

03-111-CD
VERNON E. DUNWORTH, et al. vs. S.O. SIGWORTH, et al

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03-~~W~~ -C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. :
DUNWORTH, :
Plaintiffs :
vs. :
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs, :
devisees, executors, :
administrators, :
assigns and successors, and :
all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :
TYPE OF CASE: ACTION TO QUIET
TITLE
TYPE OF PLEADING: COMPLAINT
FILED ON BEHALF OF: PLAINTIFFS
COUNSEL OF RECORD:
BENJAMIN S. BLAKLEY, III
SUPREME COURT NO.: 26331
BLAKLEY & JONES
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801
(814) 371-2730

FILED

JAN 28 2003
012:05 PM
William A. Shaw
Prothonotary
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

VERNON E. DUNWORTH, KATHLEEN : NO. 03- -C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. : ACTION TO QUIET TITLE
DUNWORTH,
Plaintiffs :
vs.
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs, :
devisees, executors, :
administrators, :
assigns and successors, and :
all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :
.

N O T I C E

TO: **S. O. SIGWORTH, H. H. SPENCER, and JAMES E. GEARHART**, their heirs, devisees, executors, administrators, assigns and successors, and all person, persons, firms and partnerships or corporate entities in interest, or their legal representatives, Defendants

You are hereby notified that an action to quiet title to premises situate in Bloom Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

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

BEGINNING at a point on the Northerly side of Pennsylvania

Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S. O. Sigworth; thence in a Northerly direction along the Eastern line of said Zigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

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 FIND ONE, GO TO OR TELEPHONE THE SET

FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, Pennsylvania 16830
(814) 765-2641 Ext. 50-51

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

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DUNWORTH,	:	
Plaintiffs	:	
vs.	:	
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SPENCER, and JAMES E.	:	
GEARHART, their heirs,	:	
devisees, executors,	:	
administrators,	:	
assigns and successors, and	:	
all person, persons, firms,	:	
and partnerships or corporate	:	
entities in interest or their	:	
legal representatives,	:	
Defendants	:	

COMPLAINT

AND NOW, come the Plaintiffs, **VERNON E. DUNWORTH, KATHLEEN M. DUNWORTH, DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH**, by and through their attorneys, **BLAKLEY & JONES**, and bring this action to quiet title to the premises hereinafter described against the above-named Defendants and in support thereof avers:

1. Plaintiffs **VERNON E. DUNWORTH and KATHLEEN M. DUNWORTH** are adult individuals, residing at 919 Maple Avenue, Du Bois, Clearfield County, Pennsylvania, 15801.
2. Plaintiffs **DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH** are adult individuals, residing at 100 Hand Street, Du Bois, Clearfield County, Pennsylvania 15801.

3. Defendant **S. O. SIGWORTH**, is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

4. Defendant **H. H. SPENCER** is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

5. Defendant **JAMES A. GEARHART** is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

6. After diligent search, Plaintiffs have been unable to ascertain who or where any parties or their successors in interest or legal representatives might be found, against whom to bring suit, other than those parties listed as Defendants and referenced in the caption to this Complaint, which is incorporated herein by reference.

7. The purpose of this action is to quiet title to the following described real estate:

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

BEGINNING at a point on the Northerly side of Pennsylvania Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S. O. Sigworth;

thence in a Northerly direction along the Eastern line of said Zigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

8. By deed dated May 6, 1936, and recorded in Clearfield County Deed Book 319, page 575, **HARBISON-WALKER REFRactories COMPANY**, conveyed the premises described above to Defendants **S. O. SIGWORTH, H. H. SPENCER and JAMES GEARHART**.

9. By deed dated May 5, 1941, and recorded in Clearfield County Deed Book 434, page 248, **EDNA MARSDEN**, Treasurer of Clearfield County, sold the above described premises to **THE COMMISSIONERS OF CLEARFIELD COUNTY** for unpaid taxes for the year 1938.

10. By deed dated August 23, 1943, and recorded in Clearfield County Deed Book 434, page 250, **W. V. CARR, IRA JAY, and J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD**, conveyed the above described premises to **HARRY SPENCER**.

11. By deed dated September 3, 1966, and recorded in Clearfield County Deed Book 552, page 692, **HARRY SPENCER and JESSIE SPENCER** conveyed the above described premises to **VERNON E. DUNWORTH**

and **KATHLEEN M. DUNWORTH**, two (2) of the Plaintiffs herein.

12. By deed dated October 25, 2002, and recorded in the Recorder of Deeds for Clearfield County, Pennsylvania, to Instrument No. 200217520, Plaintiffs **VERNON E. DUNWORTH and KATHLEEN M. DUNWORTH** conveyed the following described piece or parcel of the above described tract to Plaintiffs **DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH**:

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

BEGINNING at a point in the centerline of Irishtown Road (S.R. 3011). Said point being the Southeast corner of the lot herein described and the Southeast corner of the tract of land from which this lot is being conveyed; thence from the said point of beginning, along the centerline of Cramer Road (T-348) and along other lands of Vernon E. and Kathleen M. Dunworth, South $89^{\circ} 18' 19''$ West 234.00 feet to a point in the centerline of Cramer Road (T-348); thence through a 1" iron pipe 17.00 feet from the centerline of Cramer Road (T-348) and through lands of Vernon E. and Kathleen M. Dunworth, North 559.92 feet to a 1" iron pipe; thence through lands of Vernon E. and Kathleen M. Dunworth, East 233.98 feet to a 1" iron pipe; thence along lands of Dallas L. and Carol A. Ferrel, along lands of John E. and Victoria M. Mahlon and through a 1 1/4" iron pin 23.22

feet from the centerline of Irishtown Road (S.R. 3011), South 787.45 feet to a point in the centerline of Irishtown Road (S.R. 3011), the said place of beginning. Containing 130,680 square feet, 3.000 acres.

SUBJECT TO all exceptions, reservations, easements and rights of way which may appear of record.

13. No third party has ever made any claim of any kind to ownership of interest in or claim to or upon the property, except as set forth in this Complaint.

14. This action is brought to clear any and all clouds on the title to the ownership and interest to the property herein described, which the herein named Defendants, their heirs, devisees, executors, administrators, successors and assigns and all other person, persons, partnerships or corporate entities in interest or their legal representatives might claim, possess or assert pertaining to any alleged irregularities in the chain of title herein set forth.

15. This suit to quiet title is instituted under the terms and provisions of the Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, pertaining to the quieting of titles and other pertinent rules of local procedure.

