

02-1176-CD
HOPPER, JEFFREY L. , vs. ROWLES, PRICE & HEIRS

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,

Plaintiffs

VS.

NO. 02-1176 -CD

PRICE ROWLES, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the
herein described premises under him,
J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,

Defendants

ACTION TO QUIET TITLE

CASE NUMBER: 02- 1176 -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: MOTION FOR PUBLICATION

FILED ON BEHALF OF: Plaintiff

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

FILED

JUL 29 2002

0124011ccott Gearhart
William A. Shaw
Prothonotary

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,

Plaintiffs

VS.

NO. 02- 1176 -CD

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J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,

Defendants

ACTION TO QUIET TITLE

ORDER

AND NOW, to wit, this 30th day of July, 2002, upon
consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of
the Complaint on the Defendants, their heirs, successors and assigns, by publication once
in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal,
Clearfield, Pennsylvania.

BY THE COURT,

JUDGE

FILED

JUL 30 2002

William A. Shaw
Prothonotary

FILED

0/2/19 14 JUL 07:00Z

cc Hedy Gaurikant

William A. Shaw
Prothonotary

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

JEFF L. HOPPER a/k/a :
JEFFREY L. HOPPER and :
MARY HOPPER, his wife, :
Plaintiffs :

VS. :

NO. 02- 1176 -CD

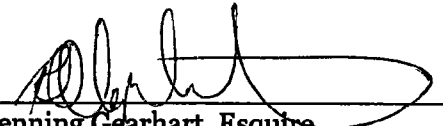
PRICE ROWLES, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the :
herein described premises under him, :
J.R. SWARTZLE a/k/a JOHN R. :
SWARTZLE, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the herein :
described premises under him, :
Defendants :

ACTION TO QUIET TITLE

MOTION FOR PUBLICATION

AND NOW, to wit, this 29th day of July, 2002, an Affidavit having been filed by R. Denning Gearhart, attorney for the Plaintiff, that the whereabouts of the above named Defendants, their heirs, successors and assigns, are unknown, the said R. Denning Gearhart moves the Court for leave to serve the Complaint upon the said Defendants, their heirs, successors and assigns, generally by publication once in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania.

Respectfully submitted,


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

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

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,
Plaintiffs
VS.

NO. 02-1176 -CD

PRICE ROWLES, his heirs, successors
and/or assigns, and/or any person or
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J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,
Defendants

ACTION TO QUIET TITLE

AFFIDAVIT

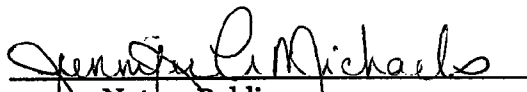
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

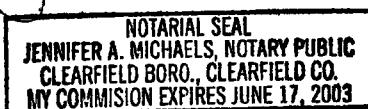
R. DENNING GEARHART, who being duly sworn according to law, deposes and
says that in support of his Motion For Publication, the following:


1. A search of the Courthouse records as found in Clearfield County have
provided no further information as to the above-named Defendants, no heirs, successors or
assigns.
2. All public records in the Clearfield County Courthouses and local telephone
books have been checked prior to making this Affidavit.
3. That I have made a good faith effort to find the whereabouts of the
Defendants and all their heirs, successors and assigns.

Further, the deponent saith not.

Sworn to and subscribed before me
this 29th Day of July, 2002.


Notary Public




R. Denning Gearhart, Esquire

FILED

JUL 29 2002 1:00 PM
Any

 William A. Shaw
Prothonotary

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,

Plaintiffs

VS.

