, "GRANTORS" and
Parties of the First Part.

A
N
D

DONNA RICHARDSON, currently of Maitland, Florida 32751, "GRANTEE"
and Party of the Second Part.

WITNESSETH, That in consideration of
Sixteen thousand (\$16,000.00) ----- Dollars,
in hand paid, the receipt whereof is hereby acknowledged, the said grantor s ----- do ----- hereby grant
and convey to the said grantee -----

ALL the following parcels of land:-----

PARCEL ONE:

ALL that certain parcel or tract of land located and situate in the
Township of Beccaria, County of Clearfield and State of Pennsylvania,
consisting of 1 L, formerly owned by Alvie Ogden and which premises
currently bears assessment No. 101-K15-506-21-

BEING the same premises as were sold by the Treasurer of
Clearfield County to the Commissioners by deed dated the
15th day of November, 1965, Deed Book No. 696, page 499;
thereafter the same were sold by the County Commissioners
to Marie Kistler, by deed dated November 21, 1973, recorded
in Deed Book No. 696, page 501. The said Marie K. Kistler,
widow, granted and conveyed the same to Raymond H. English
and Sheree L. English; and further,-----

BEING the same premises which vested in Gertrude Schillinger
by deed dated September 16, 1980, and recorded in the office
for the recording of deeds of Clearfield County in Deed Book
Volume 802 at Page 197.-----

PARCEL TWO:

ALL that certain lot or piece of land situate in the Township of
Beccaria, Clearfield County, Pennsylvania, bounded and described as
follows:-----

BEGINNING at a point on a Township Road (Leg. Rt. #17035)
leading from the Village of Beccaria to Smoke Run, and run-
ning South 66 and 1/2 degrees East 150 feet to a post;
thence along an Alley South 23 degrees 2 minutes West 50
feet to a post on an Alley; thence North 66 and 1/2 West
150 feet, to a post on said Township Road (now Leg. Rt.
#17035); thence North 23 and 1/2 degrees East, 50 feet to
place of beginning, and having erected thereon a frame
dwelling house and other outbuildings.-----

EXCEPTING AND RESERVING all coal and minerals in under
or upon said lot of ground, with right to mine and remove

Ex "A"

the same without liability for damage.

SUBJECT to all prior exceptions, reservations and conditions, as appears in prior Deeds in the chain of titles, to above described piece or parcel of land.

BEING the same premises which vested in Gertrude Schillinger by deed dated October 5, 1971, and recorded in the office for the recording of deeds, Clearfield County in Deed Book Volume 581 at Page 483.

PARCEL THREE:

ALL that certain pieces or parcels of land situate in the Township of Beccaria, County of Clearfield, State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: All that piece of ground situated in the Village of Root, beginning at a post on Township road leading to Smoke Run, and running South sixty-six and one-half (66½) degrees East One Hundred fifty (150) feet to a post on an Alley; thence south twenty-three and one-half (23½) degrees West fifty (50) feet to a post on said Alley; thence North sixty-six and one-half (66½) degrees West one hundred fifty (150) feet to the Township road; thence along said Township Road fifty (50) feet to place of beginning and known as lot No. 5 in the plot and plan of the Village of Root Town.

THE SECOND THEREOF: BEGINNING at a post on Township road leading to Smoke Run and running South sixty-six and one-half (66½) degrees East one hundred fifty (150) feet; thence south along the alley Twenty-three and one-half (23½) degrees West, fifty (50) feet to a post; thence North sixty-six and one-half (66½) degrees West, One hundred fifty (150) feet to a post at said Township Road; thence along said road North twenty-three and one-half (23½) degrees East, fifty (50) feet to place of beginning. It being a Town Lot in the Village of Root Town.