WHEREFORE, your Plaintiffs request this Honorable Court to decree that title to the above-described premises set forth in this Complaint is in the name of Plaintiffs **VERNON E. DUNWORTH** and **KATHLEEN M. DUNWORTH**, excepting the parcel conveyed to **DEAN A.**

DUNWORTH and CYNTHIA R. DUNWORTH, as set forth in the Complaint, which shall be in the name of DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH, and that the Defendants, their executors, administrators and assigns and all other person, persons, firms, partnerships or corporate entities in interest or their legal representatives be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interest of the Plaintiffs as set forth herein to the said premises or impeaching, denying or in any way attacking the Plaintiffs' title to the said premises; and that your Honorable Court make any other order necessary for the granting of proper relief as it deems necessary to equitably and legally recognize and preserve Plaintiffs' rights in this matter.

Respectfully submitted,

BLAKLEY S. JONES

Benjamin S. Blakley, III
Attorney for Plaintiffs

VERIFICATION

WE, VERNON E. DUNWORTH, KATHLEEN M. DUNWORTH, DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH, being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

DATED: 1-24-03

Vernon E. Dunworth
VERNON E. DUNWORTH

DATED: 1-24-03

Kathleen M. Dunworth
KATHLEEN M. DUNWORTH

DATED: 1-23-03

Dean A. Dunworth
DEAN A. DUNWORTH

DATED: 1-23-03

Cynthia R. Dunworth
CYNTHIA R. DUNWORTH

William A. Shaw

JAN 28 2003

FILED

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A. DUNWORTH
and CYNTHIA R. DUNWORTH
Plaintiffs,

vs.
S. O. SIGWORTH, H. H. SPENCER,
and JAMES E. GEARHART, their
heirs, devisees, executors,
administrators, assigns and
successors, and all persons,
persons, firms and partnerships
or corporate entities
in interest of their legal
representatives,

Defendants

COMPLAINT

LAW OFFICES
BLAKLEY & JONES
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

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DUNWORTH, :
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GEARHART, their heirs, :
devisees, executors, :
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all person, persons, firms, :
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entities in interest or their :
legal representatives, :
Defendants :
FILED ON BEHALF OF: PLAINTIFFS
COUNSEL OF RECORD:
BENJAMIN S. BLAKLEY, III
SUPREME COURT NO.: 26331
BLAKLEY & JONES
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801
(814) 371-2730

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(S) JAN 28 2003

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William A. Shaw

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03- -C.D.
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vs. :
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all person, persons, firms, :
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entities in interest or their :
legal representatives, :
Defendants :
:

MOTION FOR SERVICE OF COMPLAINT ON DEFENDANTS BY PUBLICATION

AND NOW, this 24 day of June, 2003, an Affidavit having been executed and filed by the Plaintiffs through their attorneys that the identity and whereabouts of the Defendants, their heirs and assigns are unknown, Plaintiffs move the Court for leave to serve the Complaint on the above-mentioned Defendants, their heirs and assigns, by publication in such a manner as the Court shall direct, as provided by the Pennsylvania Rules of Civil Procedure No. 410 and 430(b).

BLAKLEY & JONES

Benjamin S. Blakley, III
Attorney for Plaintiffs

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

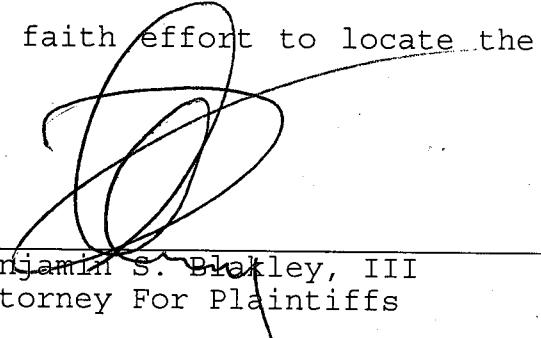
VERNON E. DUNWORTH, KATHLEEN : NO. 03- -C.D.
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all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :
:

AFFIDAVIT

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

BENJAMIN S. BLAKLEY, III, being duly sworn according to law,
deposes and says that he is the attorney for the Plaintiffs in the
above-captioned matter and he has been unable to discover the
whereabouts and identity of the above-named Defendants, their heirs
and assigns, and has caused the records in the offices of the
Register and Recorder of Clearfield County to be examined to
ascertain the date of death of the Defendants, whether they died
testate or intestate, the names and addresses of all of the
Defendants' heirs, legatees or devisees, and whether or not there
has been any adverse conveyance of the real estate that is subject

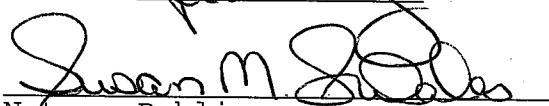
to suit and that he has made a good faith effort to locate the whereabouts of the Defendants.



Benjamin S. Blakley, III
Attorney For Plaintiffs

Sworn to and subscribed

before me this 24th
day of January, 2003.



Susan M. Swales
Notary Public

Notarial Seal
Susan M. Swales, Notary Public
DuBois, Clearfield County
My Commission Expires Apr. 14, 2003

William A. Shaw

JAN 28 2003

QHLL

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A. DUNWORTH
and CYNTHIA R. DUNWORTH
Plaintiffs,

vs.

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and JAMES E. GEARHART, their
heirs, devisees, executors,
administrators, assigns and
successors, and all persons,
persons, firms and partnerships
or corporate entities
in interest of their legal
representatives,

Defendants

MOTION FOR SERVICE BY
PUBLICATION

LAW OFFICES

BLAKLEY & JONES

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03-~~111~~ -C.D.
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DUNWORTH, : TITLE
Plaintiffs :
vs. : TYPE OF PLEADING: ORDER
: FILED ON BEHALF OF: PLAINTIFFS
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. : COUNSEL OF RECORD:
GEARHART, their heirs, : BENJAMIN S. BLAKLEY, III
devisees, executors, :
administrators, : SUPREME COURT NO.: 26331
assigns and successors, and :
all person, persons, firms, : BLAKLEY & JONES
and partnerships or corporate : 90 BEAVER DRIVE, BOX 6
entities in interest or their : DU BOIS, PA 15801
legal representatives, : (814) 371-2730
Defendants :

