

02-1009-CD
Joanne McQuown vs Andras Benyovits al

02

02-1009-CD
JOANNE KATHLEEN MCQUOWN -vs- ANDRAS BENYOVITS et al

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, :
deceased, and ANNA BENYOVITS, a/k/a ANNA: :
PETRUSKY BENOVIC, his wife, deceased :
ANDREW BENOVIC, JR., deceased, and EFFIE: ACTION TO QUIET TITLE
CUPPLES BENOVIC, his wife, deceased; :
AUDREY BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC :
RODKEY; ANDREW BENOVIC, III; ANNA :
BENOVIC SARISKY, deceased, and GEORGE :
SARISKY, her husband, deceased; ANDREW :
SARISKY, GEORGE SARISKY, JR.; ELEANOR :
SARISKY TAVALSKY; MARY ANN SARISKY, JOHN: :
SARISKY, a/k/a JOHN BENNETT; TERESSA :
SARISKY THOMPSON; VERNA BENOVIC REPPA, :
deceased, and JOHN K. REPPA, her husband: :
deceased, JEROME REPPA; ANNA REPPA :
POMMERVILLE, deceased; JEFFREY :
POMMERVILLE; MARIE REPPA WALSH; JOAN :
REPPA ADAM, deceased; JOHN ADAM; MARK :
ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, deceased; :
JON REPPA, deceased; VERNON P. REPPA; :
JOHN REPPA, JR., deceased; ANDREW REPPA, :
deceased; DAVID REPPA; JULIANNA BENOVIC :
TILKA, deceased, and DR. MICHEL TILKA, :
SR.; MICHAEL TILKA, JR.; EDWARD C. :
BENOVIC, deceased; ROSA BENOVIC, :
deceased; VICTORIA A. McQUOWN, deceased, :
and CHARLES W. McQUOWN, her husband, :
deceased; MARY BENOVIC HOHOLKA, deceased: :
and MICHAEL HOHOLKA, her husband, :
deceased; GLADYS HOHOLKA COMINSKY and :
GEORGE COMINSKY, her husband; MACHIPONGO: :
LAND & COAL COMPANY, and any heirs or :
persons claiming, or who might claim :
title under them, and any other person, :
persons, firms, partnerships or :
corporate entities, who might claim any :
title to the premises herein described, :
Defendants :

FILED

JUN 25 2002

0320/ncc

William A. Shaw
Prothonotary

7. A check of the telephone books in Clearfield County to see if any of the parties are listed and calls having been made to parties whose names sounded similar to inquire as to whether they were related to Defendants in the chain of title.

8. A check with the postal authorities, where necessary, to inquire as to whether there was a listing of potential Defendants.

9. A verification with relatives, neighbors, friends and employers of the Defendants where they could be located.

10. Checking the motor vehicle records where applicable.

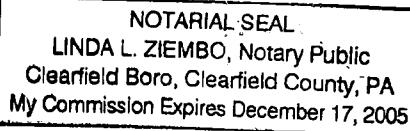
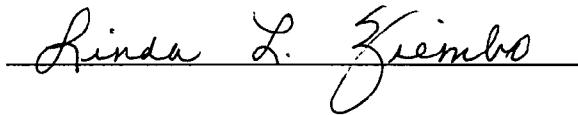
11. All of the above has been done in accordance with R.C.P. Rule 430 which covers service pursuant to special Order of Court.

12. All of the efforts were made in good faith. A real attempt having been made to uncover any Defendants who may have an interest in the above-described Action to Quiet Title.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 6 day of June, 2002.



LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION
No. 02 - - CD

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, and ANNA BENYOVITS,
a/k/a ANNA PETRUSKY BENOVIC,
his wife, et al,

Defendants

JOANNE KATHLEEN McQUOWN,
Plaintiff

AFFIDAVIT UNDER R.C.P. 430
CONCERNING LOCATION OF
DEFENDANTS

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

CIVIL DIVISION

Plaintiff

No. 02 - 1009 - CD

vs.

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife; ANDREW BENOVIC, JR., and EFFIE CUPPLES BENOVIC, his wife; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY and GEORGE SARISKY, her husband; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA and JOHN K. REPPA, her husband; JEROME REPPA; ANNA REPPA POMMerville; JEFFREY POMMerville; MARIE REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, JON REPPA; VERNON P. REPPA; JOHN REPPA, JR.; ANDREW REPPA; DAVID REPPA; JULIANNA BENOVIC TILKA and DR. MICHEL TILKA, SR.; her husband; MICHAEL TILKA, JR.; EDWARD C. BENOVIC; ROSE BENOVIC; VICTORIA A. McQUOWN and CHARLES W. McQUOWN, her husband; JOHN E. McQUOWN and JOANNE KATHLEEN McQUOWN, his wife; LOIS J. BUNGO; MARY BENOVIC HOHOLKA and MICHAEL HOHOLKA, her husband; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

COMPLAINT IN ACTION TO QUIET TITLE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI, ESQUIRE

PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI

221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUN 25 2002
OB 16/Attn: Colavecchi
William A. Shaw Pd 10.00
Prothonotary

21 ecto

Attn

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

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vs. : No. 02 - - CD
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and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVIC, his wife; ANDREW BENOVIC, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVIC, his wife; :
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OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC :
RODKEY; ANDREW BENOVIC, III; ANNA :
BENOVIC SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVIC REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
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BENOVIC TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

N O T I C E

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 Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, PA 16830

Phone 814/765-2641 Ex. 5982

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
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CLEARFIELD, PA

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

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Plaintiff :
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SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
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VERNA BENOVIC REPPA and JOHN K. REPPA, :
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HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

C O M P L A I N T

1. Plaintiff is JOANNE KATHLEEN McQUOWN, an individual having a mailing address of P.O. Box 5, Ramey, Pennsylvania, 16671.

2. Defendants are as follows:

a. **Andras Benyovits and Anna Benyovits, his wife.**

Andras Benyovits, a/k/a Andrew Benovic, died intestate on December 28, 1922 and Anna Benyovits, a/k/a Anna Petrusky Benovic, is believed to have died in 1935. They are believed to have had eight children.

1. **Andrew Benovic, Jr.**, a son, is believed to have died in 1939. His wife, **Effie Cupples Benovic**, is believed to have died in 1964. They had five children as follows:

a. Audrey Benovic Craimer of 5259 Howard Street, Philadelphia, Pennsylvania, 19120.

b. Ruth Benovic Oldham of Bucks County, Lahaska, Pennsylvania, 18931.

c. Lawrence Benovic of 710 West Second Street, Erie, Pennsylvania, 16507.

d. Jean Benovic Rodkey of R.D. #3, Box 170, Clearfield, Pennsylvania, 16830.

e. Andrew Benovic, III of 518 Short Street, Carnegie, Pennsylvania, 15106.

2. **Anna Benovic Sarisky**, a daughter, is believed to have died in 1918 and her husband, **George Sarisky**, is believed to have died in 1921 or 1922, leaving six children as follows:

a. Andrew Sarisky, Pennsylvania R.R.-Y.M.C.A., Pennsylvania Station, New York City, New York, 10001.

b. George Sarisky, Jr., 9 Lockwood Drive, Clifton, New Jersey, 07013.

c. Eleanor Sarisky Tavalsky, 20-A Oakhurst Homes, Johnstown, Pennsylvania, 15906.

d. Mary Ann Sarisky Linebarger, R.D. #2, Box 147, Port Royal, Pennsylvania, 17082.

e. John Sarisky, a/k/a John Bennett, 60 Meadowbrook Drive, Princeton, New Jersey, 08540.

f. Teressa Sarisky Thompson, Newport, Pennsylvania.

3. **Verna Benovic Reppa**, a daughter, is believed to have died in 1954 and her husband, **John K. Reppa**, is believed to have died in 1931, leaving eight children as follows:

a. Jerome Reppa of 949 Cornwallis Lane, Munster, Indiana, 46321-2878.

b. Anna Reppa Pommerville is believed to be deceased, having formerly resided at 1370 Virginia Road, Santa Barbara, California, 93103, and having left one child, Jeffery Pommerville, whose present address is unknown.

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c. Marie Reppa Walsh of 509 Pickett Street, Alexandria, Virginia, 22304.

d. Joan Reppa Adam is deceased and her spouse is also deceased. They formerly resided at 1644 145th Street, Gardena, California, 90247, and left five children as follows:

1. John Adam, present status and whereabouts unknown.

2. Mark Adam, present status and whereabouts unknown.

3. Matthew Adam, present status and whereabouts unknown.

4. Michael Adam, present status and whereabouts unknown.

5. Therese Adam Cassar of 3360 Avenida Fey Norte, Palm Springs, California, 92262.

e. Vernon Reppa is deceased and his spouse is also deceased, having formerly resided at 4736 Alexander Avenue, East Chicago, Indiana, 46312, leaving two children as follows:

1. Jon Reppa who is now deceased with no descendants.

2. Vernon P. Reppa of 7237 Howard Avenue, Hammond, Indiana, 46324.

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f. John Reppa, Jr., now deceased, having left no descendants and formerly resided at 4624 Mogoun Avenue, East Chicago, Indiana, 46312.

g. Andrew Reppa, now deceased, and whose spouse is also deceased, having formerly resided at 4327 Northcote, East Chicago, Indiana, 46312, and having left no descendants.

h. David Reppa of 173 Riverside Drive, Apt. #1B, New York, New York, 10024.