THE THIRD THEREOF: BEGINNING at a corner of an Alley and point on Township Road leading to Beccaria; thence along said Township Road North Twenty-six and one half (26½) degrees East twenty-nine and five tenths (29.5) feet to a post more or less; thence still along said Township Road north twenty (20) degrees East eighty-eight (88) feet more or less to a post; thence north eleven (11) degrees West one hundred twelve (112) feet more or less to a post; thence north sixty-eight (68) degrees West, eighty-two (82) feet more or less to a post; thence south along the dirt bank about 25 degrees West, seventy-five (75) feet more or less to a post; thence North along said dirt bank

NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

Olympia V. Spitz *Anna Richardson*
Laurie B. Smith

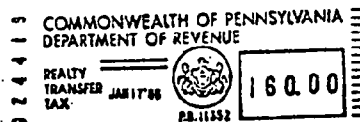
This 8th day of January, 1986

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1963, as amended.)

Sixty-eight (68) degrees West, feet to right of way the Pennsylvania Railroad Company siding; thence in a South Westerly direction along the right of way of said Pennsylvania Railroad Company siding a distance of about Four hundred (400) feet to a post in line of land of Samuel Adlam; thence along the line of Samuel Adlam South, sixty-seven (67) degrees East, three hundred and one (301) feet more or less to a post at Alley; thence along said Alley north twenty-five (25) degrees East, three hundred and thirty-two (332) feet more or less, to a post; thence along said Alley South sixty-seven (67) degrees East, two hundred (200) feet more or less to post and place of beginning containing two and four fifth (2-4/5) acres more or less.

BEING the same premises which vested in F. Russell Schillinger and Gertrude Schillinger, his wife, by deed dated July 29, 1968, and recorded in the office for the recording of deeds, Clearfield County in Deed Book Volume 540 at Page 513.

THEREAFTER, the said F. Russell Schillinger died January 4, 1984, thereby vesting title to the within premises unto Gertrude Schillinger. The said Gertrude Schillinger died testate on July 15, 1984, and by terms of her Last Will and Testament, did devise the within premises unto Patricia G. Johnson, Grantor herein.



AND the said grantors will—SPECIALLY—WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said grantors—have—hereunto set their—hands—and seals—the

day and year first above-written.

Sealed and delivered in the presence of

Michelle Heber

Patricia G. Johnson (SEAL)
Patricia G. Johnson (SEAL)
Donald J. Johnson (SEAL)
Donald J. Johnson (SEAL)

Olympia V. P. Pate
Laurie B. Smith

Alanna Richardson (SEAL)
 (SEAL)

CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the grantee

herein is as follows:

D. J. Masar
 Attorney or Agent for Grantee

State of Florida

~~County of Orange~~

SS:

County of Orange

On this, the 30th day of December

19 85, before me Debra Lynn Jones

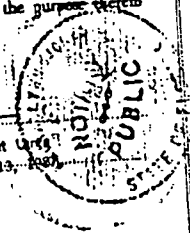
the undersigned officer, personally appeared Patricia G. Johnson and Donald J. Johnson, her husband

known to me (or satisfactorily proven) to be the person s—whose name s—are subscribed to the within

instrument, and acknowledged that —they— executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and NOTORIAL

Debra Lynn Jones
 Debra Lynn Jones
 Notary Public, State of Florida
 My Commission Expires October 13, 1989



State of Florida
 Commonwealth of Pennsylvania

SS:

County of Orange

On this, the 8th day of January

1986, before me Laurie B. Smith

the undersigned officer, personally appeared Donna Richardson

known to me (or satisfactorily proven) to be the person

whose name subscribed to the within

instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial

Laurie B. Smith

My Commission Expires:
 June 28, 1998



VOL 1060 PAGE 372

State of

SS:

County of

19 , before me

On this, the _____ day of _____
the undersigned officer, personally appeared
known to me (or satisfactorily proven) to be the person
instrument, and acknowledged that

whose name _____ subscribed to the within
executed the same for the purpose therein

and

IN WITNESS WHEREOF, I have hereunto set my hand and

My Commission Expires _____

State of

SS:

County of

19 , before me

On this, the _____ day of _____
the undersigned officer, personally appeared
known to me (or satisfactorily proven) to be the person
instrument, and acknowledged that

whose name _____ subscribed to the within
executed the same for the purpose therein

and

IN WITNESS WHEREOF, I have hereunto set my hand and

GLENDALE AREA SCHOOL DISTRICT
1% REALTY TRANSFER TAX

AMOUNT \$ 160.00

PAID 1-17-86 MICHAEL R. LITTLE

Date

Deed

WARRANTY DEED - Published and sold by
The Philadelphia Co., Williamsport, Pa. 17320

PATRICIA G. JOHNSON, et ux

and

DONNA RICHARDSON

Dated

For parcels of land situate
in the Township of Beccaria

Clearfield County, PA

Consideration \$16,000.00

Recorded

Entered for Record in the Recorder's

Office of _____ day of _____
County, the _____
Tax \$ _____
Fees \$ _____
Records

CLEARFIELD COUNTY
ENTERED OF RECORD 1-17-86
TIME 2:14 PM
BY Daniel C. Mason
FEES 75.50
Michael R. Lytle, Recorder

MILLER & MASON
ATTORNEYS AT LAW
P.O. BOX 28
PHILIPSBURG, PA 16866

Commonwealth of Pennsylvania

County of Clearfield } SS:
RECORDED in the Office for Recording of Deeds, etc., in and for said County, in Deed

Book No.

1060

Page 368

WITNESS my Hand and Official Seal this 17 day of

Jan , 1986

Michael R. Lytle
Recorder of Deeds

My Commission Expires
First Monday in January, 1988

Entered of Record Jan 17 1986, 2:14 PM Michael R. Lytle, Recorder

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No.

2002 - 918 - CD

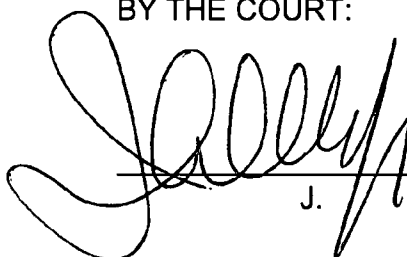
FILED

JUN 14 2002
012:0012cc atty naom
William A. Shaw
Prothonotary

ORDER

AND NOW, this 14 day of June, 2002, upon consideration of Plaintiff's Motion for Service by Publication, including Exhibits and Affidavit attached hereto, Plaintiff is ordered and directed to serve Notice of the Action to Quiet Title by publication in the Clearfield Progress and the Clearfield County Legal Journal, one time only, of notice of this action, in a form similar to that contained in Exhibit "B" of Plaintiff's Motion for Publication.

BY THE COURT:


J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

VS.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CO

FILED

JUN 07 2002

0/1000/1000
William A. Shaw
Prothonotary

1 cent. to Att. BY ATT

MOTION FOR SERVICE BY PUBLICATION

AND NOW appears the Plaintiff, Donna P. Neals, formerly known as Donna P. Richardson, by and through her attorney, David C. Mason, who represents as follows:

1. That he is the attorney for the Plaintiff in the above captioned action to Quiet Title.
2. That he is unable to ascertain the whereabouts of the named Defendants.
3. That he has executed an Affidavit stating that after diligent search he has been unable to ascertain the whereabouts of the Defendants, or their heirs, devisees, administrators, executors, or assigns, said Affidavit being attached hereto as Exhibit "A".
4. That counsel for Plaintiff believes that the best means of service of notice upon the Defendants of the filing of this Complaint and the pendency of this action

is by publication in a newspaper of general circulation in the Clearfield Progress and Clearfield County Legal Journal, in a form as shown in "Exhibit B".

5. That the Plaintiff and her counsel have exhausted all reasonable means of attempting to locate the Defendants, or their heirs, including inquiries of relatives, neighbors and friends, local postal authorities and telephone directories, and title searches.