FILED

JAN 29 2003

William A. Shaw
Prothonotary

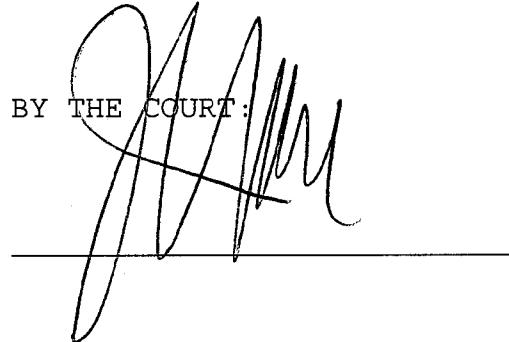
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Plaintiffs	:	
	:	
vs.	:	
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GEARHART, their heirs,	:	
devisees, executors,	:	
administrators,	:	
assigns and successors, and	:	
all person, persons, firms,	:	
and partnerships or corporate	:	
entities in interest or their	:	
legal representatives,	:	
Defendants	:	

ORDER

AND NOW, this 28th day of January, 2003, upon consideration of the foregoing Plaintiffs' Motion for Service by Publication, the Plaintiffs are granted leave to make service of the Complaint on the Defendants, their heirs and assigns, by publication once a week for one consecutive week in The Courier Express and in The Clearfield Progress, newspapers of general circulation in Bloom Township, Clearfield County, Pennsylvania, and one consecutive week in the Clearfield County Legal Journal according to the notice hereto attached.

BY THE COURT:



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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A. DUNWORTH
and CYNTHIA R. DUNWORTH
Plaintiffs,

vs.
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and JAMES E. GEARHART, their
heirs, devisees, executors,
administrators, assigns and
successors, and all persons,
persons, firms and partner-
ships or corporate entities
in interest of their legal
representatives.

Defendants

ORDER

FILED
01/02/2003
JAN 29 2003
William A. Shaw
Prothonotary
A. J. Blair
Kes

LAW OFFICES
BLAKLEY & JONES
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. : TYPE OF CASE: ACTION TO QUIET
DUNWORTH, : TITLE
Plaintiffs :
vs. : TYPE OF PLEADING: MOTION FOR
: DEFAULT JUDGMENT
S. O. SIGWORTH, H. H. : FILED ON BEHALF OF: PLAINTIFFS
SPENCER, and JAMES E. :
GEARHART, their heirs, : COUNSEL OF RECORD:
devisees, executors, : BENJAMIN S. BLAKLEY, III
administrators, :
assigns and successors, and : SUPREME COURT NO.: 26331
all person, persons, firms, :
and partnerships or corporate : BLAKLEY & JONES
entities in interest or their : 90 BEAVER DRIVE, BOX 6
legal representatives, : DU BOIS, PA 15801
Defendants : (814) 371-2730

FILED

MAR 10 2003
11:30 AM
William A. Shaw
Prothonotary

2 CERT TO ATTC.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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Defendants :
:

MOTION FOR DEFAULT JUDGMENT

AND NOW, comes the Plaintiffs, and, by and through their attorneys, **BLAKLEY & JONES**, and files this Motion For Default Judgment in the above captioned action and in support thereof avers:

1. This is an action to quiet title in which Plaintiffs request that Defendants, and their heirs, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest or their legal representatives be forever barred from asserting any right, title, liens or interests in or impeaching, levying or in any way attack the Plaintiffs' title to the land described in Plaintiffs' Complaint. A true and correct copy of Plaintiffs' Complaint is attached as Exhibit "A".

2. That by Order of this Court dated January 28, 2003, the Plaintiffs were given leave to serve the Complaint filed in the

above captioned quiet title action by publication once in the Courier Express, once in The Progress, newspapers of general circulation in Clearfield County, Pennsylvania, and once in the Clearfield County Legal Journal, the service by publication being allowed upon Motion and Affidavits filed by Plaintiffs that the whereabouts of the Defendants, **S. O. SIGWORTH, H. H. SPENCER, and JAMES E. GEARHART**, their heirs, administrators, executors and assigns are unknown.

3. That pursuant to the Order of Court dated January 28, 2003, publication was made in the Courier Express on February 6, 2003, in The Progress on February 6, 2003, and in the Clearfield County Legal Journal on the week of February 14, 2003, Volume 15 No. 7. Respective Proofs of Publication are attached as Exhibit "B".

4. That more than twenty (20) days have passed since last service of the Complaint and no appearance nor answer to the Complaint has been filed by the Defendants, their heirs, administrators, executors and assigns.

5. Attached as Exhibit "C" is an Affidavit stating that a Complaint was served by publication once in the Courier Express, once in The Progress, and once in the Clearfield County Legal Journal and more than twenty (20) days have elapsed since service and that Defendants, or anyone claiming under Defendants, have not entered an appearance or filed an answer to the Complaint.

6. Pa. R.C.P. 1066(a) allows this Honorable Court to grant appropriate relief upon affidavit that a Complaint containing notice to the Defendants has been served and Defendants have not

filed an answer.

7. Pa. R.C.P. 248 permits this Honorable Court to modify the thirty (30) day period provided Defendants by Pa. R.C.P. 1066(b), to assert any right, title or interest in the land inconsistent with the interest or the claims set forth in their complaint

WHEREFORE, Your Honorable Court is respectfully requested to enter an Order for judgment for the Plaintiffs as prescribed by Pa. R.C.P. 1066.

RESPECTFULLY SUBMITTED:

BLAKLEY & JONES

Benjamin S. Blakley, III
Attorney For Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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all person, persons, firms, : 90 BEAVER DRIVE, BOX 6
and partnerships or corporate : DU BOIS, PA 15801
entities in interest or their : (814) 371-2730
legal representatives, :
Defendants :
:

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

JAN 26 2003

Attest.