4. **Julianna Benovic Tilka**, a daughter, is believed to have died in 1963 and her husband, **Dr. Michael Tilka, Sr.**, is believed to be residing at 8235 Baring Avenue, Munster, Indiana, 46321. They had one child, Michael Tilka, jr., of 26243 Stillwater Circle, Panta Gora, Florida, 33955.

5. **Edward C. Benovic**, a son, single, is believed to have died in 1943, leaving no descendants.

6. **Rose Benovic**, a daughter, single, is believed to have died in 1964, leaving no descendants.

7. **Charles W. McQuown**, passed away on July 4, 1972, and his spouse, **Victoria A. McQuown**, who is a daughter, passed away on October 4, 1976, leaving two children as follows:

a. John E. McQuown, deceased, passed away on July 20, 1987, and his spouse, Joanne Kathleen McQuown, who is the Plaintiff in this legal action, has a mailing address of P.O. Box 5, Ramey, Pennsylvania, 16671.

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b. Lois J. Bungo of 406 Curtin Street, Osceola Mills, Pennsylvania, 16666.

8. **Mary Benovic Hoholka**, a daughter, is believed to have died in 1920 and her husband, **Michael Hoholka**, is believed to have died in 1962. They had one child, Gladys Hoholka Cominsky, whose spouse is George Cominsky, residing at 110 Eighth Street, Windber, Pennsylvania, 15963.

b. **Machipongo Land & Coal Company**, a Pennsylvania business corporation, with its principal office at Box 195, Ramey, Pennsylvania, 16671, and any heirs or persons claiming or who might claim title under them, and any other person, persons, firms, partnerships, or corporate entities who might claim any title to the premises herein described.

3. The subject of this Action to Quiet Title is a parcel of land situated in the Borough of Houtzdale, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the intersection of the northern line of Daniel Street and the eastern line of Larch Alley, said point being the southwestern corner of the parcel herein described; thence along the eastern line of Larch Alley, North eleven (11) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the southern line of Squirrel Alley; thence along the southern line of Squirrel Alley, South seventy-eight (78)

dated April, 1884 and drafted by Allen G. Butler as Lot Number 680.

There was then a second map of Houtzdale and the Villages of West and South Houtzdale prepared by Gwin, Dobson & Foreman, Inc. dated November 4, 1976 which described the property, which is the subject of this Action to Quiet Title, as Lot Numbers 861, 862 and 863.

It is believed that the descriptions of these properties were somewhat confused in attempting to convey it in the chain of title to Joanne McQuown and John McQuown and may have intended to be conveyed with an earlier deed or there was a separate deed which did not get placed of record.

There is a deed dated July 7, 1970, recorded in Deed Book 566, Page 525, from Victoria A. McQuown and Charles W. McQuown to John E. McQuown and Joanne McQuown, his wife, which describes properties therein as three Lots Numbers 401, 403 and 405.

There is then some confusion in the assessment records and in the actual legal description of the property. It is believed that this conveyance was either intended to include the above property which is the subject of this Action to Quiet Title or the property is described in a separate deed which was lost and not placed of record. Plaintiff and her husband, John McQuown, took immediate possession of the property described in Paragraph 3.

4. Plaintiff has acquired title to the above-described premises through the chain of title set out in Paragraph 3, and

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commencing in 1945 and said adverse possession has continued until the present time.

Plaintiff's adverse possession of this property, through herself and her predecessors in title, has been actual, continuous, exclusive, visible, notorious, distinct and hostile and has continued for more than the statutory period of twenty-one (21) years, it having been adverse to all parties which the Defendants enumerated herein may have in the premises.

6. That this Action to Quiet title is necessary in order to firmly vest title in the Plaintiff through the chain of title as set out above and by adverse possession. It is the purpose of this Action to Quiet Title to give all parties the opportunity to present any claim they might have to the property.

WHEREFORE, Plaintiff brings this Action to Quiet Title and asks the Court to Decree as follows:

a. That the Plaintiff is seized of an indefeasible title as acquired through the chain of title set out in Paragraph 3 and also by adverse possession to the premises situated in the Borough of Houtzdale, Clearfield County, Pennsylvania. The complete description of the property which is the subject of this Action to Quiet Title is set out in Paragraph 3 and is shown on the survey map attached to this Complaint marked Exhibit "A", which has Clearfield County Assessment Map Number M14-385-00004 and described as three lots.

b. Enter such judgment or other relief which may be necessary in establishing an indefeasible title in the Plaintiff.

c. Such other and further relief as the Court may deem proper.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

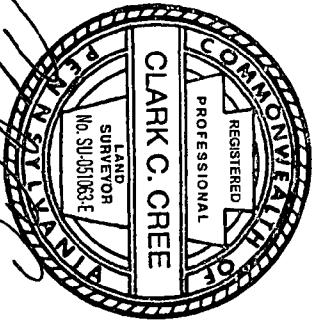
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VERIFICATION

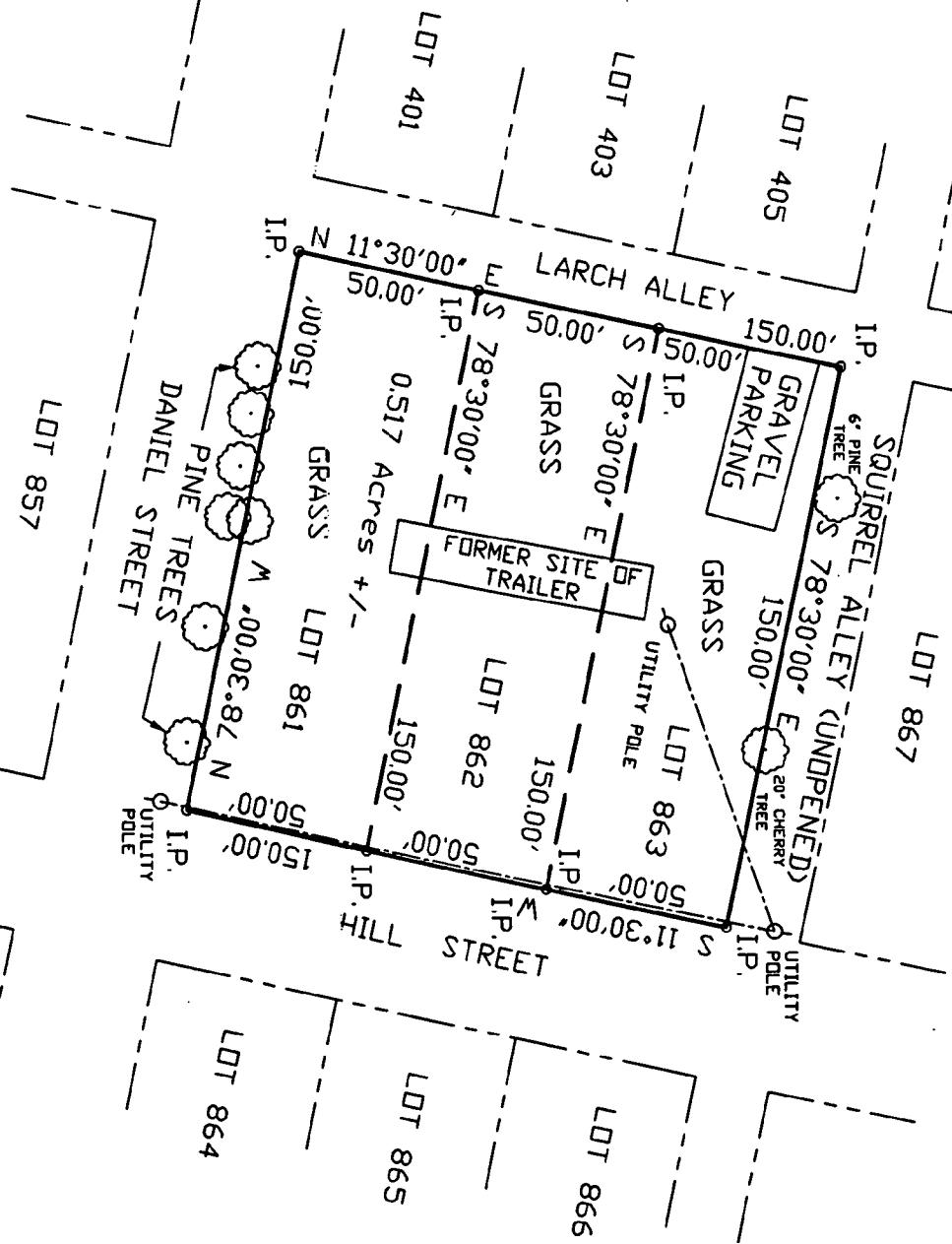
I verify that the statements made in this Complaint in Action to Quiet Title are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Joanne Kathleen McQuown
JOANNE KATHLEEN MCQUOWN

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Frank C. Lee



Exhibit

"A"

Survey of Land for Joanne Kathleen McQuown			
Situate:	Houtzdale Borough Clearfield Co., Pennsylvania	SCALE:	DRAWN BY:
Prepared by	GEORGE A. CREE, REGISTERED SURVEYOR 2417 SKYLINE DRIVE, FALLENTIMBER, PA	1' = 50'	C.C.C. FB# 246
DATE:		JOB NUMBER:	BG42102
4/12/02			

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COMPLAINT IN ACTION TO
QUIET TITLE

NOTICE TO DEFENDANTS:

YOU are hereby notified that
you are required to file an
Answer to the within Complaint
within twenty (20) days after
service upon you or judgment may
be entered against you.