NO. 02-1176-CD

PRICE ROWLES, his heirs, successors
and/or assigns, and/or any person or
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J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
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described premises under him,

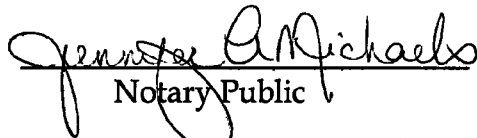
Defendants

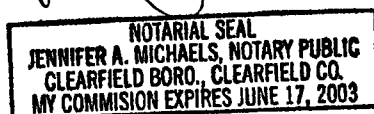
ACTION TO QUIET TITLE

AFFIDAVIT

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

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


Notary Public




R. Denning Gearhart, Esquire
Attorney for Plaintiff

SEP 09 2002
0/9:30/00
William A. Shaw
No CC

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
(CIVIL DIVISION)
NO. 02-1176-CD

ACTION TO
QUIET TITLE

JEFF L. HOPPER, a/k/a JEF-
FREY L. HOPPER and MARY HOP-
PER, his wife, Plaintiffs

VS.

PRICE ROWLES, his heirs, suc-
cessors and/or assigns, and/or any
person or entity claiming title in and
to the herein described premises
under him, J.R. SWARTZLE, a/k/a
JOHN R. SWARTZLE, his heirs,
successors and/or assigns, and/or
any person or entity claiming title in
and to the herein described prem-
ises under him, Defendants

NOTICE

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

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

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

COURT ADMINISTRATOR'S OF-
FICE

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

You are hereby notified that an
Action to Quiet Title to all that cer-
tain piece or parcel of land situate in
the Commonwealth of Pennsylvania,
County of Clearfield, Township
of Knox, and more particularly de-
scribed as follows:

ALL that certain premises situate
in Know Township, Clearfield
County, Pennsylvania, bounded
and described as follows:

BEGINNING at an old iron pin cor-
ner at the northwest corner of the
original tract of Clara Wiland of
which the tract herein described is
a part, being also the corner of land
of Foster Kerr and on the line of land
of Ryan Bros. Coal Co.; thence by
the line of the said Ryan Bros. Coal
Co. North forty-five degrees thirty-
six minutes East for a distance of
seven hundred one (701.0) feet to
a corner of land now or formerly of
Terrance O'Donnell; thence by the
said O'Donnell South seventy-six
degrees forty-six minutes East for a
distance of five hundred eighty-nine
and forty-four hundredths
(589.44) feet; and still by said cen-
terline of Highway South seventy-
eight degrees thirty-one minutes
West for a distance of two hundred

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 7th day of August, A.D. 2002,
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Margaret E. Krebs, who being duly sworn
according to law, deposes and says that she is the President of The
Progressive Publishing Company, Inc., and Associate Publisher of The
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of August 2, 2002

And that the affiant is not interested in the subject matter of the notice or
advertising, and that all of the allegations of this statement as to the time,
place, and character of publication are true.

Margaret E. Krebs

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

Ann K. Law

Notary Public

Clearfield, Pa.

My Commission Expires
September 16, 2004

Notarial Seal
Ann K. Law, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Sept. 16, 2004

Member, Pennsylvania Association of Notaries

FILED

AUG 09 2002

**William A. Shaw
Prothonotary**

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,
Plaintiffs

VS.

NO. 02-1176 -CD

PRICE ROWLES, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the
herein described premises under him,
J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,
Defendants

ACTION TO QUIET TITLE

CASE NUMBER: 02-1176 -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF: Plaintiffs

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

FILED

JUL 29 2002

01/22/02 [Signature]
William A. Shaw
Prothonotary
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K. Cat

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,

Plaintiffs

VS.

NO. 02- 1176-CD

PRICE ROWLES, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the
herein described premises under him,
J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,

Defendants

ACTION TO QUIET TITLE

NOTICE

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

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

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

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

JEFF L. HOPPER a/k/a :
JEFFREY L. HOPPER and :
MARY HOPPER, his wife, :

Plaintiffs :

VS. :

NO. 02- 1176 -CD

PRICE ROWLES, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the :
herein described premises under him, :
J.R. SWARTZLE a/k/a JOHN R. :
SWARTZLE, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the herein :
described premises under him, :

Defendants :

ACTION TO QUIET TITLE

COMPLAINT

AND NOW, comes JEFF HOPPER a/k/a JEFFREY L. HOPPER and MARY HOPPER, his wife, by and through their attorney, R. DENNING GEARHART, who aver as follows:

1. That Plaintiffs, JEFF HOPPER a/k/a JEFFREY L. HOPPER and MARY HOPPER, are husband and wife, with an address of 7008 Mt. Vernon Street, Lemon Grove, California 91945.