Wendell H. ...
Prothonotary/
Clerk of Courts

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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S. O. SIGWORTH, H. H.	:		
SPENCER, and JAMES E.	:		
GEARHART, their heirs,	:		
devisees, executors,	:		
administrators,	:		
assigns and successors, and	:		
all person, persons, firms,	:		
and partnerships or corporate	:		
entities in interest or their	:		
legal representatives,	:		
Defendants	:		

N O T I C E

TO: **S. O. SIGWORTH, H. H. SPENCER, and JAMES E. GEARHART**, their heirs, devisees, executors, administrators, assigns and successors, and all person, persons, firms and partnerships or corporate entities in interest, or their legal representatives, Defendants

You are hereby notified that an action to quiet title to premises situate in Bloom Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

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

BEGINNING at a point on the Northerly side of Pennsylvania

Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S. O. Sigworth; thence in a Northerly direction along the Eastern line of said Zigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

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 FIND ONE, GO TO OR TELEPHONE THE SET

FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, Pennsylvania 16830
(814) 765-2641 Ext. 50-51

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03- -C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. : ACTION TO QUIET TITLE
DUNWORTH,
Plaintiffs :
:
vs.
:
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs,
devisees, executors,
administrators,
assigns and successors, and :
all person, persons, firms,
and partnerships or corporate :
entities in interest or their :
legal representatives,
Defendants :
:

COMPLAINT

AND NOW, come the Plaintiffs, **VERNON E. DUNWORTH, KATHLEEN M. DUNWORTH, DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH**, by and through their attorneys, **BLAKLEY & JONES**, and bring this action to quiet title to the premises hereinafter described against the above-named Defendants and in support thereof avers:

1. Plaintiffs **VERNON E. DUNWORTH and KATHLEEN M. DUNWORTH** are adult individuals, residing at 919 Maple Avenue, Du Bois, Clearfield County, Pennsylvania, 15801.

2. Plaintiffs **DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH** are adult individuals, residing at 100 Hand Street, Du Bois, Clearfield County, Pennsylvania 15801.

3. Defendant **S. O. SIGWORTH**, is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

4. Defendant **H. H. SPENCER** is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

5. Defendant **JAMES A. GEARHART** is an adult individual whose last known address is Grampian, R.D., Clearfield County, Pennsylvania.

6. After diligent search, Plaintiffs have been unable to ascertain who or where any parties or their successors in interest or legal representatives might be found, against whom to bring suit, other than those parties listed as Defendants and referenced in the caption to this Complaint, which is incorporated herein by reference.

7. The purpose of this action is to quiet title to the following described real estate:

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

BEGINNING at a point on the Northerly side of Pennsylvania Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S. O. Sigworth;

thence in a Northerly direction along the Eastern line of said Zigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

8. By deed dated May 6, 1936, and recorded in Clearfield County Deed Book 319, page 575, **HARBISON-WALKER REFRactories COMPANY**, conveyed the premises described above to Defendants **S. O. SIGWORTH, H. H. SPENCER and JAMES GEARHART.**

9. By deed dated May 5, 1941, and recorded in Clearfield County Deed Book 434, page 248, **EDNA MARSDEN**, Treasurer of Clearfield County, sold the above described premises to **THE COMMISSIONERS OF CLEARFIELD COUNTY** for unpaid taxes for the year 1938.

10. By deed dated August 23, 1943, and recorded in Clearfield County Deed Book 434, page 250, **W. V. CARR, IRA JAY, and J. O. KESSLER, COUNTY COMMISSIONERS OF THE COUNTY OF CLEARFIELD**, conveyed the above described premises to **HARRY SPENCER.**

11. By deed dated September 3, 1966, and recorded in Clearfield County Deed Book 552, page 692, **HARRY SPENCER and JESSIE SPENCER** conveyed the above described premises to **VERNON E. DUNWORTH**

and **KATHLEEN M. DUNWORTH**, two (2) of the Plaintiffs herein.

12. By deed dated October 25, 2002, and recorded in the Recorder of Deeds for Clearfield County, Pennsylvania, to Instrument No. 200217520, Plaintiffs **VERNON E. DUNWORTH** and **KATHLEEN M. DUNWORTH** conveyed the following described piece or parcel of the above described tract to Plaintiffs **DEAN A. DUNWORTH** and **CYNTHIA R. DUNWORTH**:

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

BEGINNING at a point in the centerline of Irishtown Road (S.R. 3011). Said point being the Southeast corner of the lot herein described and the Southeast corner of the tract of land from which this lot is being conveyed; thence from the said point of beginning, along the centerline of Cramer Road (T-348) and along other lands of Vernon E. and Kathleen M. Dunworth, South $89^{\circ} 18' 19''$ West 234.00 feet to a point in the centerline of Cramer Road (T-348); thence through a 1" iron pipe 17.00 feet from the centerline of Cramer Road (T-348) and through lands of Vernon E. and Kathleen M. Dunworth, North 559.92 feet to a 1" iron pipe; thence through lands of Vernon E. and Kathleen M. Dunworth, East 233.98 feet to a 1" iron pipe; thence along lands of Dallas L. and Carol A. Ferrel, along lands of John E. and Victoria M. Mahlon and through a 1 1/4" iron pin 23.22

feet from the centerline of Irishtown Road (S.R. 3011), South 787.45 feet to a point in the centerline of Irishtown Road (S.R. 3011), the said place of beginning. Containing 130,680 square feet, 3.000 acres.

SUBJECT TO all exceptions, reservations, easements and rights of way which may appear of record.

13. No third party has ever made any claim of any kind to ownership of interest in or claim to or upon the property, except as set forth in this Complaint.

14. This action is brought to clear any and all clouds on the title to the ownership and interest to the property herein described, which the herein named Defendants, their heirs, devisees, executors, administrators, successors and assigns and all other person, persons, partnerships or corporate entities in interest or their legal representatives might claim, possess or assert pertaining to any alleged irregularities in the chain of title herein set forth.

15. This suit to quiet title is instituted under the terms and provisions of the Pennsylvania Rules of Civil Procedure 1061 to 1067, inclusive, pertaining to the quieting of titles and other pertinent rules of local procedure.

WHEREFORE, your Plaintiffs request this Honorable Court to decree that title to the above-described premises set forth in this Complaint is in the name of Plaintiffs **VERNON E. DUNWORTH** and **KATHLEEN M. DUNWORTH**, excepting the parcel conveyed to **DEAN A.**

DUNWORTH and CYNTHIA R. DUNWORTH, as set forth in the Complaint, which shall be in the name of DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH, and that the Defendants, their executors, administrators and assigns and all other person, persons, firms, partnerships or corporate entities in interest or their legal representatives be forever barred from asserting any right, title, lien or interest in the land in question that is inconsistent with the interest of the Plaintiffs as set forth herein to the said premises or impeaching, denying or in any way attacking the Plaintiffs' title to the said premises; and that your Honorable Court make any other order necessary for the granting of proper relief as it deems necessary to equitably and legally recognize and preserve Plaintiffs' rights in this matter.