Joseph Colavecchi
JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
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Defendants :

FILED
JUN 27 2002
01/135/2002 atty
William A. Shaw
Plaintiff
Colavito

FILED

JUN 27 2002
01/135/2cc atty
William A. Shaw
Prothonotary Colavecchi

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

least twenty (20) days from the date of the last publication, judgment will be entered against the above-named Defendants granting relief requested in the Prayer of the Complaint and which shall be set forth in full in the advertisement of said action.

If this Complaint is not pleaded to within twenty (20) days after the date of the last publication, the Plaintiff may obtain a Preliminary Order directed to the Defendants and if no exceptions are filed to the Preliminary Order within thirty (30) days, Final Judgment in this action to Quiet Title may be entered by the Plaintiffs against the Defendants.

BY THE COURT:

JUDGE

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

No. 02 - - CD

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, and ANNA BENYOVITS,
a/k/a ANNA PETRUSKY BENOVIC,
his wife, et al.,

Defendants

ORDER DIRECTING COMPLAINT TO BE
SERVED BY ADVERTISEMENT ON
CERTAIN DEFENDANTS

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

CIVIL DIVISION

Plaintiff

No. 02 - 1009 - CD

vs.

AFFIDAVIT OF SERVICE

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife; ANDREW BENOVIC, JR., and EFFIE CUPPLES BENOVIC, his wife; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY and GEORGE SARISKY, her husband; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA and JOHN K. REPPA, her husband; JEROME REPPA; ANNA REPPA POMMerville; JEFFREY POMMerville; MARIE REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, JON REPPA; VERNON P. REPPA; JOHN REPPA, JR.; ANDREW REPPA; DAVID REPPA; JULIANNA BENOVIC TILKA and DR. MICHEL TILKA, SR.; her husband; MICHAEL TILKA, JR.; EDWARD C. BENOVIC; ROSE BENOVIC; VICTORIA A. McQUOWN and CHARLES W. McQUOWN, her husband; JOHN E. McQUOWN and JOANNE KATHLEEN McQUOWN, his wife; LOIS J. BUNGO; MARY BENOVIC HOHOLKA and MICHAEL HOHOLKA, her husband; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE

PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUL 11 2002

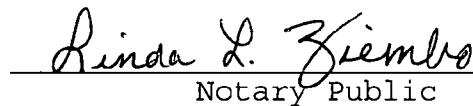
0111AS/NOCC
William A. Shaw
Prothonotary

The above statements are true and correct to the best of affiant's knowledge, information and belief.

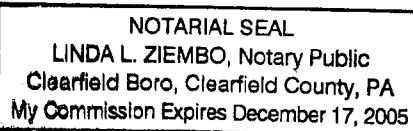


JOSEPH COLAVECCHI, ESQUIRE

Sworn to and subscribed before
me this 9 day of July, 2002.



Linda L. Ziembo
Notary Public



LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

No. 02 - 1009 - CD

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a
ANDREW BENOVIC, and ANNA
BENYOVITS, a/k/a ANNA
PETRUSKY BENOVIC, his wife;
et al.,

Defendants

AFFIDAVIT OF SERVICE

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

CIVIL DIVISION

vs.

NO. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife, deceased ANDREW BENOVIC, JR., deceased, and EFFIE CUPPLES BENOVIC, his wife, deceased; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVIC TILKA, deceased, and DR. MICHEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVIC, deceased; ROSA BENOVIC, deceased; VICTORIA A. McQUOWN, deceased; and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVIC HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market St.
Clearfield, PA 16830
814/765-1566

FILED

JUL 15 2002

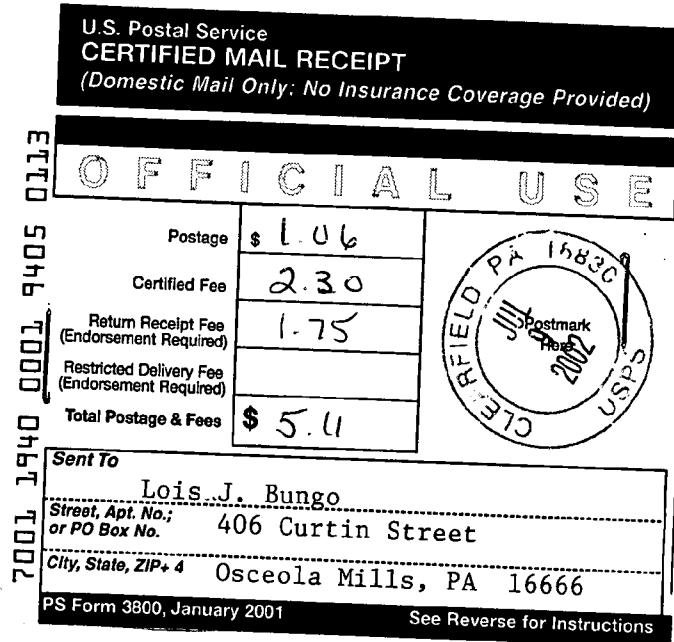
William A. Shaw
Prothonotary

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

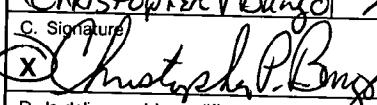
Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 3, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Lois J. Bungo by certified mail, return receipt requested.

A copy of this receipt is attached hereto.

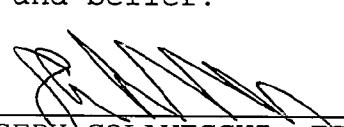


LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

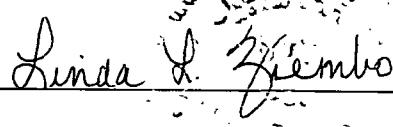
The return receipt was received from the Post Office showing that Christopher P. Bungo, Agent for Lois J. Bungo, picked up the letter containing the certified copy of the Complaint in Action to Quiet Title on July 10, 2002. A copy of this return receipt is attached hereto.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.<input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.<input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Received by (Please Print Clearly) <u>Christopher P. Bungo</u> B. Date of Delivery <u>7-10-02</u></p> <p>C. Signature </p> <p><input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>	
1. Article Addressed to: <u>Lois J. Bungo</u> <u>406 Curtin Street</u> <u>Osceola Mills, PA 16666</u>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label) <u>7001 1940 0001 9405 0113</u>		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 1999		Domestic Return Receipt 102595-99-M-1789	

The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 11 day of July, 2002.


LINDA L. ZIEMBIO

NOTARIAL SEAL
LINDA L. ZIEMBIO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

Leave over margin

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION
No. 02 - 1009 - CD

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a
ANDREW BENOVIC, DECEASED, and
ANNA BENYOVITS, a/k/a ANNA
PETRUSKY BENOVIC, his wife,
Deceased, et al.,
Defendants

AFFIDAVIT OF SERVICE

FILED
03-22-02
JUL 15 2002

William A. Chaney
i

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife; ANDREW BENOVIC, JR., and EFFIE CUPPLES BENOVIC, his wife; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY and GEORGE SARISKY, her husband; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; VERA BENOVIC REPPA and JOHN K. REPPA, her husband; JEROME REPPA; ANNA REPPA POMMerville; JEFFREY POMMerville; MARIE REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, JON REPPA; VERNON P. REPPA; JOHN REPPA, JR.; ANDREW REPPA; DAVID REPPA; JULIANA BENOVIC TILKA and DR. MICHEL TILKA, SR.; her husband; MICHAEL TILKA, JR.; EDWARD C. BENOVIC; ROSE BENOVIC; VICTORIA A. McQUOWN and CHARLES W. McQUOWN, her husband; JOHN E. McQUOWN and JOANNE KATHLEEN McQUOWN, his wife; LOIS J. BUNGO; MARY BENOVIC HOHOLKA and MICHAEL HOHOLKA, her husband; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE

PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUL 16 2002

0121491 no cc
William A. Shaw C
Prothonotary *[Signature]*

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

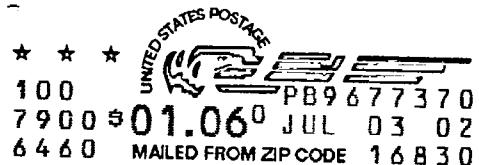
JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVICE, his wife; ANDREW BENOVICE, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVICE TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 3, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Lawrence Benovic by regular first class mailed, postage prepaid.

