

2003-213-CD  
LYNN M. SHOPE ETAL VS KENNETH C. SHOPE ETAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
\*  
-vs- \*  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

03-213-CD

No.

EQU.

Type of Action:  
Civil

Type of Pleading:  
Complaint in Equity-Partition

Filed on Behalf of:  
Plaintiff

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

Richard H. Milgrub, Esquire  
Supreme Court I.D. 19865

The Law Offices of  
Richard H. Milgrub  
211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

FILED

FEB 18 2003

William A. Shaw  
Prothonotary

MARCH 27, 2003 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

WA  
Deputy Prothonotary

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

**FILED**

10/21/83  
FBI/DOJ

W.M. McMillan  
FBI/DOJ

Document  
Bureau of Alcohol, Tobacco and Firearms  
for Service

Deputy Postmaster

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

NOTICE TO DEFEND AND CLAIM RIGHTS

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 (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641

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109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, *		
husband and wife, *		
Plaintiffs *		
	*	
-vs-	*	No. EQU.
	*	
KENNETH C. SHOPE, RONALD D. *		
SHOPE and REID C. SHOPE, *		
Defendants *		

COMPLAINT

AND NOW, come the Plaintiffs, Lynn M. Shope and Mary Shope, by and through their attorneys, Brian K. Marshall, Esquire, and Richard H. Milgrub, Esquire, who request that the Honorable Court Order a partition of the property hereinafter described, and in support thereof aver as follows:

1. Plaintiff, Lynn M. Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

2. Plaintiff, Mary Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

3. Defendant, Kenneth C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, residing at Box 171, Irvona, Clearfield County, Pennsylvania 16656.

4. Defendant, Ronald D. Shope, is an adult individual, and citizen of the State of North Carolina, currently

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residing at 107 West Dorothy Lane, Pikesville, North Carolina 27863.

5. Defendant, Reid C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, currently residing at RR 2, Box 244, Tyrone, Blair County, Pennsylvania, 16617.

6. Plaintiffs and Defendants are the owners of certain real estate in Beccaria Township, Clearfield County as described below, and all the interests of the parties in the property with the exception of those held jointly by Lynn and Mary Shope, are held as tenants in common and are undivided, with the following persons owning the following proportionate interest:

- a. Lynn M. Shope and Mary Shope, Plaintiffs, 19/26
- b. Kenneth C. Shope, Defendant, 3/26
- c. Ronald D. Shope, Defendant, 1/13
- d. Reid C. Shope, Defendant, 1/13

7. The subject real property is more particularly described as follows:

**ALL** those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen;

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thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

8. The property previously described was initially distributed from the Estate of Marlin B. Shope, a/k/a Marlin Benjamin Shope, deceased, No. 93-426, in the Orphans' Court Division of the Court of Common Pleas of Clearfield County on November 2, 1998, to the following intestate heirs: Susan R. Alstadt, Ruth H. Orichosky, Ronald D. Shope, Robert J. Shope, Louise Kutruff, Joan M. Singleton, Reid C. Shope, Beverly J. Bupp, Anna C. Baldwin, Mary J. Sinclair, June L. Laughard, Lynn M. Shope and Kenneth C. Shope. A copy of the Decree of Distribution is attached hereto and marked Exhibit A.

9. Since that date and time, the following persons have transferred the following interests:

a. By Deed dated the 5<sup>th</sup> day of January, 1999, Ruth H. Orichosky, and Henry A. Orichosky, her husband, transferred their interest to Lynn M. Shope and Kenneth C. Shope equally as tenants in common. Said Deed being recorded in the Recorder of

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Deeds Office at Clearfield County as Instrument Number 199909937.

