

02-1706-CD

ROLAND G. TRACORDA

v.

B. F. CHASE, JR., et al

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

ROLAND G. TIRACORDA, :
Plaintiff : No. 2002-1706-CD
vs. :
Type of Pleading: COMPLAINT
B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Type of Action: QUIET TITLE
ACTION
Filed on behalf of: PLAINTIFF
Defendants :
Counsel of record for this :
party:
Peter F. Smith, Esquire
Supreme Court No. 34291
30 South Second Street
P.O. Box 130
Clearfield, PA 16830
(814) 765-5595
:

FILED

OCT 30 2002

William A. Shaw
Brethonotary

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

ROLAND G. TIRACORDA, :
Plaintiff : No. 2002- -CD
vs. :
B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants :

NOTICE TO DEFEND

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 other rights important to you.

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

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

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Clearfield County Court Administrator
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

ROLAND G. TIRACORDA, :
: Plaintiff : No. 2002- -CD
: vs. :
: B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants :

COMPLAINT

COMES NOW, ROLAND G. TIRACORDA, by its attorney, Peter F. Smith and avers the following:

1. The Plaintiff's full name is **ROLAND G. TIRACORDA**, and he resides at P.O. Box 456, Madera, Pennsylvania, 16661.
2. The name of the first Defendant is **B. F. CHASE, JR.**, whose last known address and present whereabouts are unknown to the Plaintiff.
3. The name of the second Defendant is **MARTIN WITHEROW**, whose current whereabouts and last known address are unknown to the Plaintiff.
4. By deed dated December 31, 1937 H.F. Bigler, Jr. Treasure of Clearfield County sold the premises subject to this action for unpaid taxes to the Clearfield County Commissioners. Said deed is recorded at Clearfield county Deed Book 353, page 480 and conveys 66 acres in Jordan Township assessed in the name of B.F. Chase, Jr.

5. It is believed and therefore avered that **B.F. CHASE, JR.** purchased the premises at prior a tax sale that named **MARTIN WITHEROW** as the owner, but do to a malfunction in the Clearfield County microfilms system, Plaintiff's agents are unable to discover how **MARTIN WITHEROW** obtained title to the premises.

6. There is no deed of record in Clearfield County for the premises to B. F. CHASE, JR., and specially no deed to him from Martin Witherow.

7. **B.F. CHASE, JR.**, died February 7, 1934 and Letters Testamentary were issued to his widow **RHODA MAE CHASE** at Clearfield County Estate No. 15415.

8. The Estate proceedings of **B.F. CHASE, JR.**, state that he was survived only by his widow and had no children.

9. The estate proceedings of **B.F. CHASE, JR.**, do not identify the premises subject to this action as an asset of his estate. However, a petition in the estate does indicate that his widow and executrix was in possession of a number of unrecorded deeds at the time of his death.

10. It is believed that **RHODA MAE CHASE** has since died. However, no estate proceedings have been opened for her in Clearfield County, Pennsylvania.

11. By deed dated August 23, 1943 and recorded in Clearfield County Deed Book 353, Page 481 the Clearfield County Commissioners conveyed the premises subject to this action identified and described as 66 acres in Jordan Township sold as the property of **B. F. CHASE, JR.** to **J. S. REITZ** and **A. H. REITZ**.

12. J. S. REITZ was also known as JOSEPH S. REITZ. He died on October 13, 1950. His last Will and Testament is of record in Clearfield County Will Book Y page 24, in which he divides all his real property to his surviving spouse ANNA H. REITZ also known as A. H. REITZ.

13. By deed dated October 21, 1958 and recorded in Clearfield County Deed Book 470, page 597 on October 21, 1958 A. H Reitz conveyed the premise subject to this action to the Plaintiff ROLAND G. TIRACORDA.

14. Plaintiff's deed to the premises subject to this action describes the premises as follows:

ALL that certain piece or parcel of land situate in Jordan Township, Clearfield County, Pennsylvania bounded and described as follows, to wit:

Bounded on the north by C.B.C. Corporation and Snyder Bloom; bounded on the east by Clyde Bloom Estate and Dave Witherow; bounded on the south by Dave Witherow and bounded on the west C. V. Strong. Containing sixty-six acres more or less.

BEING the premises conveyed to J.S. and A.H. Reitz, by deed of the Clearfield County Commissioners, in May 1943.

EXCEPTING AND RESERVING however from the above described premises all oil and gas in, upon, under said premises, together with the right on behalf of the Grantor, her heirs or assigns, or lessee's, to go upon the said premises for the purpose of drilling for the producing oil and gas thereinunder, without liability as to any damages to surface, crops or timber.