WHEREFORE, Plaintiff requests your Honorable Court to permit the service of the original Complaint in this Action to Quiet Title by publishing a Notice similar in form to that of "Exhibit B" in the Clearfield Progress and the Clearfield County Legal Journal one time only, pursuant to Pa.R.C.P. 430 b(1).

MASON LAW OFFICE



David C. Mason, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly	*	No.
known as DONNA RICHARDSON,	*	
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
SAMUEL CHURNER, ALVIE W.	*	
OGDEN, SAMUEL DAWSON,	*	
JOHN HESCO, JR., and their	*	
heirs, successors, administrators,	*	
executors, and assigns, as well as ANY	*	
OTHER PERSON, PARTY, or ENTITY,	*	
	*	
Defendant(s)		

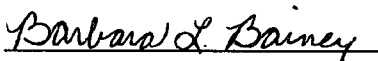
AFFIDAVIT

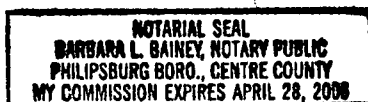
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF *Centre* :ss:

Before me, a Notary Public, in and for the above named State and County, personally appeared the Plaintiff's counsel, DAVID C. MASON, Esquire, who being duly sworn according to law, deposes and states that after diligent search he has been unable to locate or find the whereabouts of the heirs, devisees, administrators, executors and assigns of the above named Defendant(s), and further 1) has searched the phone directory and has been unable to locate the above-named Defendant(s); 2) has contacted the United States Post Office in Clearfield County and has been advised that they are not familiar with said Defendant(s); 3) has contacted the banks in said area and has been advised that they are not familiar with the above-named Defendant(s); and 4) has performed a title search in order to try and locate the whereabouts of these heirs .
FURTHER Deponent saith not.


David C. Mason, Esquire

SWORN to and subscribed
before me this 5th day of
June, 2002.


N.P.



Ex "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly	*	No.
known as DONNA RICHARDSON,	*	
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
SAMUEL CHURNER, ALVIE W.	*	
OGDEN, SAMUEL DAWSON,	*	
JOHN HESCO, JR., and their	*	
heirs, successors, administrators,	*	
executors, and assigns, as well as ANY	*	
OTHER PERSON, PARTY, or ENTITY,	*	
	*	
Defendant(s)		

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 an 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 CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

TO: SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY:

Ex "B"

You are hereby notified that an Action to Quiet Title to premises situate in Beccaria Township, Clearfield County, Pennsylvania has been filed against you. Said lands are bounded and described as follows:

ALL that certain parcel or tract of land located and situate in the Township of Beccaria, County of Clearfield and State of Pennsylvania, consisting of 1L, formerly owned by Alvie Ogden and which premises currently bears assessment No. 101-K15-506-21:

BEING the same premises as were sold by the Treasurer of Clearfield County to the Commissioners by Deed dated the 15th day of November, 1965, Deed Book No. 696, Page 499; thereafter the same were sold by the County Commissioners to Marie Kistler, by Deed dated November 21, 1973, recorded in Deed Book No. 696, Page 501. The said Marie K. Kistler, widow, granted and conveyed the same to Raymond H. English and Sheree L. English, and further

BEING the same premises which vested in Gertrude Schillinger by Deed dated September 16, 1980, and recorded in the Office for the recording of Deeds of Clearfield County in Deed Book Volume 802 at Page 197.

This parcel is described as **PARCEL ONE** in a Deed from Patricia G. Johnson and Donald J. Johnson, her husband, to Donna Richardson by Deed dated December 30, 1975, and recorded in Deed Book Volume 1060 at Page 368.

You are hereby further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, otherwise Judgment will be entered against you, barring you from all claims, rights and interests inconsistent with Plaintiff's claim of title, as set forth in the Complaint.