2. That Defendant, PRICE ROWLES, passed away December 14, 1947 with a last known residence being in Knox Township, Clearfield County, Pennsylvania; this is based on the information obtained from the Register of Wills Office of Clearfield County, Pennsylvania at File No. 19832.

3. That Defendant, J.R. SWARTZLE a/k/a as JOHN R. SWARTZLE, is known to have passed on with a last known residence being in the Borough of Clearfield, Clearfield County, Pennsylvania; this is based on the information obtained from the Register of Wills Office of Clearfield County, Pennsylvania at File No. 24900.

4. That the property in question is more particularly described below and has the Tax Map No. 122-J11-32:

ALL those certain premises situate in Knox Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an old iron pin corner at the northwest corner of the original tract of Clara Wiland of which the tract herein described is a part, being also the corner of land of Foster Kerr and on the line of land of Ryan Bros. Coal Co.; thence by the line of the said Ryan Bros. Coal Co. North forty-five degrees thirty-six minutes East for a distance of seven hundred one (701.0) feet to a corner of land now or formerly of Terrance O'Donnell; thence by the said O'Donnell South seventy-six degrees forty-six minutes East for a distance of four hundred sixty-seven (467.0) feet to an iron pin corner; thence leaving the O'Donnell line and through the land now or formerly of Clara Wiland for a new line South twenty-nine degrees twenty-eight minutes East for a distance of one thousand six hundred ninety-two and thirty-one hundredths (1692.31) feet to a corner in the centerline of Penna State Highway Route Number 17078; thence by the said centerline of Highway South seventy-nine degrees twenty-five minutes West for a distance of five hundred eighty-nine and forty-four hundredths (589.44) feet; and still by said centerline of Highway South seventy-eight degrees thirty-one minutes West for a distance of two hundred ninety-two and four hundredths (292.04) feet to a corner of land now or formerly of Glen Weed and Foster Kerr in the center of the highway; thence by the line of land now or formerly of Foster Kerr North thirty-eight degrees thirty-eight minutes West for a distance of one thousand five hundred sixty-six and twenty-one hundredths (1566.21) feet to an iron pin and place of beginning.

CONTAINING thirty-six and eighty-seven hundredths (36.87) acres as shown on survey map attached to the Deed into Jeff L. Hopper and Mary Hopper, husband and wife, dated February 9, 1981 and entered for record in Deed Book 808, Page 200.

EXCEPTING and RESERVING all coal, clay, oil, gas and other minerals located in, under or upon said premises, as reserved in prior deeds.

5. That said property was purchased by Jeff L. Hopper and Mary Hopper, husband and wife, from Clara Wiland, single, by Deed dated February 9, 1981 and entered for record in the Recorder's Office of Clearfield County to Deed Book Volume 808, Page 200.

6. That said property was purchased by Clara Jane Wiland, from Clair Walker and his wife, Lois S. Walker, by Deed dated May 12, 1952 and found for record in the Recorder's Office of Clearfield County in Deed Book Volume 427 Page 441.

7. That William C. Chase and his wife, Julia K. Chase and Carl A. Belin and his wife, Margaret D. Belin conveyed their interest to Clair Walker and his wife, Lois S. Walker, by Deed dated March 2, 1951 and entered for record in the Recorder's Office of Clearfield County to Deed Book Volume 427, Page 439.