The letter containing the certified copy of the Complaint in Action to Quiet Title was returned marked no such number/street. A copy of this return receipt is attached hereto.



Lawrence Benovic
710 West Second Street
Clearfield, PA 16830

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S NO SUCH NUMBER/ STREET
S NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

OTHER



LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE

Sworn to and subscribed before
me this 15 day of July, 2002.

Linda L. Ziembo
Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

CIVIL DIVISION

Plaintiff

No. 02 - 1009 - CD

vs.

AFFIDAVIT OF SERVICE

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife; ANDREW BENOVIC, JR., and EFFIE CUPPLES BENOVIC, his wife; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY and GEORGE SARISKY, her husband; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA and JOHN K. REPPA, her husband; JEROME REPPA; ANNA REPPA POMMERVILLE; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, JON REPPA; VERNON P. REPPA; JOHN REPPA, JR.; ANDREW REPPA; DAVID REPPA; JULIANNA BENOVIC TILKA and DR. MICHEL TILKA, SR.; her husband; MICHAEL TILKA, JR.; EDWARD C. BENOVIC; ROSE BENOVIC; VICTORIA A. McQUOWN and CHARLES W. McQUOWN, her husband; JOHN E. McQUOWN and JOANNE KATHLEEN McQUOWN, his wife; LOIS J. BUNGO; MARY BENOVIC HOHOLKA and MICHAEL HOHOLKA, her husband; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

FILED

JUL 16 2002
3/249/2002
William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
:
ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVIC, his wife; ANDREW BENOVIC, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVIC, his wife; :
AUDREY BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC :
RODKEY; ANDREW BENOVIC, III; ANNA :
BENOVIC SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVIC REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERRVILLE; JEFFREY POMMERRVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVIC TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS.

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to GEORGE SARISKY, JR. by certified mail, return receipt requested. A copy of this receipt is attached hereto.

<p style="text-align: center;">U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i></p>	
OFFICIAL USE	
Postage	\$ 1.06
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.11
<p>Sent To</p> <p>George Sarisky, Jr.</p> <p>Street, Apt. No.; or PO Box No. 9 Lockwood Drive</p> <p>City, State, ZIP+ 4 Clifton, NJ 07013</p>	
	
PS Form 3800, January 2001	
See Reverse for Instructions	

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

The return receipt was received from the Post Office showing "Not Deliverable as Addressed-Unable to Forward" on July 15, 2002. A copy of this return receipt is attached hereto.

LAW OFFICES

COLAVECCHI RYAN & COLAVECCHI

221 EAST MARKET STREET

P. O. BOX 131

CLEARFIELD, PENNSYLVANIA 16830



George S. Siskowit
9 Lockwood Drive
Clifton, NJ 07013

UNITED STATES POSTAGE
117 PB9677370
7970 05.110 JUL 09 02
6571 MAILED FROM ZIP CODE 16830

CLASH

**RETURN RECEIPT
REQUESTED**

The above statements are true and correct to the best of affiant's knowledge, information and belief.

JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 15 day of July, 2002.

Linda L. Ziemblo
Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBLO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

(CR)

JUL 22 2002

013.401nacc
William A. Shaw
Prothonotary

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENCVIC, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVIC, his wife; ANDREW BENOVIC, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVIC, his wife; :
AUDREY BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC :
RODKEY; ANDREW BENOVIC, III; ANNA :
BENOVIC SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVIC REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVIC TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

The return receipt was received from the Post Office showing delivery was "Attempted-Not Known". A copy of this return receipt is attached hereto.

LAW OFFICES

ECCHI RYAN & COLAVECCHI

221 EAST MARKET STREET

P. O. BOX 131

RFIELD, PENNSYLVANIA 16830

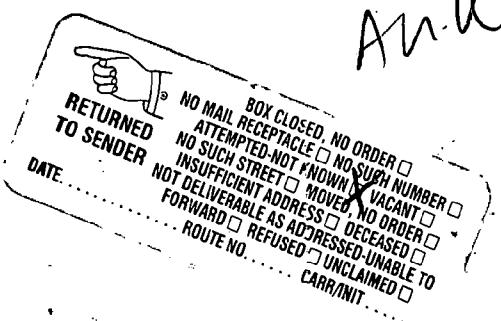


7001 1940 0001 9405 0151



PB9677370

7940 05.110 JUL 09 02
6576 MAILED FROM ZIP CODE 16830



The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

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



Notary Public

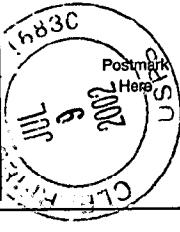
LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to MARIE REPPA WALSH by certified mail, return receipt requested. A copy of this receipt is attached hereto.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
O F F I C I A L U S E	
70001 1940 00001 9405 0151	Postage \$ 1.06
	Certified Fee 2.30
	Return Receipt Fee (Endorsement Required) 1.75
	Restricted Delivery Fee (Endorsement Required)
	Total Postage & Fees \$ 5.11
	
Sent To Marie Reppa Walsh	
Street, Apt. No.; or PO Box No. 509 Pickett Street	
City, State, ZIP+4 Alexandria, VA 22304	
PS Form 3800, January 2001 See Reverse for Instructions	

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

CIVIL DIVISION

vs.

No. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife, deceased ANDREW BENOVIC, JR., deceased, and EFFIE CUPPLES BENOVIC, his wife, deceased; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVIC TILKA, deceased, and DR. MICHEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVIC, deceased; ROSA BENOVIC, deceased; VICTORIA A. McQUOWN, deceased, and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVIC HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market St.
Clearfield, PA 16830
814/765-1566

FILED

JUL 31 2002

William A. Shaw
Prothonotary

cc/c

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff : No. 02 - 1009 - CD
:
vs. :
:
ANDRAS BENYOVITS, a/k/a ANDREW :
BENOVIC, and ANNA BENYOVITS, a/k/a :
ANNA PETRUSKY BENOVIC, his wife; :
ANDREW BENOVIC, JR., and EFFIE :
CUPPLES BENOVIC, his wife; AUDREY :
BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN :
BENOVIC RODKEY; ANDREW BENOVIC, III: :
ANNA BENOVIC SARISKY and GEORGE :
SARISKY, her husband; ANDREW :
SARISKY, GEORGE SARISKY, JR.; :
ELEANOR SARISKY TAVALSKY; MARY :
ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY :
THOMPSON; VERNA BENOVIC REPPA and :
JOHN K. REPPA, her husband; JEROME :
REPPA; ANNA REPPA POMMerville; :
JEFFREY POMMerville; MARIE REPPA :
WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL :
ADAM; THERESE ADAM; VERNON REPPA, :
JON REPPA; VERNON P. REPPA; JOHN :
REPPA, JR.; ANDREW REPPA; DAVID :
REPPA; JULIANNA BENOVIC TILKA and :
DR. MICHEL TILKA, SR.; her husband; :
MICHAEL TILKA, JR.; EDWARD C. :
BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J.:
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; :
GLADYS HOHOLKA COMINSKY and GEORGE :
COMINSKY, her husband; MACHIPONGO :
LAND & COAL COMPANY, and any heirs :
or persons claiming, or who might :
claim title under them, and any :
other person, persons, firms, :
partnerships or corporate entities, :
who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :
:

Personally appeared before me, Notary Public, in and for the County and State aforesaid, JOSEPH COLAVECCHI, ESQUIRE, Attorney for Joanne Kathleen McQuown, Plaintiff, who, being duly sworn according to law, deposes and says that service of the foregoing Complaint to Quiet Title in the above-captioned Action, together with endorsed Notice to Plead within twenty (20) days, was made personally, where possible, and by publication as follows:

1. Service by publication was made in the Clearfield County Legal Journal, a weekly newspaper published at Clearfield, Pennsylvania, on July 12, 2002, Volume 14, No. 28. This service is attested to by a Proof of Publication attached to this Affidavit and made a part hereof.

2. That service has been made on the above-named Defendants, both personally, where possible, and by publication, and the above-named Defendants, and their heirs, devisees, administrators,

PROOF OF PUBLICATION

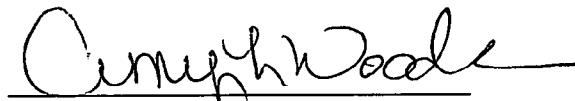
STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :

On this 11th 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 12, 2002, Vol. 14 No. 28. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

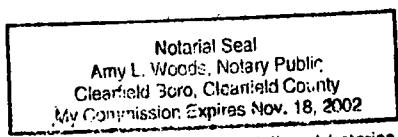


Gary A. Knaresboro, Esquire
Editor

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



Amy L. Woods
Notary Public
My Commission Expires



Colavecchi & Ryan
221 East Market St
Clearfield, PA 16830

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

JOANNE KATHLEEN McQUOWN, Plaintiff vs. ANDRAS BENYOVITS, a/k/a ANDREW BENOVID, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVID, his wife, deceased ANDREW BENOVID, JR., deceased, and EFFIE CUPPLES BENOVID, his wife, deceased; AUDREY BENOVID CRAIMER; RUTH BENOVID OLDHAM; LAWRENCE BENOVID; JEAN BENOVID RODKEY; ANDREW BENOVID, III; ANNA BENOVID SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; VERA BENOVID REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVID TILKA, deceased, and DR. MICHAEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVID, deceased; ROSA BENOVID, deceased; VICTORIA A. McQUOWN, deceased and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVID HOHOLKA, deceased, and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described, Defendants.