David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866
ATTORNEY FOR PLAINTIFF

GA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

FILED

AUG 14 2002

012501w
William A. Shaw
Prothonotary

1 cent to Amy RPP

MOTION FOR JUDGMENT

AND NOW this 12th day of August, 2002, an Affidavit having been executed and filed on behalf of Plaintiff that the Complaint endorsed with Notice to Plead has been served on the Defendants as stated in the Affidavit, attached hereto, and more than twenty (20) days have expired since the date of publication of said Complaint, and the Defendants have still not answered, Plaintiff's counsel moves your Honorable Court to enter judgment in favor of the Plaintiff and against the Defendants and to grant Plaintiff the relief prayed for in the Complaint in accordance with Pennsylvania Rules of Civil Procedure No. 1066.

MASON LAW OFFICE

David C. Mason
David C. Mason, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

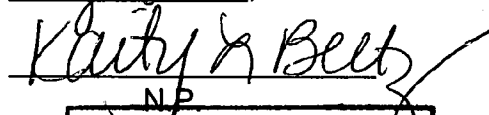
:SS:

COUNTY OF CENTRE

Before me, the undersigned officer, in and for the above named State and County, personally appeared DAVID C. MASON, Esquire, who being duly sworn according to law deposes and says that a notice of the filing endorsed with a Notice to Plead was duly served on the above Defendants by publication in the Clearfield County Legal Journal on July 19, 2002, and the Progress on July 12, 2002, said proofs of publication are attached hereto.


David C. Mason, Esquire

SWORN to and subscribed
before me this 12th day of
August, 2002.


N.P.



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

DONNA P. NEALS, formerly known as
DONNA RICHARDSON, Plaintiff vs.
SAMUEL CHURNER, ALVIE W. OGDEN,
SAMUEL DAWSON, JOHN HESCO, JR.,
and their heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,
Defendants.

No. 02-918-CD

ACTION TO QUIET TITLE

NOTICE - You have been sued in
Court. If you wish to defend, against the
claims set forth as above, you must take
action within twenty (20) days after the
Complaint has been filed and this Notice
has been posted in the newspaper, by
entering a written appearance personally or
by attorney and filing in writing with the
Court your defenses or objections to all 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 Plaintiff.
You may lose money or property or other
rights important to you.

YOU SHOULD TAKE THIS PAPER
OR A COPY OF 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
Courthouse, Clearfield, PA 16830 (814)
765-2641.

TO: SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON, JOHN
HESCO, JR., and their heirs, successors,
administrators, executors, and assigns, as
well as ANY OTHER PERSON, PARTY, or
ENTITY.

You are hereby notified that an Action
to Quiet Title to premises situate in
Beccaria Township, Clearfield County,
Pennsylvania has been filed against you.
Said lands are bounded and described as
follows:

ALL that certain parcel of tract of land

located and situate in the Township of
Beccaria, County of Clearfield and State of
Pennsylvania, consisting of 1L, formerly
owned by Alvie Ogden and which premises
currently bears assessment No. 101-K15-
506-21.

BEING the same premises as were
sold by the Treasurer of Clearfield County
to the Commissioners by Deed dated the
15th day of November, 1965, Deed Book
No. 696, Page 499; thereafter the same
were sold by the County Commissioners to
Marie Kistler, by Deed dated November 21,
1973, recorded in Deed Book No. 696,
Page 501. The said Marie K. Kistler,
widow, granted and conveyed the same to
Raymond H. English and Sheree L.
English, and further

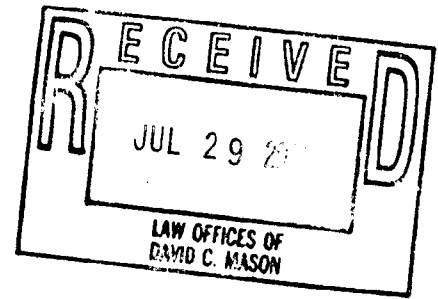
BEING the same premises which
vested in Gertrude Schillinger by Deed
dated September 16, 1980, and recorded in
the Office for the recording of Deeds of
Clearfield County in Deed Book Volume 802
at Page 197.