Respectfully submitted,

BLAKLEY & JONES

Benjamin S. Blakley, III
Attorney for Plaintiffs

VERIFICATION

WE, VERNON E. DUNWORTH, KATHLEEN M. DUNWORTH, DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH, being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

DATED: 1-24-03

Vernon E. Dunworth
VERNON E. DUNWORTH

DATED: 1-24-03

Kathleen M. Dunworth
KATHLEEN M. DUNWORTH

DATED: 1-23-03

Dean A. Dunworth
DEAN A. DUNWORTH

DATED: 1-23-03

Cynthia R. Dunworth
CYNTHIA R. DUNWORTH

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION AT LAW**

VERNON E. DUNWORTH, KATHLEEN M. DUNWORTH, DEAN A.
DUNWORTH, AND CYNTHIA R. DUNWORTH,
Plaintiffs

Approved May 16, 1929, P.L. 1784

vs.
S.O. SIGWORTH, H.H. SPENCER, AND JAMES E. GEARHART,
their heirs, devisees, executors, administrators, assigns and successors, and all persons, persons, firms, and partnerships or corporate entities in interest or their legal representatives, Defendants

NO. 03-CD
ACTION TO QUIET TITLE

ACTION TO QUIET TITLE

NO. 03-CD

TO : S.O. SIGWORTH, H.H. SPENCER, AND JAMES E. GEARHART, their heirs, devisees, executors, administrators, assigns and successors, and all persons, persons, firms, and partnerships or corporate entities in interest or their legal representatives, Defendants

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BEGINNING at a point on the Northerly side of Pennsylvania Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S.O. Sigworth; thence in a Northerly direction along the Eastern line of said Sigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiffs in this action, after diligent search, have been unable to locate the Defendants or their devisees or heirs.

Whereupon, the Court ordered that notice of said action be served on the Defendants, and their heirs, administrators, executors and assigns, by advertisement requiring Defendants above named and their heirs, administrators, executors and assigns to answer Complaint within twenty (20) days from the date of publication.

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 FIND ONE, FOR TO OR TELEPHONE THE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Second & Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641 Ext. 50-51

Benjamin S. Blakley, III, Esquire
BLAKLEY & JONES
90 Beaver Drive, Box 6
DuBois, PA 15801
(814) 371-2730

2/6/03

S:

Ferra, Classified Advertising Supervisor of the **Courier-Express** of the County and State aforesaid, being duly newspaper, the **Tri-County Sunday**, a weekly newspaper published by McLean Publishing uBois, County and State aforesaid, which was established in daily publication and the weekly publications, has been a copy of the printed notice of publication is attached hereto lished in the regular editions of the paper on the following

day of February A.D., 2003
ficer duly authorized by the **Courier-Express**, a daily
ly newspaper, and/or **Jeffersonian Democrat**, a weekly
ment under oath and also declared that affiant is not
foresaid notice of publication, and that all allegations in the
id character of publication are true.

**PUBLISHING COMPANY Publisher of
COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

Sendasmet

this 10th day of FEBRUARY, 2003

Steven W. Kronenwetter

NOTARIAL SEAL
STEVEN W. KRONENWETTER, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 16, 2006

ment of Advertising Cost
PUBLISHING COMPANY

Publisher of
XPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT
DuBois, PA

nes

ching the notice or advertisement
the above stated dates.....\$ 277.83
.....\$ 4.25
.....\$ 282.08

Receipt for Advertising Costs

spaper, **Tri-County Sunday**, a weekly newspaper, and/or newspaper, hereby acknowledges receipt of the aforesaid costs, and certifies that the same have been fully paid.
Street and Beaver Drive, DuBois, PA 15801
shed 1879, Phone 814-371-4200

PUBLISHING COMPANY

Publisher of
COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

is the original Proof of Publication and receipt for the
ce.

EXHIBIT

"B"

ATTORNEY FOR

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION
-AT LAW
NO. 03
-C.D.
ACTION TO
QUIET TITLE
VERNON E. DUNWORTH, KATH-
LEEN M. DUNWORTH, DEAN A.
DUNWORTH, and CYNTHIA R.
DUNWORTH, Plaintiffs
vs.
S. O. SIGWORTH, H. H. SPENCER,
and JAMES E. GEARHART,
their heirs, devisees, executors,
administrators, assigns and
successors, and all persons, persons,
firms, and partnerships or corporate
entities in interest or their legal
representatives, Defendants

ACTION TO
QUIET TITLE
NO. 03
-C.D.
TO: S. O. SIGWORTH, H. H. SPENCER,
and JAMES E. GEARHART,
their heirs, devisees, executors,
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BEGINNING at a point on the
Northerly side of Pennsylvania
Legislative Route 17028, said
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Township Road No. 353 in a West-
erly direction 792 feet, more or
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boundary line of land now or for-
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Northerly direction along the East-
ern line of said Sigworth land 792
feet, more or less, to a point;
thence along land now or formerly
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Easterly direction 792 feet, more or
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line of said Gearhart land; thence in
a Southerly direction along the said
Western line of Gearhart land 792
feet, more or less, to the place of
beginning.

You have been sued in Court. The
purpose of this quiet title action is to
extinguish any right or equity which
the Defendants above named and
their heirs, administrators, execu-
tors and assigns may have in the
property as described above. The
Plaintiffs in this action, after diligent
search, have been unable to locate the
Defendants or their devisee or
heirs.

Whereupon, the Court ordered
that notice of said action be served
on the Defendants, and their heirs,
administrators, executors and as-
signs, by advertisement requiring
Defendants above named and their
heirs, administrators, executors
and assigns to answer Complaint
within twenty (20) days from the
date of publication.

YOU HAVE BEEN SUED IN
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FORTH IN THE FOLLOWING PA-
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AFTER THIS COMPLAINT AND
NOTICE ARE SERVED, BY EN-
TERING A WRITTEN APPEAR-
ANCE PERSONALLY OR BY AT-
TORNEY AND FILING IN WRITING
WITH THE COURT YOUR DE-
FENSES OR OBJECTIONS TO
THE CLAIMS SET FORTH
AGAINST YOU. YOU ARE
WARNED THAT IF YOU FAIL TO
DO SO THE CASE MAY PROCEED
WITHOUT YOU AND A JUDG-
MENT MAY BE ENTERED
AGAINST YOU BY THE COURT
WITHOUT FURTHER NOTICE
FOR ANY MONEY CLAIMED IN
THE COMPLAINT OR FOR ANY
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HELP.