No. 02-1009-CD

ACTION TO QUIET TITLE

TO: THE ABOVE-NAMED DEFENDANTS: TAKE NOTICE THAT ON June 25, 2002, the above-named Plaintiff filed her Complaint averring that Joanne Kathleen McQuown is the owner of all that certain parcel of land situated in the Borough of Houtzdale, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the intersection of the northern line of Daniel Street and the eastern line of Larch Alley, said point being the southwestern corner of

the parcel herein described; thence along the eastern line of Larch Alley, North eleven (11) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the southern line of Squirrel Alley; thence along the southern line of Squirrel Alley, South seventy-eight (78) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the western line of Hill Street; thence along the western line of Hill Street, South eleven (11) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the northern line of Daniel Street; thence along the northern line of Daniel Street, North seventy-eight (78) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin and point of beginning.

Containing 0.517 acres, more or less, as shown on a survey map prepared by George A. Cree, Registered Surveyor, dated April 12, 2002.

WHEREUPON, said Court ordered that notice of the above facts be served by the Plaintiff on the Defendants, personally where known, and by advertisement where they cannot be located, or their identity cannot be ascertained, requiring them to answer said Complaint within twenty (20) days after the date of the last publication. The last date of publication of this notice is July 12, 2002. An Answer must be filed to the Complaint in this Action by no later than August 1, 2002. Failure to file an Answer by August 1, 2002, will result in default judgment being taken against the Defendants. Further, that title will be confirmed in the Plaintiff free of any claims by Defendants.

Should the above-named Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them any right, title or interest in the land described fail to plead to the Plaintiffs' Complaint no later than August 22, 2001, at 9:00 a.m., the date and time set for the Court for hearing on the said Complaint, or fail to take such action as the Court may direct within thirty (30) days after that date, the Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them any right, title or interest in the land described, except the Plaintiffs, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors and assigns.

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 Court House, Second and Market Streets, Clearfield, PA 16830. (814) 765-2641, Ext. 50-51.

COLAVECCHI & RYAN, Attorneys for Plaintiffs, 221 East Market Street, P.O. Box 131, Clearfield, PA 16830.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 02 - 1009 - CD

JOANNE KATHLEEN MCQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, Deceased, et al,
Defendants

AFFIDAVIT OF SERVICE

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

CIVIL DIVISION

vs.

No. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVICE, his wife, deceased ANDREW BENOVICE, JR., deceased, and EFFIE CUPPLES BENOVICE, his wife, deceased; AUDREY BENOVICE CRAIMER; RUTH BENOVICE OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE RODKEY; ANDREW BENOVICE, III; ANNA BENOVICE SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVICE REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVICE TILKA, deceased, and DR. MICHEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVICE, deceased; ROSA BENOVICE, deceased; VICTORIA A. McQUOWN, deceased, and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVICE HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described, Defendants

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market St.
Clearfield, PA 16830
814/765-1566

FILED

JUL 31 2002 (F)

William A. Shaw
Prothonotary

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff : No. 02 - 1009 - CD
:
vs. :
:
ANDRAS BENYOVITS, a/k/a ANDREW :
BENOVIC, and ANNA BENYOVITS, a/k/a :
ANNA PETRUSKY BENOVIC, his wife; :
ANDREW BENOVIC, JR., and EFFIE :
CUPPLES BENOVIC, his wife; AUDREY :
BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN :
BENOVIC RODKEY; ANDREW BENOVIC, III: :
ANNA BENOVIC SARISKY and GEORGE :
SARISKY, her husband; ANDREW :
SARISKY, GEORGE SARISKY, JR.; :
ELEANOR SARISKY TAVALSKY; MARY :
ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY :
THOMPSON; VERNA BENOVIC REPPA and :
JOHN K. REPPA, her husband; JEROME :
REPPA; ANNA REPPA POMMERVILLE; :
JEFFREY POMMERVILLE; MARIE REPPA :
WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL :
ADAM; THERESE ADAM; VERNON REPPA, :
JON REPPA; VERNON P. REPPA; JOHN :
REPPA, JR.; ANDREW REPPA; DAVID :
REPPA; JULIANNA BENOVIC TILKA and :
DR. MICHEL TILKA, SR.; her husband; :
MICHAEL TILKA, JR.; EDWARD C. :
BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J.:
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; :
GLADYS HOHOLKA COMINSKY and GEORGE :
COMINSKY, her husband; MACHIPONGO :
LAND & COAL COMPANY, and any heirs :
or persons claiming, or who might :
claim title under them, and any :
other person, persons, firms, :
partnerships or corporate entities, :
who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

Personally appeared before me, Notary Public, in and for the County and State aforesaid, JOSEPH COLAVECCHI, ESQUIRE, Attorney for Joanne Kathleen McQuown, Plaintiff, who, being duly sworn according to law, deposes and says that service of the foregoing Complaint to Quiet Title in the above-captioned Action, together with endorsed Notice to Plead within twenty (20) days, was made personally, where possible, and by publication as follows:

1. Service by publication was made in The Progress, a daily newspaper published at Clearfield, Pennsylvania, on July 8, 2002. This service is attested to by a Proof of Publication attached to this Affidavit and made a part hereof.

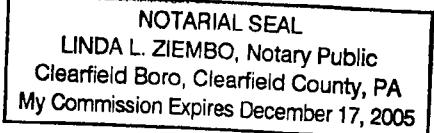
2. That service has been made on the above-named Defendants, both personally, where possible, and by publication, and the above-named Defendants, and their heirs, devisees, administrators, executors, and assigns, and all other person, persons, firms, partnerships, or corporate entities in interest have not filed any Answer to the Complaint.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before me

this 30 day of July, 2002.

Linda L. Ziembo


NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

IN THE COURT OF
COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION
JOANNE KATHLEEN
McQUOWN, Plaintiff
VS.

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife, deceased ANDREW BENOVIC, JR., deceased, and EFFIE CUPPLES BENOVIC, his wife, deceased; AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESA SARISKY THOMPSON; Verna BENOVIC REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMerville, deceased; JEFFREY POMMerville; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVIC TILKA, deceased, and DR. MICHAEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVIC, deceased; ROSA BENOVIC, deceased; VICTORIA A. McQUOWN, deceased, and

husband, deceased; MARY BENOVIC HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described, Defendants

No. 02-1009-CD
ACTION TO QUIET TITLE
TO: THE ABOVE-NAMED DEFENDANTS:

TAKE NOTICE THAT ON June 25, 2002, the above-named Plaintiff filed her Complaint averring that Joanne Kathleen McQuown is the owner of all that certain parcel of land situated in the Borough of Houtzdale, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the intersection of the northern line of Daniel Street and the eastern line of Larch Alley, said point being the southwestern corner of the parcel herein described; thence along the eastern line of Larch Alley, North eleven (11) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the southern line of Squirrel Alley, thence along the southern line of Squirrel Alley, South seventy-eight (78) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the western line of Hill Street; thence along the western

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 9th day of July, 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 8, 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

line of Hill Street, South eleven (11) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the ~~northern~~ line of Daniel Street; thence along the northern line of Daniel Street, North seventh-eight (78) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin and point of beginning.

Containing 0.517 acres, more or less, as shown on a survey map prepared by George A. Cree, Registered Surveyor, dated April 12, 2002.

WHEREUPON, said Court ordered that notice of the above facts be served by the Plaintiff on the Defendants, personally where known, and by advertisement where they cannot be located, or their identity cannot be ascertained, requiring them to answer said Complaint within twenty (20) days after the date of the last publication. The last date of publication of this notice is July 8, 2002. An Answer must be filed to the Complaint in this Action by no later than July 28, 2002. Failure to file an Answer by July 28, 2002, will result in default judgement being taken against the Defendants. Further, that title will be confirmed in the Plaintiff free of any claims by Defendants.