8. That said property was seized and taken from Price Rowles for delinquent taxes by the Tax Claim Bureau of Clearfield County and conveyed to Julia K. Chase and Margaret D. Belin by Deed dated January 10, 1936 and filed for record in the Recorder's Office of Clearfield County in Deed Book Volume 345Page 603.

9. That said property was further conveyed by Clarence H. Ammerman, High Sheriff of Clearfield County to J.R. Swartzle, by Sheriff's Deed dated August 3, 1935 and filed for record in the Recorder's Office of Clearfield County in Deed Book Volume 302, Page 286.

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

11. That with respect to this property, Plaintiffs and their predecessors in title believed this was conveyed to them and as a result of that belief, they have maintained it by paying taxes thereon.

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

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

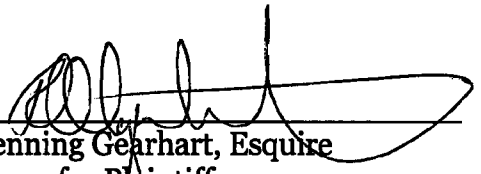
WHEREFORE, Plaintiffs request:

A. that by decree of your Honorable Court it may be declared that title to the premises set forth in Paragraph 4 is in the Plaintiffs and that they be allowed to enjoy said property in peace;

B. that the Defendants, their heirs, successors and assigns, within thirty (30) days from the receipt of this Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants, their heirs, successors and assigns be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attaching the Plaintiff's title to said property, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging or conveying the said premises or any part thereof.

C. such other relief as the court determines to be equitable and just.

Respectfully submitted,



R. Denning Gearhart, Esquire
Attorney for Plaintiffs

STATE OF CALIFORNIA

:
: SS:
:

COUNTY OF *San Diego*

AFFIDAVIT

Before me, the undersigned officer, personally appeared, JEFF L. HOPPER
a/k/a JEFFREY L. HOPPER and MARY HOPPER, who being duly sworn according to law
deposes and says that the facts set forth in the foregoing Complaint are true and correct
to the best of their knowledge, information, and belief.

Jeff L. Hopper

JEFF L. HOPPER a/k/a

JEFFREY L. HOPPER

Mary Hopper

MARY HOPPER

Sworn to and subscribed

before me this 24th day

of July, 2002. by *Jeffrey L. Hopper +*
Mary Jo Hopper

Lovely Singh Malhi

Notary Public



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

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

JEFF L. HOPPER a/k/a :
JEFFREY L. HOPPER and :
MARY HOPPER, his wife, :
Plaintiffs :

VS. :

NO. 02-1176-CD

PRICE ROWLES, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the :
herein described premises under him, :
J.R. SWARTZLE a/k/a JOHN R. :
SWARTZLE, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the herein :
described premises under him, :
Defendants :

ACTION TO QUIET TITLE

FILED

SEP 04 2002

William A. Shaw
Prothonotary

ORDER

AND NOW, this 4th day of September, 2002, it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

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

ALL those certain premises situate in Knox Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an old iron pin corner at the northwest corner of the original tract of Clara Wiland of which the tract herein described is a part, being also the corner of land of Foster Kerr and on the line of land of Ryan Bros. Coal Co.; thence by the line of the said Ryan Bros. Coal Co. North forty-five degrees thirty-six minutes East for a distance of seven hundred one (701.0) feet to a corner of land now or formerly of Terrance O'Donnell; thence by the said O'Donnell South seventy-six degrees forty-six minutes East for a distance of four hundred sixty-seven (467.0) feet to an iron pin corner; thence leaving the O'Donnell line and through the land now or formerly of Clara Wiland for a new line South twenty-nine degrees twenty-eight minutes East for a distance of one thousand six hundred ninety-two and thirty-one hundredths (1692.31) feet to a corner in the centerline of Penna State Highway Route Number 17078; thence by the said centerline of Highway South seventy-nine degrees twenty-five minutes West for a distance of five hundred eighty-nine and forty-four hundredths (589.44) feet; and still by said centerline of Highway South seventy-eight degrees thirty-one minutes West for a distance of two hundred ninety-two and four hundredths (292.04) feet to a corner of land now or formerly of Glen Weed and Foster Kerr in the center of the highway; thence by the line of land now or formerly of Foster Kerr North thirty-eight degrees thirty-eight minutes West for a distance of one thousand five hundred sixty-six and twenty-one hundredths (1566.21) feet to an iron pin and place of beginning.