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(814)765-2641 Ext. 50-51
Benjamin S. Blakley, III, Esquire
BLAKLEY & JONES
90 Beaver Drive, Box 6
DuBois, PA 15801
(814)371-2730

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 14 th day of February, A.D. 2003,
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 February 6, 2003.
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
My Commission Expires Sept. 16, 2004



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

the state's five nuclear power plants following the Sept. 11,

Democratic whip, said he weeks that would seek rein-
al Guard protection at pi-
pose a number of other
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Col. Chris Cleaver, a gua

prevent premature

—Obstetricians say they
attribute the dramatic rise
in cesarean birth rates to

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Units Network under
as to unveil the results in
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Democratic Rep. Michael

Since November 2001, 110
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part of an increase in security
attacks.

Veon, the state House I
egislation in the next two v
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upgrades, such as establish
ence at nuclear power plan

plants on March 4, said Lt.

Progesterone may

covered a powerful new solution to the problem of preterm birth. The drug, called dexamethasone, has been shown to reduce the number of preterm births by 30 percent.

of high-risk pregnancies. "The evidence of this treatment is clear," says Paul Meis of Wake Forest University. "The research was stopped early."

Paul Meis of Wake Forest University found that weekly injections of the drug reduced the rate of preterm births by 34 percent in women who received the therapy, the study reported. Women given a placebo. All the women were at high risk for preterm birth.

The study was carried out at the Maternal Fetal Medicine Unit of the National Institutes of Health. Meis was

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

:

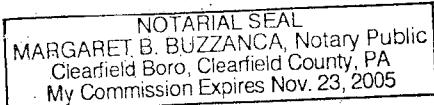
On this 14th day of February AD 2003, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of February 14, 2003, Vol. 15 No. 7. 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



Blakley & Jones
90 Beaver Drive Box 6
DuBois PA 15801

EXHIBIT

tabbies

"B"

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A. DUNWORTH,
and CYNTHIA R. DUNWORTH, Plaintiffs vs.
S. O. SIGWORTH, H. H. SPENCER, and
JAMES E. GEARHART, their heirs,
devisees, executors, administrators, assigns
and successors, and all persons, persons,
firms, and partnerships or corporate entities
in interest or their legal representatives,
Defendants.

ACTION TO QUIET TITLE

No. 03-111-CD

TO: S. O. SIGWORTH, H. H.
SPENCER, and JAMES E. GEARHART,
their heirs, devisees, executors,
administrators, assigns and successors, and

REPORT OF JUDGMENTS
February 7, 2003

Miners Hospital vs. Kathryn Wicker, 01-
1659, \$15,300.25

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

all person, persons, firms, and partnerships or corporate entities in interest or their legal representatives, Defendants.

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You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiffs in this action, after a diligent search, have been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs, administrators, executors and assigns, by advertisement requiring Defendants above-named and their heirs, administrators, executors and assigns to answer the Complaint within twenty (20) days from the date of this publication.

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 TO 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 WITHOUT FURTHER NOTICE FOR THE RELIEF

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

Court Administrator, Clearfield County Courthouse, Second & Market Streets, Clearfield, PA 16830 (814) 765-2641. (ext. 50-51).

Benjamin S. Blakley III, Esquire, Blakley & Jones, 90 Beaver Drive, Box 6, DuBois, PA 15801, (814) 371-2730.

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

GREGORY N. DIXON, SR. an adult individual, Plaintiff vs. JOHN C. DIXON, a/k/a CHARLES DIXON, his heirs, executors, administrators, successors and assigns, and CECIL E. DIXON, ROSEANNA JUKES, ROBERT DIXON, their heirs, executors, administrators, successors and assigns, and ARDELL DIXON, DONNIE DIXON, CHARLES DIXON, ARTHUR DIXON, BONNIE I. DIXON ZORTMAN, their heirs, executors, administrators, successors and assigns, and ALVIN DIXON, his heirs, executors, administrators, successors and assigns, and LUELLA DIXON MAINES, HOWARD R. ZEIGLER, WILLARD E. MAINES, ETHEL LIPSON, LEWIS MAINES, ROBERT A. MAINES, LINDA KIRK, their heirs, executors, administrators, successors and assigns, and HELEN DIXON WILLIAMS, RUSSELL WILLIAMS, CECIL WILLIAMS, ELEANOR FAYE WILLIAMS VANDELEIR, their heirs, executors, administrators, successors and assigns, and MERLIN DIXON, MIKE DIXON, BOB DIXON, SAMUEL L. DIXON, KATHRYN DIXON HOFFMAN, BETTY DIXON TRAVIS, their heirs, executors, administrators, successors and assigns;

NO. 02-271-CD

ACTION TO QUIET TITLE

TO: JOHN C. DIXON, a/k/a CHARLES DIXON, his heirs, executors, administrators, successors and assigns, known or believed to be the above named defendants.

NOTICE- IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR

OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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, 2nd & Market Streets, Clearfield, PA 16830 (814) 765-2641 Ex. 5982

You are hereby notified that an Action to Quiet Title to the following premises situate in Boggs Township, Clearfield County, Pennsylvania, has been filed against you. Said premises is more particularly bounded and described as follows:

BEGINNING at a post and corner on Township road and land of J. H. Dixon running North along land of J. G. Dixon thirty seven (37) rods to a post and corner on land of J. H. Dixon. Thence running along said land West thirteen (13) rod to a post and corner on land of J. H. Dixon thence along land of J. H. Dixon thirty seven (37) rod South to a post and corner on land of J. H. Dixon and Township road. Thence along land of J. H. Dixon and Township road East thirteen (13) rod to a post and corner and place of beginning Containing three (3) acres net.

BEING the same premises which vested in Gregory N. Dixon, Sr., an individual, by Deed from Martha Dixon, widow, dated July 27, 2001, and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, at Instrument Number 200111676.

WHEREUPON the Court ordered that notice of said action and the facts thereto be served by the Plaintiff by Advertisement upon the Defendants, JOHN C. DIXON, a/k/a CHARLES DIXON, his heirs, executors, administrators, successors and assigns, known or believed to be: CECIL E. DIXON, ROSEANNA JUKES, ARDELL DIXON, DONNIE DIXON, CHARLES DIXON, ARTHUR DIXON, BONNIE I. DIXON ZORTMAN, ALVIN DIXON, LUELLA DIXON MAINES, HOWARD R. ZEIGLER, ETHEL LIPSON, LEWIS MAINES, LINDA KIRK, HELEN DIXON WILLIAMS, RUSSELL WILLIAMS, CECIL WILLIAMS, ELEANOR FAYE WILLIAMS VANDELEIR, MERLIN DIXON, MIKE DIXON, BOB DIXON and BETTY DIXON TRAVIS, their

heirs, executors, administrators, successors and assigns, parties of the second part; being all the persons who have an interest in and to the above described property situate in Boggs Township Clearfield County, Pennsylvania, requiring Defendants above named and their heirs, executors, administrators and assigns to answer the said Complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff before the Court at a hearing to be held at the Clearfield County Courthouse, Clearfield, Pennsylvania, on March 27, 2003, at 1:30 p.m.