15. Plaintiff and his predecessors in title have been in open, notorious, hostile, adverse and continuous possession, dominion and control of the premises for period exceeding 21 years.

16. The first purpose of this Quite Title Action is to cure

any defect in the record of this title and to extinguish any estate, equity, rights, claims or interests which the Defendants, their heirs, successors and assigns may have in the **PREMISES**.

17. The second purpose of this Quite Title Action is to cure any defects, errors or omissions in this title arising from its sale of the **PREMISES** for delinquent taxes by the Clearfield County Tax Claim Bureau.

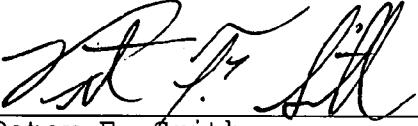
WHEREFORE, Plaintiff requests:

A. That this Honorable Court decree that Plaintiff is the true, lawful and only owner of the premise described in paragraphs 12 and 13 above;

B. That defendants, within 30 days of receipt of this Complaint, institute action of ejectment against the Plaintiffs and that if they fail to do so the Defendants be perpetually enjoined from setting up any title or a claim to the premises subject to this action from impeaching, denying or in any way attacking the Plaintiff's title to the premises subject to this action, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging, leasing, conveying or otherwise attempting to transfer an interest in the premises or any part thereof; and

C. Such other relief as the court may determine to be equitable.

Respectfully submitted,


Peter F. Smith
Attorney for Plaintiff

Dated: 10-29-02

VERIFICATION

I verify that the statement made in the foregoing COMPLAINT are true and correct to the best of my personal knowledge, information and belief. I understand that false statements herein are subject to the penalties of 18 PA C.S. §4904 relating to unsworn falsifications to authorities.

Date:

Roland G. Tiracorda
Roland G. Tiracorda

FILED

OCT 30 2002

0111-45

WILLIAM A. SHAW
PROTOMONETARY

One (1) cc to Dels

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

ROLAND G. TIRACORDA, :
: Plaintiff : No. 2002-1706-CD
: vs. :
: Type of Pleading:
B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary : **AFFIDAVIT & MOTION FOR**
Heir of the B.F. CHASE, JR., : **SERVICE BY PUBLICATION**
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants :
: Type of Action:
: **QUIET TITLE ACTION**
: Filed on behalf of:
: **PLAINTIFF**
: Counsel of record for
: this party:
: **Peter F. Smith, Esquire**
: Supreme Court No. 34291
: 30 South Second Street
: P.O. Box 130
: Clearfield, PA 16830
: (814) 765-5595
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:

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OCT 30 2002

William A. Shaw
Prothonotary

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

ROLAND G. TIRACORDA, :
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B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants :

AFFIDAVIT AND MOTION FOR SERVICE BY PUBLICATION

COMES NOW, Peter F. Smith, attorney for the Plaintiff in the above matter, who being duly sworn according to law, deposes and states:

1. I have examined the estate and other records at the Clearfield County Courthouse.
2. An estate was opened for **B.F. CHASE, JR.**, who dies February 7, 1934 at Clearfield County Estate No. 15415. Letters Testamentary were issued to his residue heir and surviving spouse **RHONDA MAE CHASE**. The estate proceedings state that they had no children.
3. I can find no estate opened for **RHODA MAE CHASE**, the executrix and sole residue heir of **B.F. CHASE, JR.**, nor can I find other information indicating her last known address, the identity of her relations or heirs or information that might insist in locating her or her heirs.

4. I can find no estate for **MARTIN WITHEROW**, or other information indicating his last known address, the identity of his relations or heirs or information that might assist in locating him or his heirs.

5. I have examined telephone directories for Clearfield and surrounding communities. I found no listing for **B.F. CHASE, JR.**

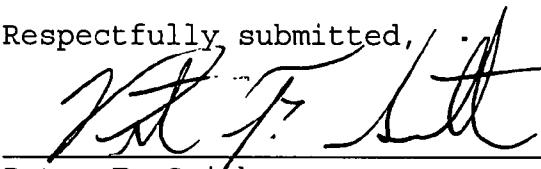
6. I have examined telephone directories for Clearfield and surrounding communities. I found no listing for **MARTIN WITHEROW**.

7. I have examined the Polk Directory for Clearfield and the surrounding area. I found no listing for **B.F. CHASE, JR.**

8. I have examined the Polk Directory for Clearfield and the surrounding area. I found no listing for **MARTIN WITHEROW**.