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 their 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 judgement 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 COURT-
HOUSE, 2nd & Market Streets,
Clearfield, PA 16830, Phone
(814) 765-2641 Ex. 50-51
COLAVECCHI & RYAN, Attorneys

for Plaintiffs, 221 East Market
Street, P. O. Box 131, Clearfield,
PA 16830

7:8-1d-b

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 02 - 1009 - CD

JOANNE KATHLEEN MCQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, Deceased, et al,
Defendants

AFFIDAVIT OF SERVICE

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

Aug 02 2002

William A. Shaw
Prothonotary

WAS

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

JOANNE KATHLEEN MCQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE, :
and ANNA BENYOVITS, a/k/a ANNA PETRIJSKY :
BENOVICE, his wife; ANDREW BENOVICE, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVICE TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
MCQUOWN and CHARLES W. MCQUOWN, her :
husband; JOHN E. MCQUOWN and JOANNE :
KATHLEEN MCQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 3, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Eleanor Sarisky Tavalsky by regular first class mailed, postage prepaid.

The letter containing the certified copy of the Complaint in Action to Quiet Title was returned marked attempted, not known. A copy of this return receipt is attached hereto.

LAW OFFICES

RYAN & COLAVECCHI
11 MARKET STREET
P. O. BOX 131
, PENNSYLVANIA 16830

Never at
this address!!

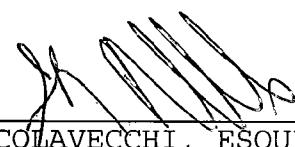
Eleanor Sarisky Tavalsky
20-A Oakhurst Homes

A INSUFFICIENT ADDRESS
C ATTEMPTED NOT KNOWN
S NO SUCH NUMBER/ STREET
S NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

RTS
RETURN TO SENDER

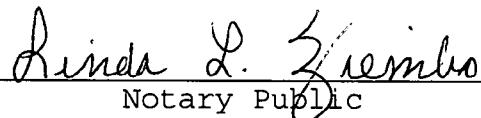
LAW OFFICES
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

The above statements are true and correct to the best of affiant's knowledge, information and belief.



JOSEPH COLAVECCHI, ESQUIRE

Sworn to and subscribed before
me this 2 day of August, 2002.



Linda L. Ziembo
Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

NO. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

AUG 02 2002

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

JOANNE KATHLEEN MCQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVICE, his wife; ANDREW BENOVICE, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERRVILLE; JEFFREY POMMERRVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVICE TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
MCQUOWN and CHARLES W. MCQUOWN, her :
husband; JOHN E. MCQUOWN and JOANNE :
KATHLEEN MCQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

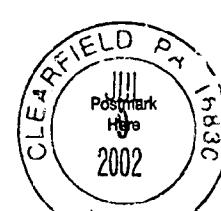
LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Jerome Reppa by certified mail, return receipt requested. A copy of this receipt is attached hereto.

A copy of this receipt is attached hereto.

<p>U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only: No Insurance Coverage Provided)</i></p>	
<p>00076 00011 9405 00011 9405 00011 9405 00011 9405 00011 9405 00011 9405 00011 9405</p> <p>OFFICIAL USE</p>	
<p>Postage Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees</p>	\$ 1.06
	2.30
	1.75
	\$ 5.11
	
<p>Sent To Jerome Reppa Street, Apt. No.; or PO Box No. 949 Cornwallis Lane City, State, ZIP+4 Munster, IN 46321-2878</p>	
<p>PS Form 3800, January 2001 See Reverse for Instructions</p>	

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

The return receipt was received from the Post Office showing that Jerome Reppa, picked up the letter containing the certified copy of the Complaint in Action to Quiet Title on July 19, 2002. A copy of this return receipt is attached hereto.

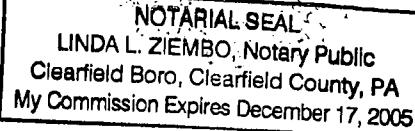
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) <i>JEROME J REPPA</i> 7/19 <input checked="" type="checkbox"/> B. Date of Delivery C. Signature <i>J. Reppa</i> <input checked="" type="checkbox"/> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to: Jerome Reppa 949 Cornwallis Lane Munster, IN 46321-2878</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label) 7001 1940 0001 9405 0076</p>			
<p>PS Form 3811, July 1999</p>		<p>Domestic Return Receipt</p>	
		<p>102595-99-M-1789</p>	

The above statements are true and correct to the best of affiant's knowledge, information and belief.

JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 2 day of August, 2002.

Linda L. Ziembo
Notary Public
Clearfield, PA



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

ACC 02 2002

William A. Shaw
Prothonotary

KA

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

JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVICE, his wife; ANDREW BENOVICE, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVICE TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

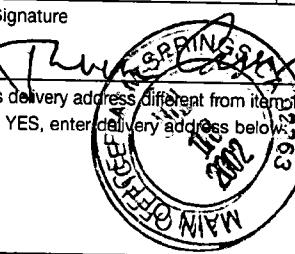
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : ss.

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Therese Adam Cassar by certified mail, return receipt requested. A copy of this receipt is attached hereto.

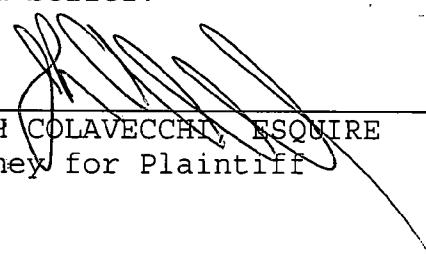
<p style="text-align: center;">U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i></p>	
OFFICIAL USE	
7001 1940 0001 9405 0001 9405 0001 0144	Postage \$ 1.06
	Certified Fee 2.30
	Return Receipt Fee (Endorsement Required) 1.75
	Restricted Delivery Fee (Endorsement Required)
	Total Postage & Fees \$ 5.11
<p>Sent To</p> <p>Therese Adam Cassar Street, Apt. No.; or PO Box No. 3360 Avenida Fey Norte City, State, ZIP+4 Palm Springs, CA 92262</p>	
<p>PS Form 3800, January 2001</p>	
<p>See Reverse for Instructions</p>	

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

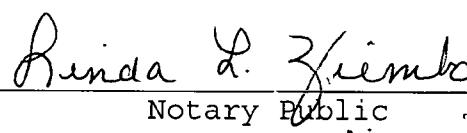
The return receipt was received from the Post Office showing that Therese Adam Cassar, picked up the letter containing the certified copy of the Complaint in Action to Quiet Title on July 18, 2002. A copy of this return receipt is attached hereto.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p> <p>C. Signature </p> <p>D. Is delivery address different from item 1? If YES, enter delivery address below.</p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Therese Adam Cassar 3360 Avenida Fey Norte Palm Springs, CA 92262</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Copy from service label)</p> <p>7001 1940 0001 9405 0144</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, July 1999</p>		<p>Domestic Return Receipt 102595-99-M-1789</p>	

The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 2 day of August, 2002.



Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

AUG 02 2002

William A. Shaw
Prothonotary

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

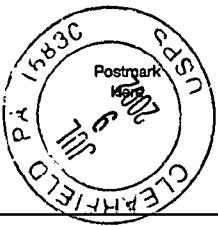
JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVID, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVID, his wife; ANDREW BENOVID, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVID, his wife; :
AUDREY BENOVID CRAIMER; RUTH BENOVID :
OLDHAM; LAWRENCE BENOVID; JEAN BENOVID :
RODKEY; ANDREW BENOVID, III; ANNA :
BENOVID SARISKY and GEORGE SARISKY. :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVID REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVID TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVID; ROSE BENOVID; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVID HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

LAW OFFICES OF
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(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Michael Tilka, Jr. by certified mail, return receipt requested. A copy of this receipt is attached hereto.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
OFFICIAL USE		
5049 1000 4447 1000 1000 1000	Postage	\$ 1.06
	Certified Fee	2.30
	Return Receipt Fee (Endorsement Required)	1.15
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.11
		
Sent To Michael Tilka, Jr. Street, Apt. No.; or PO Box No. 26243 Stillwater Circle		
City, State, ZIP+4 Panta Gora, FL 33955		
PS Form 3800, January 2001 See Reverse for Instructions		

LAW OFFICES OF
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RYAN & COLAVECCHI
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P. O. BOX 131
CLEARFIELD, PA

The return receipt was received from the Post Office showing that Michael Tilka, picked up the letter containing the certified copy of the Complaint in Action to Quiet Title on July 19, 2002. A copy of this return receipt is attached hereto.

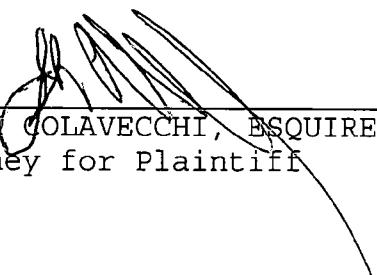
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) <input type="text" value="Michael Tilka"/> B. Date of Delivery <input type="text" value="7-19-02"/></p> <p>C. Signature </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: </p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>1. Article Addressed to: Michael Tilka, Jr. 26243 Stillwater Circle Panta Gora, FL 33955</p> <p>2. Article Number (Copy from service label) 7001 1940 0001 9405 0106</p>			

PS Form 3811, July 1999

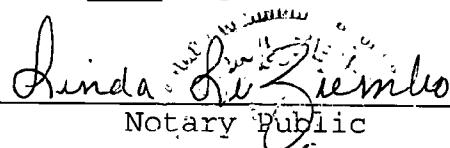
Domestic Return Receipt

102595-99-M-1789

The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE
 Attorney for Plaintiff

Sworn to and subscribed before
 me this 2 day of August, 2002.