This parcel is described as PARCEL
ONE in a Deed from Patricia G. Johnson
and Donald J. Johnson, her husband, to
Donna Richardson by Deed dated
December 30, 1975, and recorded in Deed
Book Volume 1060 at Page 368.

You are hereby further notified to
appear and answer the Complaint in said
Action within twenty (20) days of this
Notice, otherwise Judgment will be entered
against you, barring you from all claims,
rights and interests inconsistent with
Plaintiff's claim of title, as set forth in the
Complaint.

DAVID C. MASON, ESQUIRE, PO
Box 28, Philipsburg, PA 16866. Attorney
for Plaintiff.

PROOF OF PUBLICATION

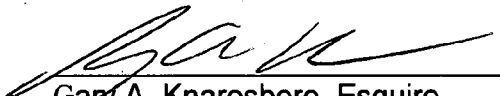


STATE OF PENNSYLVANIA :

:

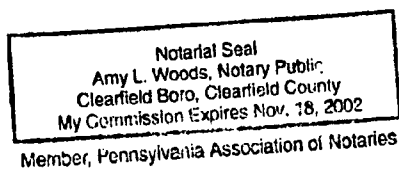
COUNTY OF CLEARFIELD :

On this 22nd 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 July 19, 2002, Vol. 14 No. 29. 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



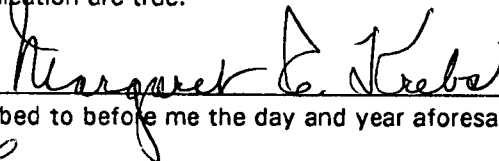
David C. Mason
PO Box 28
Philipsburg, PA 16866

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 7th day of August, 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 July 12, 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.



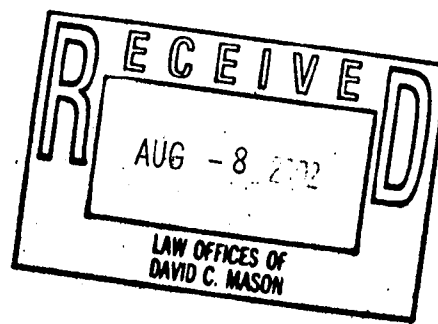
Sworn and subscribed to before me the day and year aforesaid.



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,
PA

CIVIL ACTION LAW
No. 2002-918-CD

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,
Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their heirs,
successors, administrators, exe-
cutors, and assigns, as well as ANY
OTHER PERSON, PARTY, or EN-
TITY, Defendant(s)

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 Com-
plaint and Notice are served, by en-
tering a written appearance per-
sonally or by an attorney and filing in
writing with the Court your de-
fenses 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 no-
tice 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 PA-
PER 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 Courthouse
Clearfield, PA 16830
(814) 765-2641

TO: SAMUEL CHURNER, ALVIE
W. OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their heirs,
successors, administrators, exe-
cutors and assigns, as well as ANY
OTHER PERSON, PARTY, or EN-
TITY:

You are hereby notified that an
Action to Quiet Title to premises sit-
uate in Beccaria Township, Clear-
field County, Pennsylvania has
been filed against you. Said lands
are bounded and described as fol-
lows:

ALL that certain parcel or tract of
land located and situate in the
Township of Beccaria, County of
Clearfield and State of Pennsylv-
nia, consisting of 1L, formerly by Al-
vie Ogden and which premises cur-
rently bears assessment No.
101-K15-506-21:

BEING the same premises as
were sold by the Treasurer of Clear-
field County to the Commissioners
by Deed dated the 15th day of No-
vember, 1965, Deed Book No.
696, Page 499; thereafter the
same were sold by the County
Commissioners to Marie Kistler, by
Deed dated November 21, 1973,
recorded in Deed Book No. 696,
Page 501. The said Marie K. Kis-
tler, widow, granted and conveyed
the same to Raymond H. English
and Sheree L. English, and further

BEING the same premises which
vested in Gertrude Schillinger by
Deed dated September 16, 1980,
and recorded in the Office for the
recording of Deeds of Clearfield
County in Deed Book Volume 802
at Page 197.