9. WHEREFORE, Plaintiffs, by their counsel move this Honorable Court to issue and Order permitting him to serve Defendant by publication appearing in The Progress, a newspaper of general circulation in Clearfield County, and the Clearfield County Legal Journal, on one occasion. Said Notice shall be in the form of Exhibit A which is attached hereto and incorporated herein by reference.

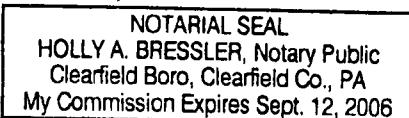
Respectfully submitted,


Peter F. Smith
Attorney for Plaintiff

Dated: 10-29-02

SWORN TO and SUBSCRIBED
to before me this 29th day of
October, 2002

Holly A. Bressler
Notary Public



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

ROLAND G. TIRACORDA, :
Plaintiff : No. 2002-1706 CD
vs. :
B.F. CHASE, JR., and RHODA MAE :
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their Heirs, Successors and :
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or unknown claiming by through :
or under them :
Defendants :

ORDER PERMITTING SERVICE BY PUBLICATION

AND NOW this 30 day of Oct, 2002, upon
consideration of the foregoing Affidavit and Motion by Plaintiffs'
counsel, it is:

ORDERED AND DECREED that Plaintiffs shall make service upon
the Defendant by publication appearing in The Progress, a
newspaper of general circulation in Clearfield County, and the
Clearfield County Legal Journal on one occasion. Said Notice shall
be in the form of Exhibit A which is attached to Plaintiff's
Affidavit and Motion and which is incorporated herein by
reference.

FILED

OCT 30 2002



Judge

William A. Shaw
Prothonotary

FILED

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B4
OCT 30 2002

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Atty Smith
KES
William A. Shaw
Prothonotary

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

ROLAND G. TIRACORDA,
Plaintiff

vs.

B.F. CHASE, JR., and RHODA MAE :
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Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them
Defendants

No. 2002- -CD

TO THE DEFENDANTS NAMED ABOVE:

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 thirty (30) 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 other rights important to you.

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

AN action to Quite Title to premises situate in Jordan Township, Clearfield County, Pennsylvania, bounded and described as follows:

Bounded on the north by C.B.C. Corporation and Snyder Bloom; bounded on the east by Clyde Bloom Estate and Dave Witherow; bounded on the south by Dave Witherow and bounded on the west C. V. Strong. Containing sixty-six acres more or less.

You are notified further to appear and answer the Complaint in said action within thirty (30) days of this notice, otherwise, judgment will entered against you, barring you from all claims, as set forth in the Complaint.

Peter F. Smith
Attorney for Plaintiff
P.O. Box 130
30 South Second Street
Clearfield, PA 16830

FILED

NO
CC

OCT 30 2002

8:45 AM
PRES

William A. Shaw
Prothonotary

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

ROLAND G. TIRACORDA, : TYPE OF PLEADING : CIVIL LAW
Plaintiff : No. 2002-1706 -CD
vs. : QUITE TITLE ACTION
B.F. CHASE, JR., and RHODA MAE : CODE: CIVIL COMPLAINT
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and : Type of Pleading: AFFIDAVIT
Assigns and all persons or : & MOTION FOR JUDGMENT
entities in interest known :
or unknown claiming by through :
or under them :
Defendants : Filed on behalf of: PLAINTIFF
: Counsel of record for this
: party:
: Peter F. Smith, Esquire
: Supreme Court No. 34291
: 30 South Second Street
: P.O. Box 130
: Clearfield, PA 16830
: (814) 765-5595
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FILED

DEC 18 2002
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William A. Shaw
Prothonotary

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

ROLAND G. TIRACORDA, :
: Plaintiff : No. 2002- -CD
: vs. :
: B.F. CHASE, JR., and RHODA MAE :
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Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants : .

AFFIDAVIT AND MOTION FOR JUDGMENT

COMES NOW, the Plaintiff by his attorney Peter F. Smith whom moves this Court for Judgment pursuant to PA R.C.P. 1066(b) (1) and in support thereof avers:

1. This Quite Title Action was instituted by Complaint filed October 30, 2002.
2. The Complaint contained a **NOTICE TO DEFEND** pursuant to PA R.C.P. 1018.1.
3. By Order dated October 30, 2002, this Honorable Court authorized service on the Defendants by Publication in The Progress, a newspaper of general circulation in Clearfield County, and in the Clearfield County Legal Journal, by publication on one occasion.
4. Said service by publication was duly made in The Progress on November 4, 2002 and in the Clearfield County Legal Journal on November 8, 2002 . The original Proof of Publication from The Progress and the Clearfield County Legal Journal are

attached to this Motion and incorporated herein as Plaintiffs Exhibit A & B.