MIKESELL & MIKESELL, Attorneys at Law, 115 East Locust Street, Clearfield, PA 16830, Attorneys for Plaintiff.

MARSHAL'S SALE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the U.S. Court for the W. D. of PA at suit of the USA at Mis. No. 02-63E, I shall expose to public sale the real property of Richard E. Kline, Jr. and Donna R. Kline known as RR#1, Comes Creek Road, Port Allegany, PA 16743. All those two certain pieces, parcels or tracts of land lying, being and situate in the Township of Liberty, County of McKean and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

PARCEL ONE: BEGINNING at a point in the center of the highway leading to Port Allegany known as Route No. T-408;

THENCE North 68 degrees 30' East 303 feet to a point;

THENCE South 3 degrees 45' East and parallel with Portage Creek 297 feet to a point which point is an old stake on bank of Creek;

THENCE West 222.8 feet to a point in the center of said Highway;

THENCE North 21 degrees 30' West along the center of said highway, 200 feet to the place of beginning:

CONTAINING 1.5 acres be the same more or less.

EXCEPTING AND RESERVING all the oil, gas and petroleum found in, on or under the above described premises as conveyed in all previous deeds.

PARCEL TWO: BEGINNING at a point in the center of the highway leading to Port Allegany known as Route No. T-408;

THENCE North 68 degrees East two hundred thirty-two and three-tenths (232.3) feet to a point;

THENCE South 68 degrees 45' East one hundred nine (109) feet to a point on the

WILLIAM A. STRAW

MAR 10 2003

FILE

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A.
DUNWORTH, and CYNTHIA R.
DUNWORTH,

Plaintiffs,

vs.

S.O. SIGWORTH, H.H. SPENCER,
and JAMES E. GEARHART, their
heirs, devisees, executors,
administrators, assigns and
successors, and all persons,
persons, firms and partner-
ships or corporate entities
in interest or their legal
representatives,
Defendants.

MOTION FOR DEFAULT JUDGMENT

NO. 03-111-C.D.

LAW OFFICES

BLAKLEY & JONES
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03-111-C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. : ACTION TO QUIET TITLE
DUNWORTH, :
Plaintiffs :
vs. :
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs, :
devisees, executors, :
administrators, :
assigns and successors, and :
all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :

FILED

MAR 10 2003

o/11:30/w
William A. Shaw
Prothonotary

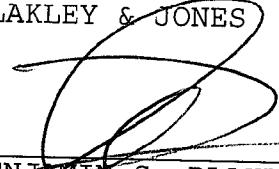
2 CERT TO HRS

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared **BENJAMIN S. BLAKLEY, III, ESQUIRE**, who, being duly sworn according to law, deposes and says that the Complaint filed in the above captioned action was served by publication once in The Courier Express, once in The Clearfield Progress and once in the Clearfield County Legal Journal pursuant to Order of Court and that there were no known living heirs and that more than twenty (20) days have elapsed since publication and that the named Defendants or their representatives have not entered an appearance or filed an answer

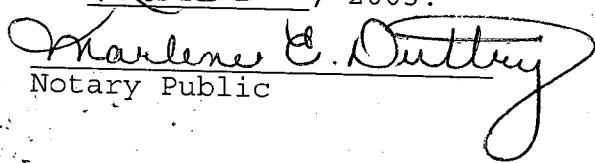
to the Complaint.

BLAKLEY & JONES


BENJAMIN S. BLAKLEY, III
Attorney for Plaintiffs

SWORN to and SUBSCRIBED

before me this 10th day
of March, 2003.


Marlene E. Duttry
Notary Public

NOTARIAL SEAL
Marlene E. Duttry, Notary Public
City of Du Bois, Clearfield County
My commission expires August 22, 2006

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A.
DUNWORTH, and CYNTHIA R.
DUNWORTH,

Plaintiffs,

vs.

S.O. SIGWORTH, H. H. SPENCER,
and JAMES E. GEARHART, their
heirs, devisees, executors,
administrators, assigns and
successors, and all persons,
persons, firms and partner-
ships or corporate entities
in interest or their legal
representatives,

Defendants.

FILED

No. 03-111-C.D.

AFFIDAVIT

LAW OFFICES
BLAKLEY & JONES
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03-111-C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. :
DUNWORTH, :
Plaintiffs :
vs. :
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs, :
devisees, executors, :
administrators, :
assigns and successors, and :
all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :
TYPE OF CASE: ACTION TO QUIET
TITLE :
TYPE OF PLEADING: ORDER :
FILED ON BEHALF OF: PLAINTIFFS :
COUNSEL OF RECORD:
BENJAMIN S. BLAKLEY, III :
SUPREME COURT NO.: 26331 :
BLAKLEY & JONES
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801
(814) 371-2730

FILED

MAR 20 2003

William A. Shaw
Prothonotary

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

VERNON E. DUNWORTH, KATHLEEN : NO. 03-111 -C.D.
M. DUNWORTH, DEAN A. :
DUNWORTH, and CYNTHIA R. : ACTION TO QUIET TITLE
DUNWORTH, :
Plaintiffs :
vs. :
S. O. SIGWORTH, H. H. :
SPENCER, and JAMES E. :
GEARHART, their heirs, :
devisees, executors, :
administrators, :
assigns and successors, and :
all person, persons, firms, :
and partnerships or corporate :
entities in interest or their :
legal representatives, :
Defendants :

O R D E R

AND NOW, this 20th day of March, 2003, it appearing on Motion of BENJAMIN S. BLAKLEY, III, ESQUIRE, Attorney for the Plaintiff, that service of the Complaint in the above-captioned quiet title action, as per Order of Court was served on the Defendants by publication once in the Courier Express, on February 6, 2003, and once in The Progress, on February 6, 2003, newspapers of general circulation in Clearfield County, Pennsylvania, and once in the Clearfield County Legal Journal, Week of February 14, 2003, Volume 15, No. 7, and that no known living heirs of Defendants were found, and if further appearing that no answer has been filed nor any appearance entered by the said Defendants were found, and it further appearing that no answer has been filed nor any appearance entered by the said named Defendants nor their duly authorized representatives for more than twenty (20) days since the

date of publication, it is hereby ORDERED and DECREED As Follows:

1. That the Defendants, **S. O. SIGWORTH, H. H. SPENCER, and JAMES E. GEARHART**, their heirs, devisees, executors, administrators, assigns and successors, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, are forever barred from asserting any right, title, lien or interest inconsistent with the interest of the claim of the Plaintiffs as set forth in their complaint in and to the following premises situate in Bloom Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

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

BEGINNING at a point on the Northerly side of Pennsylvania Legislative Route 17028, said point also being at the Southwestern corner of land now or formerly of James E. Gearhart; thence along Township Road No. 353 in a Westerly direction 792 feet, more or less, to a point on the Eastern boundary line of land now or formerly of S. O. Sigworth; thence in a Northerly direction along the Eastern line of said Zigworth land 792 feet, more or less, to a point; thence along land now or formerly of Clifford and James Harris in an Easterly direction 792 feet, more or less, to a point on the Western line of said Gearhart land; thence in a Southerly direction along the said Western line of Gearhart land 792 feet, more or less, to the place of beginning.

EXCEPTING AND RESERVING ALL that certain piece, parcel or tract of land situate, lying and being in the Township of Bloom, Clearfield County, Pennsylvania being bounded and described as follows:

BEGINNING at a point in the centerline of Irishtown Road (S.R. 3011). Said point being the Southeast corner of the lot herein described and the Southeast corner of the tract of land from which this lot is being conveyed; thence from the said point of beginning, along the centerline of Cramer Road (T-348) and along other lands of Vernon E. and Kathleen M. Dunworth, South $89^{\circ} 18' 19''$ West 234.00 feet to a point in the centerline of Cramer Road (T-348); thence through a 1" iron pipe 17.00 feet from the centerline of Cramer Road (T-348) and through lands of Vernon E. and Kathleen M. Dunworth, North 559.92 feet to a 1" iron pipe; thence through lands of Vernon E. and Kathleen M. Dunworth, East 233.98 feet to a 1" iron pipe; thence along lands of Dallas L. and Carol A. Ferrel, along lands of John E. and Victoria M. Mahlon and through a 1 1/4" iron pin 23.22 feet from the centerline of Irishtown Road (S.R. 3011), South 787.45 feet to a point in the centerline of Irishtown Road (S.R. 3011), the said place of beginning. Containing 130,680 square feet, 3.000 acres.

SUBJECT TO all exceptions, reservations, easements and rights of way which may appear of record.

2. That the right of the Plaintiffs, **VERNON E. DUNWORTH** and **KATHLEEN M. DUNWORTH**, in the said premises are at all times superior to the rights of said named Defendants and that the

Plaintiffs' have title in fee simple to the said premises described above against the said Defendants.

3. That the Defendants, **S. O. SIGWORTH, H. H. SPENCER, and JAMES E. GEARHART**, their heirs, devisees, executors, administrators, assigns and successors, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, are forever barred from asserting any right, title, lien or interest inconsistent with the interest of the claim of the Plaintiffs as set forth in their complaint in and to the following premises situate in Bloom Township, Clearfield County, Pennsylvania, being bounded and described as follows, to wit:

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

BEGINNING at a point in the centerline of Irishtown Road (S.R. 3011). Said point being the Southeast corner of the lot herein described and the Southeast corner of the tract of land from which this lot is being conveyed; thence from the said point of beginning, along the centerline of Cramer Road (T-348) and along other lands of Vernon E. and Kathleen M. Dunworth, South $89^{\circ} 18' 19''$ West 234.00 feet to a point in the centerline of Cramer Road (T-348); thence through a 1" iron pipe 17.00 feet from the centerline of Cramer Road (T-348) and through lands of Vernon E. and Kathleen M. Dunworth, North 559.92 feet to a 1" iron pipe; thence through lands of Vernon E. and Kathleen M. Dunworth, East 233.98 feet to a 1" iron pipe; thence along

lands of Dallas L. and Carol A. Ferrel, along lands of John E. and Victoria M. Mahlon and through a 1 1/4" iron pin 23.22 feet from the centerline of Irishtown Road (S.R. 3011), South 787.45 feet to a point in the centerline of Irishtown Road (S.R. 3011), the said place of beginning. Containing 130,680 square feet, 3.000 acres.

SUBJECT TO all exceptions, reservations, easements and rights of way which may appear of record.

4. That the right of Plaintiffs, **DEAN A. DUNWORTH and CYNTHIA R. DUNWORTH**, in the said premises are at all times superior to the rights of said named Defendants and that the Plaintiffs have title in fee simple to the said premises described above against the said Defendants.

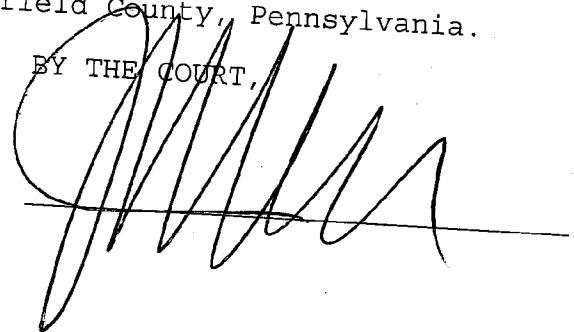
5. That the Defendants or any person claiming under them shall be forever enjoined from setting up any title to the premises of the Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the titled to the Plaintiffs to said premises.

6. That the thirty (30) day provision for filing exceptions in Pa. R.C.P. 1066(b)(1) be modified so as to eliminate the said thirty (30) day rule pursuant to PA. R.C.P. 248.

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

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

BY THE COURT,

A handwritten signature in black ink, appearing to be a stylized 'J' or 'L' shape, is written over a horizontal line. To the left of the signature, the text 'BY THE COURT,' is printed in a smaller, sans-serif font.

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

VERNON E. DUNWORTH, KATHLEEN
M. DUNWORTH, DEAN A.
DUNWORTH, and CYNTHIA R.
DUNWORTH,

Plaintiffs

vs.

S. O. SIGWORTH, H. H.
SPENCER, and JAMES E.
GEARHART, their heirs,
devisees, executors,
administrators, assigns,
and successors, and all
persons, persons, firms and
partnerships or corporate
entities in interest of their
legal representatives,
Defendants.

ORDER

FILED 2CC
01/20/03 BY Atty Blakley
MAR 20 2003 QKPS
William A. Shaw
Prothonotary

LAW OFFICES
BLAKLEY & JONES
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801