CONTAINING thirty-six and eighty-seven hundredths (36.87) acres as shown on survey map attached to the Deed into Jeff L. Hopper and Mary Hopper, husband and wife, dated February 9, 1981 and entered for record in Deed Book 808, Page 200.

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

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

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

4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the

premises of Plaintiff described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiff to said premises.

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

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

BY THE COURT,



JUDGE

~~FILED~~

~~SEP 21 2007~~

09/22/07 2:45 atty

William A. Shaw
Prothonotary

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

FILED

SEP 04 2007

09/25/07 cc atty gearhart
William A. Shaw
Prothonotary

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

JEFF L. HOPPER a/k/a
JEFFREY L. HOPPER and
MARY HOPPER, his wife,

Plaintiffs

VS.

NO. 02-1176-CD

PRICE ROWLES, his heirs, successors
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J.R. SWARTZLE a/k/a JOHN R.
SWARTZLE, his heirs, successors
and/or assigns, and/or any person or
entity claiming title in and to the herein
described premises under him,


Defendants

ACTION TO QUIET TITLE

AFFIDAVIT

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

Sworn to and subscribed
before me this 16th day of
September, 2002


Notary Public




R. Denning Gearhart, Esquire
Attorney for Plaintiff

FILED
012:44 28H
SEP 17 2002

William A. Shaw
Prothonotary

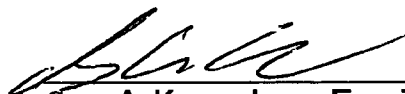
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:


COUNTY OF CLEARFIELD :

On this 21st day of August 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 August 23, 2002, Vol. 14 No. 33. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



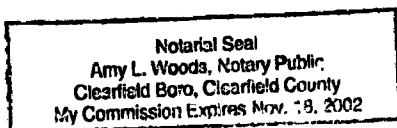
Gary A. Knaresboro, Esquire
Editor

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



Notary Public

My Commission Expires



Member, Pennsylvania Association of Notaries

R Denning Gearhart
215 E Locust St
Clearfield PA 16830

action of Deposit Bank vs. SHAWN D. STANFORD and DIANE L. STANFORD at No. 01-1971-C.D. in the amount of \$28,264.11.

Claims against property must be filed at the Office of the Sheriff before above sale date. Claims to proceeds must be made with the Office of the Sheriff before distribution.

Schedule of Distribution will be filed with the Office of the Sheriff on MONDAY, OCTOBER 8, 2002.

Exceptions to Distribution of a Petition to Set Aside the Sale must be filed with the Office of the Sheriff no later than ten (10) days from the date when Schedule of Distribution is filed in the Office of the Sheriff.

ALL that certain piece, parcel or lot of land situate, lying and being in the CITY OF DUBOIS, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a post on Pifer Street in said City at the common corner of Lots

DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

ALL that certain piece, parcel of tract of land situate and lying in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin North 36' 44' West 155 feet from the South corner of the 5.2968 acre plot owned by Battista Cimino, et ux., of which this is a part, on line of Harold Tish and Battista Cimino and White Avenue (unopened); thence from said iron pin on East side of White Avenue (unopened) North 56' 16' East 100 feet to an iron pin on lands of Battista Cimino; thence by other lands of Battista Cimino North 36' 44' West 170 feet to an iron pin; thence still by other lands of Battista Cimino South 53' 16' West, 100 feet to an iron pin of the eastern right-of-way of White Avenue (unopened); thence by same South 36' 44' East 170 feet to the place of beginning. Containing 0.3903 acre.