5. More than 30 days have lapsed since completion of service and no answers, other responsive pleadings or communications were made from the Defendants or those claiming under them.

WHEREFORE, Plaintiffs prays this Honorable Court to enter an Order that Defendants, theirs Heirs, Successors and Assigns, or any entity claiming by or through them, subject to this Quite Title Action inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint, unless Defendants file an Answer within 30 days.

Respectfully submitted,



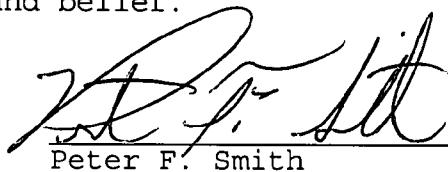
Peter F. Smith
Attorney for Plaintiff

Dated: 12-11-02

AFFIDAVIT

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS

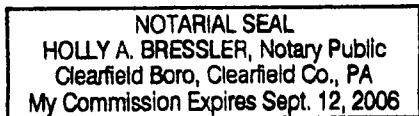
PETER F. SMITH being duly sworn according to law, deposes and says that he is the Counsel for the Plaintiff in the foregoing Motion and, as such, is duly authorized to make this Affidavit, and further, that the facts set forth in the foregoing **MOTION/AFFIDAVIT FOR JUDGMENT** are true and correct to the best of his knowledge, information and belief.



Peter F. Smith

SWORN to and subscribed
before me this 11th day
of October, 2002.
December

Holly A. Bressler
Notary Public



IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION
ROLAND G. TIRACORDA, Plaintiff
tiff

vs.
B. F. CHASE, JR., and RHODA
MAE CHASE, Executrix and Resid-
uary Heir of the B. F. CHASE, JR.,
Estate and MARTIN WITHEROW,
their Heirs, Successors and As-
signs and all persons or entities in
interest known or unknown claim-
ing by through or under them, De-
fendants

Defendants
No. 2002-1706-CD
TO THE DEFENDANTS NAME
ABOVE: ,

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 thirty (30) 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 other rights important to you.

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LEGAL HELP:
Clearfield County Court Administrator

Clearfield County Courthouse
Clearfield, PA 16830
(214) 725-2241

(814) 765-2641
AN action to Quiet Title to pre-
serves situated in Jordan Township,
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bounded and described as follows:

Bounded on the north by C.B.C. Corporation and Snyder Bloom; bounded on the east by Clyde Bloom Estate and Dave Witherow; bounded on the south by Dave Witherow and bounded on the west by C. V. Strong. Containing sixty-six acres more or less.

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Peter F. Smith
Attorney for Plaintiff
P.O. Box 130
30 South Second St
Clearfield; PA 16830

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 8th day of November, 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 November 4, 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 F. Lane

Notary Public **Clearfield, Pa.**

My Commission Expires
September 16, 2004

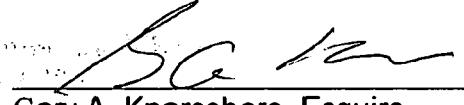
Notarial Seal
Ann K. Law, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Sept. 16, 2004
Member, Pennsylvania Association of Notaries

11:4-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :

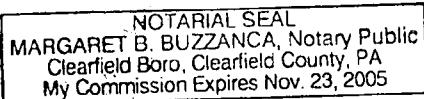
On this 18th day of November AD 2002, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of November 8, 2002, Vol. 14 No. 45. 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.

Margaret B. Buzzanca
Notary Public
My Commission Expires



Peter F. Smith
PO Box 130
Clearfield, PA 16830

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 other rights important to you.

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

AN action to Quiet Title to premises situate in Jordan Township, Clearfield County, Pennsylvania, bounded and described as follows:

Bounded on the north by C.B.C. Corporation and Snyder Bloom; bounded on the east by Clyde Bloom Estate and Dave Witherow; bounded on the south by Dave Witherow and bounded on the west by C. V. Strong. Containing sixty-six acres more or less.

You are notified further to appear and answer the Complaint in said action within thirty (30) days of this notice, otherwise, judgment will be entered against you, barring you from all claims, as set forth in the Complaint.

PETER F. SMITH, Attorney for Plaintiff, PO Box 130, 30 South 2nd Street, Clearfield, PA 16830.