A copy of said Deed is attached and marked Exhibit B.

b. By Deed dated the 10<sup>th</sup> day of March, 2001, June Laughard, and William Laughard, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200104799. A copy of said Deed is attached and marked Exhibit C.

c. By Deed dated the 6<sup>th</sup> day of May, 2001, Joan M. Singleton, and James Singleton, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200107298. A copy of said Deed is attached and marked Exhibit D.

d. By Deed dated the 12<sup>th</sup> day of August, 2002, Beverly Bupp transferred her interest to Lynn M. Shope, and Mary Shope, his wife. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213141. A copy of said Deed is attached and marked Exhibit E.

e. By Deed dated the 12<sup>th</sup> day of August, 2002, Mary J. Sinclair, and Robert Sinclair, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213140. A copy of said Deed is attached and marked Exhibit F.

f. By Deed dated the 13<sup>th</sup> day of August, 2002, Anna C. Baldwin, and George Baldwin, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being

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recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213139. A copy of said Deed is attached hereto and marked Exhibit G.

g. By Deed dated the 20<sup>th</sup> day of August, 2002, Louise M. Kutruff, and George M. Kutruff, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield Count as Instrument Number 200213491. A copy of said Deed is attached hereto and marked Exhibit H.

h. By Deed dated the 31<sup>st</sup> day of August, 2002, Susan R. Alstadt, and James Alstadt, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200214364. A copy of said Deed is attached hereto and marked Exhibit I.

i. By Deed date the 28<sup>th</sup> day of October, 2002, Robert J. Shope, and Michelle L. Shope, his wife, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200218342. A copy of said Deed is attached hereto and marked Exhibit J.

10. No other persons than the parties to this suit has any interest in the property.

11. No partition or division of the property has ever been made.

12. The Decree of Distribution from the Estate of Marlin B. Shope, attached hereto and marked as Exhibit A, evidences, in Subpart B, a lien in the amount of \$9,720.40 in

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favor of Plaintiff, Lynn M. Shope, for funds loaned to the Estate in order to pay administrative expenses, inheritance taxes and real estate taxes due in the Estate.

13. The aforesaid lien in the amount of \$9,720.40, together with interest from the date of the Decree of Distribution, November 2, 1998, constitutes a charge against the above-described real property and is payable by the distributees, their heirs and assigns equally to Lynn M. Shope as aforesaid upon demand of Lynn M. Shope or at the sale or partitioning of the above-described real property or upon judgment of a competent Court of jurisdiction in a civil action brought by any party in interest.

14. Lynn M. Shope, in purchasing the interests referred to in Paragraph 8 above, agreed to forgive the lien against those Grantors who sold their interest to him through the Deeds attached hereto and marked Exhibits B through J.

15. Lynn M. Shope still maintains liens against Defendants, Kenneth C. Shope, Ronald D. Shope and Reid C. Shope based upon the undivided proportionate interest each owns in the property, as stated in the Decree of Distribution.

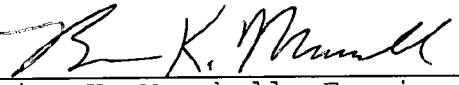
16. Said liens are in the amount of \$747.73 each against Defendants, Ronald D. Shope and Reid C. Shope, representing their proportionate one-thirteenth (1/13) interest in the property.

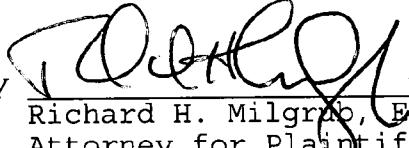
17. Said lien maintained against Defendant, Kenneth C. Shope, is in the amount of \$1,121.59, representing the three-twenty-sixth (3/26) interest that is currently owned by Kenneth C. Shope.

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—  
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WHEREFORE, Plaintiff, Lynn M. Shope, requests the Honorable Court to:

- a. decree partition of the real estate;
- b. determine the share or shares to which your respective parties are entitled be set out to them in severalty and that all proper and necessary conveyances and assurances be executed preparing such partition into effect, and that, if the real estate cannot be divided without prejudice to or spoiling the whole, such proper and necessary sale or sales of the same may be made by such persons and in such manner as the Court may direct;
- c. Order the Defendants to pay their proportionate share of the outstanding lien amount as set forth previously; and
- d. Order such other and further relief be granted as the Court deems just and proper.