Linda L. Ziembo
 Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
 Clearfield Boro, Clearfield County, PA
 My Commission Expires December 17, 2005

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 P. O. BOX 131
 CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
persons claiming, or who
might claim title under
them, and any other
person, persons, firms,
partnerships or corporate
entities, who might claim
any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

AO 02 2002

William A. Shaw
Prothonotary

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

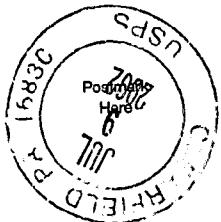
JOANNE KATHLEEN McQUOWN, :
Plaintiff :
vs. : No. 02 - 1009 - CD
ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVIC, his wife; ANDREW BENOVIC, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVIC, his wife; :
AUDREY BENOVIC CRAIMER; RUTH BENOVIC :
OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC :
RODKEY; ANDREW BENOVIC, III; ANNA :
BENOVIC SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVIC REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERRVILLE; JEFFREY POMMERRVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVIC TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVIC; ROSE BENOVIC; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVIC HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
her husband; MACHIPONGO LAND & COAL :
COMPANY, and any heirs or persons :
claiming, or who might claim title under: :
them, and any other person, persons, :
firms, partnerships or corporate :
entities, who might claim any title to :
the premises herein described, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

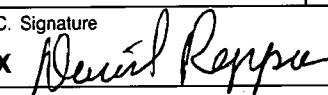
Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to David Reppa by certified mail, return receipt requested. A copy of this receipt is attached hereto.

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only: No Insurance Coverage Provided)</i>	
OFFICIAL USE	
9995 9405 0001 7001 1940	Postage \$ 1.06
	Certified Fee 2.30
	Return Receipt Fee (Endorsement Required) 1.75
	Restricted Delivery Fee (Endorsement Required)
	Total Postage & Fees \$ 5.11
Sent To David Reppa Street, Apt. No.; or PO Box No. 173 Riverside Dr., Apt. 1B City, State, ZIP+4 New York, NY 10024	
PS Form 3800, January 2001 See Reverse for Instructions	



LAW OFFICES OF
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RYAN & COLAVECCHI
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CLEARFIELD, PA

The return receipt was received from the Post Office showing that David Reppa, picked up the letter containing the certified copy of the Complaint in Action to Quiet Title on July 13, 2002. A copy of this return receipt is attached hereto.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) B. Date of Delivery	
1. Article Addressed to: David Reppa 173 Riverside Drive, Apt. #1B New York, NY 10024		C. Signature  X <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		D. Is delivery address different from item 1? If YES, enter delivery address below: 13 JUL 2002	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Addressed to: 7001 PS For		2595-99-M-1789	

The above statements are true and correct to the best of affiant's knowledge, information and belief.

JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 2 day of August, 2002.

LAW OFFICES OF
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RYAN & COLAVECCHI
221 E. MARKET ST.
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P. O. BOX 131
CLEARFIELD, PA

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Borough, Clearfield County, PA
My Commission Expires December 17, 2005


Linda L. Ziembo
Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

MACHIPONGO LAND & COAL
COMPANY, and any heirs or
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any title to the premises
herein described,

Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
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Clearfield, PA 16830

814/765-1566

FILED

AUG 02 2002

William A. Shaw
Prothonotary

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

JOANNE KATHLEEN McQUOWN,

Plaintiff :

vs.

: No. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE :
and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
BENOVICE, his wife; ANDREW BENOVICE, JR., : ACTION TO QUIET TITLE
and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
THERESE ADAM; VERNON REPPA, JON REPPA; :
VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
BENOVICE TILKA and DR. MICHEL TILKA, SR.; :
her husband; MICHAEL TILKA, JR.; EDWARD :
C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
HOHOLKA COMINSKY and GEORGE COMINSKY, :
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Defendants :

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COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to Vernon P. Reppa, by certified mail, return receipt requested. A copy of this receipt is attached hereto.

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
0137	
OFFICIAL USE	
7001 1940 0001 9405	Postage \$ 1.06
	Certified Fee 2.30
	Return Receipt Fee (Endorsement Required) 1.75
	Restricted Delivery Fee (Endorsement Required)
	Total Postage & Fees \$ 5.11
Sent To Vernon P. Reppa Street, Apt. No.; or PO Box No. 7237 Howard Avenue City, State, ZIP+4 Hammond, IN 46324	
PS Form 3800, January 2001 See Reverse for Instructions	

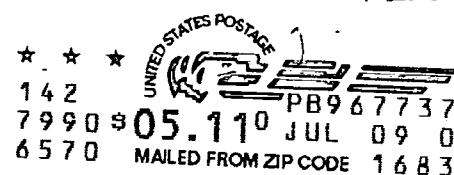


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P. O. BOX 131
CLEARFIELD, PA

The return receipt was received from the Post Office showing that delivery was attempted, but person not known. A copy of this return receipt is attached hereto.

LAW OFFICES

COLAVECCHI RYAN & COLAVECCHI
221 EAST MARKET STREET
P. O. BOX 131
CLEARFIELD, PENNSYLVANIA 16830



- MOVED, LEFT NO ADDRESS
- NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD
- ATTEMPTED-NOT KNOWN
- UNCLAIMED REFUSED
- NO SUCH STREET
- NO SUCH NUMBER
- INSUFFICIENT ADDRESS



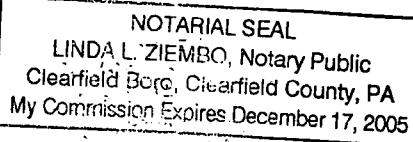
APK
7-19-02

The above statements are true and correct to the best of affiant's knowledge, information and belief.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 2 day of August, 2002.

Linda L. Ziembo
Notary Public



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RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
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P. O. BOX 131
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JOANNE KATHLEEN McQUOWN,
Plaintiff

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COMPANY, and any heirs or
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Defendant

CIVIL DIVISION

No. 02 - 1009 - CD

AFFIDAVIT OF SERVICE

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN
McQUOWN

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

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814/765-1566

FILED

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William A. Shaw
Prothonotary

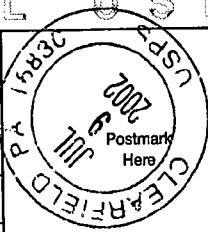
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and ANNA BENYOVITS, a/k/a ANNA PETRUSKY :
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and EFFIE CUPPLES BENOVICE, his wife; :
AUDREY BENOVICE CRAIMER; RUTH BENOVICE :
OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE :
RODKEY; ANDREW BENOVICE, III; ANNA :
BENOVICE SARISKY and GEORGE SARISKY, :
her husband; ANDREW SARISKY, GEORGE :
SARISKY, JR.; ELEANOR SARISKY TAVALSKY; :
MARY ANN SARISKY, JOHN SARISKY, a/k/a :
JOHN BENNETT; TERESSA SARISKY THOMPSON; :
VERNA BENOVICE REPPA and JOHN K. REPPA, :
her husband; JEROME REPPA; ANNA REPPA :
POMMERVILLE; JEFFREY POMMERVILLE; MARIE :
REPPA WALSH; JOAN REPPA ADAM; JOHN ADAM; :
MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; :
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VERNON P. REPPA; JOHN REPPA, JR.; :
ANDREW REPPA; DAVID REPPA; JULIANNA :
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C. BENOVICE; ROSE BENOVICE; VICTORIA A. :
McQUOWN and CHARLES W. McQUOWN, her :
husband; JOHN E. McQUOWN and JOANNE :
KATHLEEN McQUOWN, his wife; LOIS J. :
BUNGO; MARY BENOVICE HOHOLKA and :
MICHAEL HOHOLKA, her husband; GLADYS :
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Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF CLEARFIELD :

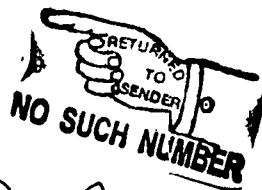
Before me, the undersigned officer, personally appeared, JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on July 9, 2002, a certified copy of the Complaint in Action to Quiet Title filed on behalf of JOANNE KATHLEEN McQUOWN was mailed to John Sarisky, a/k/a John Bennett, by certified mail, return receipt requested. A copy of this receipt is attached hereto.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$ 1.66
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.11
	
Sent To JOHN SARISKY John Bennett	
Street, Apt. No.; or PO Box No.	60 Meadowbrook Drive
City, State, ZIP+4 Princeton, NJ 08540	
PS Form 3800, January 2001 See Reverse for Instructions	

LAW OFFICES OF
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LAW OFFICES
COLAVECCHI RYAN & COLAVECCHI
221 EAST MARKET STREET
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CLEARFIELD, PENNSYLVANIA 16830



*John Sarisky
John Bennett
60 Meadowbrook Drive
Princeton, NJ*

The above statements are true and correct to the best of affiant's knowledge, information and belief.