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

ROLAND G. TIRACORDA, Plaintiff vs.
B. F. CHASE, JR., and RHODA MAE
CHASE, Executrix and Residuary Heir of
the B. F. CHASE, JR., Estate and MARTIN
WITHEROW, their Heirs, Successors and
Assigns and all persons or entities in
interest known or unknown claiming by
through or under them, Defendants.

QUIET TITLE ACTION NOTICE

No. 02-1706-CD

TO: DEFENDANTS NAMED ABOVE:
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 thirty (30) days after this Complaint

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

ROLAND G. TIRACORDA,

Plaintiff

: No. 02-1706 -CD

vs.

B.F. CHASE, JR., and RHODA MAE
CHASE, Executrix and Residuary
Heir of the B.F. CHASE, JR.,
Estate and MARTIN WITHEROW,
their Heirs, Successors and
Assigns and all persons or
entities in interest known
or unknown claiming by through
or under them

Defendants

FILED

DEC 18 2002

O/335/2cc atty Smith
William A. Shaw
Prothonotary

ORDER

AND NOW, on this 18 day of December, 2002, a Motion
supported by an Affidavit of Counsel averring that service of the
Notice to Defend was made upon the Defendants by publication as
directed by this Court's Order dated October 30, 2002, and no
Answers having been made by said Defendants, the Court, upon Motion
of Peter F. Smith, Attorney for Plaintiff, hereby orders that title
to the premises subject to this action is in the Plaintiff and that
he be allowed to peacefully enjoy the same.

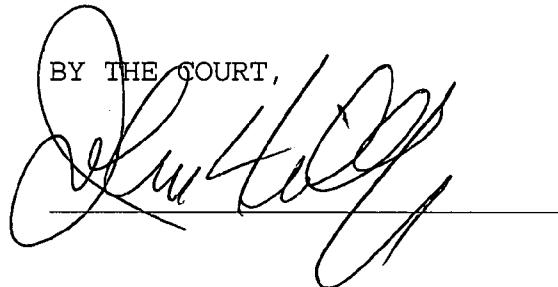
Said premises are situate in Jordan Township, Clearfield
County, PA and are more particularly described as:

Bounded on the north by C.B.C. Corporation and Snyder Bloom; bounded
on the east by Clyde Bloom Estate and Dave Witherow; bounded on the
south by Dave Witherow and bounded on the west C. V. Strong.
Containing sixty-six acres more or less.

BEING the same premises conveyed to Roland G. Tiracorda by deed in Clearfield County Deed Book 470, page 597.

It is FURTHER ORDERED that the Defendant shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest or claim of the Plaintiff set forth in its Complaint, unless the Defendant file an Answer to the Complaint in this action thirty (30) days of the date hereof or judgment will be entered in accordance with this Order. If such action is not taken within the thirty (30) day period, the Prothonotary, on Praecept of the Plaintiff, shall enter final judgment.

BY THE COURT,

A handwritten signature in black ink, appearing to read "John H. Kelly", is written over a horizontal line. To the left of the signature, the text "BY THE COURT," is printed in a small, sans-serif font.

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

ROLAND G. TIRACORDA, :
Plaintiff : No. 02-1706-CD
vs. : ACTION TO QUITE TITLE
B.F. CHASE, JR., and RHODA MAE :
CHASE, Executrix and Residuary :
Heir of the B.F. CHASE, JR., :
Estate and MARTIN WITHEROW, :
their Heirs, Successors and :
Assigns and all persons or :
entities in interest known :
or unknown claiming by through :
or under them :
Defendants :

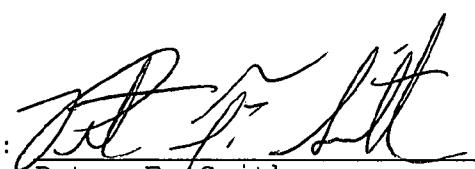
PRAECIPE FOR FINAL ORDER

TO WILLIAM A. SHAW, SR., PROTHONOTARY:

Dear Sir:

Please enter final judgment against the Defendants in the above-captioned case for failure to comply with the Order of Court directing Defendants to file objections within thirty (30) days from the entry of Order of Judgment in favor of Plaintiff which occurred on December 20, 2003.

Date: January 20, 2003

By: 
Peter F. Smith
Attorney for Plaintiff

FILED

JAN 20 2003

William A. Shaw
Prothonotary

FILED

01236871 NO
JAN 20 2003 CC

William A. Shaw
Prothonotary