This parcel is described as PAR-
CEL ONE in a Deed from Patricia G.
Johnson and Donald J. Johnson,
her husband, to Donna Richardson
by Deed dated December 30,
1975, and recorded in Deed Book
Volume 1060 at Page 368.

You are hereby further notified to
appear and answer the Complaint in
said Action within twenty (20) days
of this Notice, otherwise Judgment
will be entered against you, barring
you from all claims, rights and inter-
ests inconsistent with Plaintiff's
claim of title, as set forth in the Com-
plaint.

David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866
ATTORNEY FOR PLAINTIFF

7:12-1d-b

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

FILED

AUG 22 2002
CLERK OF COURT
William A. Shaw
Prothonotary

ORDER

AND, NOW this 22nd day of August, 2002, it appearing that

a Complaint to Quiet Title in the above stated action was served on the Defendants, their heirs, administrators and/or assigns of each and all other person, persons, firms, partnerships or corporate entities in interest and by Affidavit of David C. Mason, Esquire, Attorney for Plaintiff, no Answer has been filed in said Action on behalf of the said Defendants, and on motion of David C. Mason, Esquire, Attorney for Plaintiff, it is hereby **ORDERED AND DECREED**:

1. That the said Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and

assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, executors, successors and/or assigns, and all other persons, firms, partnerships or corporate entities in interest are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in her Complaint in and to **ALL** that certain piece or parcel of land situate in Beccaria Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain parcel or tract of land located and situate in the Township of Beccaria, County of Clearfield and State of Pennsylvania, consisting of 1L, formerly owned by Alvie Ogden and which premises currently bears assessment No. 101-K15-506-21:

BEING the same premises as were sold by the Treasurer of Clearfield County to the Commissioners by Deed dated the 15th day of November, 1965, Deed Book No. 696, Page 499; thereafter the same were sold by the County Commissioners to Marie Kistler, by Deed dated November 21, 1973, recorded in Deed Book No. 696, Page 501. The said Marie K. Kistler, widow, granted and conveyed the same to Raymond H. English and Sheree L. English, and further

BEING the same premises which vested in Gertrude Schillinger by Deed dated September 16, 1980, and recorded in the Office for the recording of Deeds of Clearfield County in Deed Book Volume 802 at Page 197.

This parcel is described as **PARCEL ONE** in a Deed from Patricia G. Johnson and Donald J. Johnson, her husband, to Donna Richardson by Deed dated December 30, 1975, and recorded in Deed Book Volume 1060 at Page 368.

2. That if the said Defendants, SAMUEL CHURNER, ALVIE W. OGDEN

SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs administrators, and/or assigns, and all other persons, firms, partnerships or corporate entities in interest have not filed said exceptions within thirty (30) days, the Prothonotary shall enter Final Judgment upon Praecipe of the Plaintiff.

3. That the rights of the Plaintiff are superior to the rights of the Defendants, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

4. That the said Plaintiff has title fee simple to the premises as described in the Complaint as against the Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, executors, successors and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

5. That the Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest are enjoined from setting up title to the premises of the Plaintiff, described in said Complaint and from impeaching, denying or in any way attacking the title of the Plaintiff to said premises.

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

7. 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:

J.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line. The signature is positioned to the right of the text "BY THE COURT:" and the letter "J.".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

FILED

SEP 30 2002

William A. Shaw
Prothonotary

PRAECIPE FOR FINAL JUDGMENT

TO THE PROTHONOTARY:

A Decree in the above action having been made on the 22nd day of August, 2002, and thirty (30) days having elapsed since entry thereof, you are directed to enter Final Judgment in favor of the Plaintiff in the above-captioned action, pursuant to the Pennsylvania Rules of Civil Procedure.