Joseph Colavecchi
JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

Sworn to and subscribed before
me this 2 day of August, 2002.

Linda L. Ziembo
Notary Public

NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12682

McQUOWN, JOANNE KATHLEEN

02-1009-CD

VS.
BENYOVITS, ANDRAS al

COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW JULY 8, 2002 AT 9:52 AM DST SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON MACHIPONGO LAND & COAL COMPANY, DEFENDANT AT RESIDENCE, BOX 195, RAMEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROBERT JONES, OWNER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO

Return Costs

Cost	Description
31.99	SHFF. HAWKINS PAID BY:ATTY
10.00	SURCHARGE PAID BY: ATTY

Sworn to Before Me This

29 Day Of August 2002
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

*Chester Hawkins
by Marilyn Harris*
Chester A. Hawkins
Sheriff

FILED

JK
AUG 29 2002
018351
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

CIVIL DIVISION

vs.

No. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVICE, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVICE, his wife, deceased, ANDREW BENOVICE, JR., deceased, and EFFIE CUPPLES BENOVICE, his wife, deceased; AUDREY BENOVICE CRAIMER; RUTH BENOVICE OLDHAM; LAWRENCE BENOVICE; JEAN BENOVICE RODKEY; ANDREW BENOVICE, III; ANNA BENOVICE SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVICE REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA, JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVICE TILKA, deceased, and DR. MICHEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVICE, deceased; ROSA BENOVICE, deceased; VICTORIA A. McQUOWN, deceased, and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVICE HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

ORDER

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market St.
Clearfield, PA 16830
814/765-1566

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William A. Shaw
Prothonotary

O R D E R

AND NOW, this 25th day of November, 2002, it appearing that service of the Complaint to Quiet Title in the above-stated Action was served on the defendants, and any heirs or persons claiming under them, and any other person, persons, firms, partnerships or corporate entities who might claim any type of title to the premises described in the original Complaint and also described in this Order, and Service having been made personally, where possible, and by advertisement, and proven by Notice in the record and by Affidavit of JOSEPH COLAVECCHI, ESQUIRE, Attorney for Plaintiff, Joanne Kathleen McQuown. No Answer has been filed in said Action, and on Motion of JOSEPH COLAVECCHI, ESQUIRE, Attorney for Plaintiff, Joanne Kathleen McQuown, it is hereby ORDERED AND DECREED:

1. That all of the above-named Defendants, and any heirs or persons claiming under them, and any other person, persons, firms, partnerships or corporate entities who might claim any title to the premises, are forever barred from asserting any right, lien or interest, inconsistent with the interest or claim of the Plaintiff, Joanne Kathleen McQuown, as set forth in their Complaint, in and to the following-described piece or parcel of land, together with the improvements thereon, situated in the Borough of Houtzdale, Clearfield County, Pennsylvania, bounded and described as follows:

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BEGINNING at an iron pin at the intersection of the northern line of Daniel Street and the eastern line of Larch Alley, said point being the southwestern corner of the parcel herein described; thence along the eastern line of Larch Alley, North eleven (11) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the southern line of Squirrel Alley; thence along the southern line of Squirrel Alley, South seventy-eight (78) degrees thirty (30) minutes zero (00) seconds East, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the western line of Hill Street; thence along the western line of Hill Street, South eleven (11) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin at the northern line of Daniel Street; thence along the northern line of Daniel Street, North seventy-eight (78) degrees thirty (30) minutes zero (00) seconds West, a distance of one hundred fifty and no hundredths (150.00) feet to an iron pin and point of beginning.

Containing 0.517 acres, more or less, as shown on a survey map prepared by George A. Cree, Registered Surveyor, dated April 12, 2002.

Said Order to be FINAL and ABSOLUTE unless the Defendants named above, shall file exceptions thereto within thirty (30) days from the date of this Order.

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2. That if the above-named Defendants have not filed exceptions within said thirty (30) day period, Prothonotary shall enter Final Judgment upon Praeclipe of the Plaintiff, Joanne Kathleen McQuown.

3. That the rights of the Plaintiff, Joanne Kathleen McQuown, to the respective premises are superior to the rights of the Defendants, named in Paragraph 1 and any other heirs or persons claiming under them and any persons claiming title or who might claim any title to the above-described premises.

4. That the said Plaintiff, Joanne Kathleen McQuown, has an indefeasible title to the properties which have Tax Assessment Map No. M14-385-00004. Said title to be indefeasible as against all of the above-named Defendants.

5. That the Defendants above-named, and any heirs or persons claiming under them, and any person claiming title, or who might claim any title to the premises above-described, are enjoined from setting up any title to the above-described premises of the Plaintiff, Joanne Kathleen McQuown, described in said Complaint, and also described in this Order, from impeaching, denying or in any way attacking the title of the Plaintiff, Joanne Kathleen McQuown, to the said described premises.

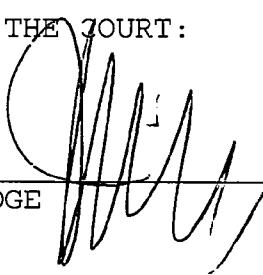
6. That these proceedings or an authenticated copy thereof shall at all times thereafter be taken as evidence of the facts declared and established thereby.

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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:

JUDGE



LAW OFFICES OF
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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION
No. 02 - 1009 - CD

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, and ANNA BENYOVITS,
a/k/a ANNA PETRUSKY BENOVIC, his
wife, et al,

Defendants

O R D E R

COLAVECCHI
RYAN & COLAVECCHI
221 EAST MARKET STREET
ATTORNEYS AT LAW
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JOANNE KATHLEEN McQUOWN,

Plaintiff

CIVIL DIVISION

vs.

No. 02 - 1009 - CD

ANDRAS BENYOVITS, a/k/a ANDREW BENOVIC, deceased, and ANNA BENYOVITS, a/k/a ANNA PETRUSKY BENOVIC, his wife, deceased :
ANDREW BENOVIC, JR., deceased, and EFFIE CUPPLES BENOVIC, his wife, deceased; :
AUDREY BENOVIC CRAIMER; RUTH BENOVIC OLDHAM; LAWRENCE BENOVIC; JEAN BENOVIC RODKEY; ANDREW BENOVIC, III; ANNA BENOVIC SARISKY, deceased, and GEORGE SARISKY, her husband, deceased; ANDREW SARISKY, GEORGE SARISKY, JR.; ELEANOR SARISKY TAVALSKY; MARY ANN SARISKY, JOHN SARISKY, a/k/a JOHN BENNETT; TERESSA SARISKY THOMPSON; Verna BENOVIC REPPA, deceased, and JOHN K. REPPA, her husband deceased, JEROME REPPA; ANNA REPPA POMMERVILLE, deceased; JEFFREY POMMERVILLE; MARIE REPPA WALSH; JOAN REPPA ADAM, deceased; JOHN ADAM; MARK ADAM; MATTHEW ADAM; MICHAEL ADAM; THERESE ADAM; VERNON REPPA, deceased; JON REPPA, deceased; VERNON P. REPPA; JOHN REPPA, JR., deceased; ANDREW REPPA, deceased; DAVID REPPA; JULIANNA BENOVIC TILKA, deceased, and DR. MICHEL TILKA, SR.; MICHAEL TILKA, JR.; EDWARD C. BENOVIC, deceased; ROSA BENOVIC, deceased; VICTORIA A. McQUOWN, deceased, and CHARLES W. McQUOWN, her husband, deceased; MARY BENOVIC HOHOLKA, deceased and MICHAEL HOHOLKA, her husband, deceased; GLADYS HOHOLKA COMINSKY and :
GEORGE COMINSKY, her husband; MACHIPONGO LAND & COAL COMPANY, and any heirs or persons claiming, or who might claim title under them, and any other person, persons, firms, partnerships or corporate entities, who might claim any title to the premises herein described,

Defendants

PRAECIPE FOR JUDGMENT

Filed on behalf of:

Plaintiff, JOANNE KATHLEEN McQUOWN

Counsel of Record for Said Party:

JOSEPH COLAVECCHI,
ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN &
COLAVECCHI

221 East Market St.
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814/765-1566

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William A. Shaw
Prothonotary

PRAECIPE FOR JUDGMENT

TO: WILLIAM A. SHAW, PROTHONOTARY

No appearance having been filed by any of the above Defendants, and notice having been given to them, enter judgment against all of the above-named Defendants and certify a copy of the Court Order to the Office of the Recorder of Deeds for Clearfield County, Pennsylvania.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION
No. 02 - 1009 - CD

JOANNE KATHLEEN McQUOWN,
Plaintiff

vs.

ANDRAS BENYOVITS, a/k/a ANDREW
BENOVIC, and ANNA BENYOVITS,
a/k/a ANNA PETRUSKY BENOVIC, his
wife, et al,
Defendants

PRAECIPE FOR JUDGMENT

FILED
01852-61 NO
DEC 23 2002

William A. Shaw
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