

2002-1638-CD
Kim E. Mowrey vs Clearfield County Tax Claim

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

KIM E. MOWREY,
Petitioner

-vs-

CLEARFIELD COUNTY
TAX CLAIM BUREAU,
Respondent

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No. 02-1638-CQ

Type of Pleading: Petition to Disapprove
and Halt Sale

FILED

OCT 21 2002

W/ 11:30AM
William A. Shaw
Prothonotary

1 C COPY TO PETITIONER

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

KIM E. MOWREY ,	*	
Petitioner,	*	
	*	
-vs-	*	No. _____
	*	
	*	
CLEARFIELD COUNTY	*	
TAX CLAIM BUREAU,	*	
Respondent	*	

PETITION TO DISAPPROVE AND HALT SALE

AND NOW, comes the Petitioner, Kim E. Mowrey, who files the within Petition to Disapprove and Halt Sale and in support thereof avers as follows:

1. The Petitioner is an adult individual, presently residing at 3 West Avenue, Sykesville, Pa. 15865.
2. The Respondent is a governmental entity with offices located at 230 East Market Street, Clearfield, Pennsylvania, 16830.
3. On September 6, 2002 and September 20, 2002, the Respondent advertised the proposed private sale of the land described as Interest in 963 Acres Coal, Minerals, Oil & Gas located in Sandy Township, known as Map #128-D02-000-00020 and assessed to numerous fractional interest owners in the Clearfield County Legal Journal as well as on September 3, 2002 and September 13, 2002 in the Courier Express. Forty-five (45) days from the last advertisement equates to October 30, 2002.

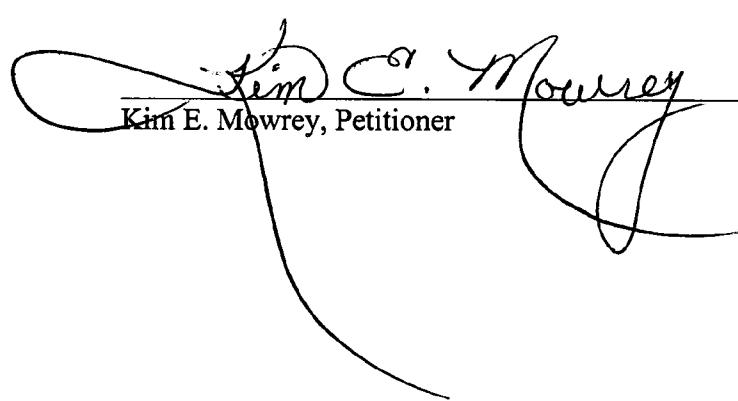
4. Your Petitioner would like to bring to the attention of the court that the percentages of the various interest as advertised does not correspond to the interests as on record in the Tax Assessment Office.

5. That pursuant to said Notice sale was to be scheduled on October 30, 2002 at 9:00 a.m. in the Tax Claim Bureau, 230 East Market Street, Clearfield, Pa. As of this date, a bid of \$300.00 has been received and accepted by the Bureau. Also, the court has recently scheduled an auction for the same to be held on October 28, 2002 at 3:00 p.m.

6. The Petitioner is willing to offer more than \$300 to bid on this real estate interest.

WHEREFORE, Petitioner respectfully requests the Court to disapprove the sale as proposed; enjoin such sale; determine the real estate interests for sale; and direct the Respondent to hold a private auction relative to sale of the real estate interest in question all in accordance with the Act of July 7, 1947 P.L. 0368, art. VI **3613** (72 P.S. **35860.613**).

Respectfully submitted:



Kim E. Mowrey, Petitioner

FILED

10:01 AM
Oct 21 2002

cc PIS
362 N. Park St.
Sugarcreek, PA 15805

William A. Shaw
Prothonotary

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

KIM E. MOWREY ,
Petitioner,

-vs-

CLEARFIELD COUNTY
TAX CLAIM BUREAU,
Respondent

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No. 02-1638-CJ

ORDER

AND NOW, this ____ day of October, 2002, upon the consideration of the proposed Petition, it is the Order of this Court that the proposed private sale by the Clearfield County Tax Claim Bureau to an unnamed individual who has offered \$300.00 is disapproved. The Respondent shall hold private auction between the interested parties.

BY THE COURT:

Judge

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

TREASURER LAKE PROPERTY
OWNERS ASSOCIATION, INC.,
Petitioner : No. 02-1603-CD

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU,
Respondent : :

FILED

OCT 29 2002

William A. Shaw
Prothonotary

Onq. to

02-1603-CD

CF
RE

THOMAS P. HARTZFIELD,
Plaintiff : No. 02-1625-CD

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU,
Defendant : :

AND

KIM E. MOWREY,
Petitioner : No. 02-1638-CD

vs.

CLEARFIELD COUNTY TAX CLAIM
BUREAU,
Respondent : :

AND

ORDER

AND NOW, this 28th day of October, 2002, Petitions to Disapprove and Halt Private Sale having been filed by the above three Plaintiffs/Petitioners, the Clearfield County Tax Claim Bureau having appeared in response to the Rule issued by this Court on October 15, 2002 and all of the Plaintiffs/Petitioners having offered to pay an amount in excess of the bid of Three

Hundred (\$300.00) Dollars received and accepted by the Clearfield County Tax Claim Bureau, it is hereby ORDERED and DECREED that:

1. The proposed private sale of the assessment identified by Clearfield County Tax Assessment Map Number 128-D02-000-00020 for Three Hundred (\$300.00) Dollars is hereby disapproved.
2. The assessment/property shall not be sold by the Clearfield County Tax Claim Bureau for an amount less than Five Hundred (\$500.00) Dollars.
3. The Clearfield County Tax Claim Bureau is hereby directed in accordance with 72 P.S. § 5860.613(a) to conduct an auction-style bidding of the assessment/property among the parties to these proceedings. The minimum bid shall be Five Hundred (\$500.00) Dollars. The bidding shall be conducted by the Clearfield County Tax Claim Bureau at its offices at 230 East Market Street, Clearfield, PA 16830 on a date selected by it, not less than thirty (30) days hereof, with at least seventy-two (72) hours advance notice to the parties. Clearfield County Tax Claim Bureau shall attempt to accommodate all of the parties to the proceeding in selecting the bidding date. Should only one party agree to pay the minimum price set by this Court, the Bureau shall sell the property to that party without the necessity of an auction.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

PRESIDENT JUDGE