TOGETHER WITH the easements and rights-of-way set forth in deed of Battista Cimino and Amelia L. Cimino to Nicholas P. Cimino and Doris A. Cimino, husband and wife, recorded in Clearfield County Deed Book 770, Page 259.

BEING the same premises which Battista Cimino and Amelia L. Cimino, husband and wife, by their deed dated August 29, 1978, and recorded in Clearfield County Deed Book 770, Page 259, granted and conveyed unto Nicholas P. Cimino and Doris A. Cimino, his wife, the Mortgagors herein.

UNDER AND SUBJECT, NEVERTHELESS, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, qualifications, limitations and conveyances out as are contained in all prior deeds.

SEIZED, taken in execution to be sold as the property of NICHOLAS P. CIMINO AND DORIS A. CIMINO, at the suit of RELIANCE SAVINGS BANK. JUDGMENT NO. 02-642-CD.

Chester A. Hawkins, Sheriff.

ADV: August 16th, 23rd, 30th, 2002.

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

**JEFF L. HOPPER a/k/a JEFFERY L.
HOPPER and MARY HOPPER, his wife
VS. PRICE ROWLES, his heirs,
successors and/or assigns, and/or any
person or entity claiming title in and to the
herein described premises under him, J.R.
SWARTZLE a/k/a JOHN R. SWARTZLE,
his heirs, successors and/or assigns,
and/or any person or entity claiming title in
and to the herein described premises under
him**

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

**YOU HAVE BEEN SUED IN COURT.
If you wish to defend against the claims set
forth in the following pages, you must take
action within twenty (20) days after this
Complaint and Notice are served, by
entering a written appearance personally or
by attorney and filing in writing with the
Court your defenses or objections to the**

McCORKLE, JACK L., Dec'd
Late of Rockton
Administratrix:
SHARON E. McCORKLE
Attorney: **BELIN & KUBISTA**
PO Box 1
Clearfield, PA 16830

EIRICH, VERNA, Dec'd
A/k/a **VERNA H. EIRICH**
Late of Decatur Township
Executrix: **ELAINE STOUT**
60 Scalfe Street
Philipsburg, PA 16866

YARGER, LAURA M., Dec'd
Late of Houtzdale
Executor: **CLARK YARGER**
187 Happy Valley Drive
Houtzdale, PA 16851

First Publication

McBRIDE, MICHAEL CHARLES, Dec'd
Late of Clearfield
Executor: **JOSHUA J. McBRIDE**
Attorney: **JAMES A. NADDEO**
PO Box 552
Clearfield, PA 16830

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

JEFF L. HOPPER a/k/a :
JEFFREY L. HOPPER and :
MARY HOPPER, his wife, :

Plaintiffs :

VS. :

NO. 02-1176-CD

PRICE ROWLES, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the :
herein described premises under him, :
J.R. SWARTZLE a/k/a JOHN R. :
SWARTZLE, his heirs, successors :
and/or assigns, and/or any person or :
entity claiming title in and to the herein :
described premises under him, :

Defendants :

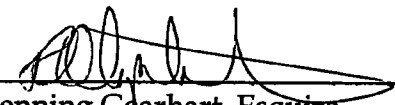
ACTION TO QUIET TITLE

PRAECIPE TO ENTER FINAL JUDGMENT

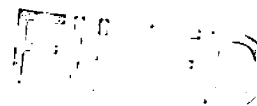
TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendants, their heirs, successors and assigns and on behalf of the above named Plaintiff for such relief as requested in an Order dated the 4th day of September, 2002.

Respectfully submitted,


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

Dated: October 7, 2002



OCT 10 / 2002

William A. Shaw
Prothonotary

01/11/07
01/11/07
ND
ec

William A. Shaw
Prothonotary