MASON LAW OFFICE


David C. Mason, Esquire
Attorney for Plaintiff

DATED: *September 24, 2002*

FILED

Q:39-81

SEP 30 2002

William A. Shaw
Prothonotary

NO
CC

Atty pd.
20.00

cyf

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

DONNA P. NEALS, formerly
known as DONNA RICHARDSON,

Plaintiff

vs.

SAMUEL CHURNER, ALVIE W.
OGDEN, SAMUEL DAWSON,
JOHN HESCO, JR., and their
heirs, successors, administrators,
executors, and assigns, as well as ANY
OTHER PERSON, PARTY, or ENTITY,

Defendant(s)

No. 2002-918-CD

ORDER

AND, NOW this 22nd day of August, 2002, it appearing that a Complaint to Quiet Title in the above stated action was served on the Defendants, their heirs, administrators and/or assigns of each and all other person, persons, firms, partnerships or corporate entities in interest and by Affidavit of David C. Mason, Esquire, Attorney for Plaintiff, no Answer has been filed in said Action on behalf of the said Defendants, and on motion of David C. Mason, Esquire, Attorney for Plaintiff, it is hereby ORDERED AND DECREED:

1. That the said Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and

assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, executors, successors and/or assigns, and all other persons, firms, partnerships or corporate entities in interest are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in her Complaint in and to **ALL** that certain piece or parcel of land situate in Beccaria Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain parcel or tract of land located and situate in the Township of Beccaria, County of Clearfield and State of Pennsylvania, consisting of 1L, formerly owned by Alvie Ogden and which premises currently bears assessment No. 101-K15-506-21:

BEING the same premises as were sold by the Treasurer of Clearfield County to the Commissioners by Deed dated the 15th day of November, 1965, Deed Book No. 696, Page 499; thereafter the same were sold by the County Commissioners to Marie Kistler, by Deed dated November 21, 1973, recorded in Deed Book No. 696, Page 501. The said Marie K. Kistler, widow, granted and conveyed the same to Raymond H. English and Sheree L. English, and further

BEING the same premises which vested in Gertrude Schillinger by Deed dated September 16, 1980, and recorded in the Office for the recording of Deeds of Clearfield County in Deed Book Volume 802 at Page 197.

This parcel is described as **PARCEL ONE** in a Deed from Patricia G. Johnson and Donald J. Johnson, her husband, to Donna Richardson by Deed dated December 30, 1975, and recorded in Deed Book Volume 1060 at Page 368.

2. That if the said Defendants, SAMUEL CHURNER, ALVIE W. OGDEN

SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs administrators, and/or assigns, and all other persons, firms, partnerships or corporate entities in interest have not filed said exceptions within thirty (30) days, the Prothonotary shall enter Final Judgment upon Praecipe of the Plaintiff.

3. That the rights of the Plaintiff are superior to the rights of the Defendants, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

4. That the said Plaintiff has title fee simple to the premises as described in the Complaint as against the Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as ANY OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, executors, successors and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest.

5. That the Defendants, SAMUEL CHURNER, ALVIE W. OGDEN, SAMUEL DAWSON, JOHN HESCO, JR., and their heirs, successors, administrators, executors and assigns, as well as any OTHER PERSON, PARTY, or ENTITY, who may claim interest in the property herein, their heirs, administrators and/or assigns, and ALL OTHER PERSONS, firms, partnerships or corporate entities in interest are enjoined from setting up title to the premises of the Plaintiff, described in said Complaint and from impeaching, denying or in any way attacking the title of the Plaintiff to said premises.

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

7. 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:


/s/ JOHN K. REILLY, JR.

J.

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

AUG 22 2002

Attest.


Prothonotary/
Clerk of Courts