By   
Brian K. Marshall, Esquire  
Attorney for Plaintiff

By   
Richard H. Milgrub, Esquire  
Attorney for Plaintiff

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VERIFICATION

We, Lynn M. Shope and Mary Shope, verify that the statements made herein are true and correct. We understand that false statements herein are made subject to penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 2-6-03

Lynn M. Shope

Date: 2-6-03

Mary L. Shope

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

RE: Estate of MARLIN B. SHOPE, \*  
a/k/a MARLIN BENJAMIN SHOPE, \*  
Deceased \* No. 93-426

DECREE OF DISTRIBUTION

AND NOW, to wit: this 2nd day of November, 1998, the First and Final Account of Kenneth C. Shope and Lynn M. Shope, Co-Administrators of the above-captioned estate, having been filed, together with a Certificate of Notice as provided for by Clfd. O.C.R. 6.3A and a Statement of Proposed Distribution provided for by Clfd. O.C.R. 6.3B, no exceptions or objections having been filed thereto.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED that the First and Final Account including Statement of Proposed Distribution shall be and is hereby approved and confirmed nisi; and further, that unless exceptions or objections to this decree nisi are filed within ten (10) days from the date hereof, this Court shall confirm the First and Final Account absolutely, as of course, and it shall be deemed confirmed absolutely without further action by the Court and the said Co-Administrators, following distribution of the net balance in their hands, pursuant to this decree, shall be and are hereby released from all liability on account of their appointment as co-administrators; and further, it is ORDERED, ADJUDGED, and DECREED that the property, real and personal, constituting the net balance of the estate in the hands of the Co-Administrators for distribution as set forth in the First and Final Account, specifically, property having an inventory value of \$34,100.00, shall be and is hereby distributed as follows:

A. Tangible Personal Property:

The following described tangible personal property hereby is distributed equally as tenants in common to: Kenneth C. Shope, Lynn M. Shope, Susan R. Alstadt, Ronald D. Shope, Louise Nutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orlchesky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair:

1.	1954 Ford tractor	200.00
2.	Hay bailer	200.00
3.	Miscellaneous farm machinery, including 1954 Ford tractor, plows, harrows, cultivator, and disc	1,500.00
4.	Riding lawn mower	800.00
5.	Miscellaneous hand & garden tools	100.00
6.	1978 Ford 2-wd half ton pick- up truck	250.00
7.	1979 Lincoln coupe	500.00
8.	One lot of misc. household goods	470.00
		4,020.00

B. Real Estate Distribution Schedule:

ALL of the right, title, interest, chose's in action, and claims of whatsoever nature of which the decedent, Marlin B. Shope a/k/a Marlin Benjamin Shope, died seized in and to that certain parcel of land situate in Beccaria Township, Clearfield County, Pennsylvania as described in the Inventory filed in this estate and as more fully hereinafter described hereby is distributed equally as tenants in common to decedent's children: Kenneth C. Shope, Lynn M. Shope, Susan E. Alstadt, Ronald D. Shope, Louise Kutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Eupp, and Mary J. Sinclair; provided however, said real property shall be and is hereby distributed subject to a judicial lien in favor of Lynn M. Shope, his heirs, executors, administrators, and assigns, in the amount of \$9,720.47, being the amount which the decedent's estate owes Lynn M. Shope for funds loaned to the estate in order to pay administrative expenses, inheritance taxes, and real estate taxes due in the estate.

The real property of which the decedent died seized and is distributable from this estate is more fully bounded and described as follows:

ALL of those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres.

THE SECOND THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence

East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

THE THIRD THEREOF: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

The aforesaid lien in the amount of \$9,720.47, together with interest from the date of this Decree, at the legal rate, shall constitute a charge against the above-described real property and is payable by the above named distributees, their heirs and assigns, equally to Lynn M. Shope as aforesaid, upon demand of Lynn M. Shope, his heirs or assigns, or at the time of the sale or partitioning of the above-described real property or upon judgment of a competent court of jurisdiction in a civil action brought by any party in interest.

BEING the same premises which John Holler, widower, by Deed dated November 1, 1958 and recorded in the Recorder's Office of Clearfield County, Pennsylvania on April 24, 1963 in Deed Book Volume 311, page 191, granted and conveyed unto Marlin Shope and Mayme Shope, husband and wife. The said Mayme Shope died a resident of Clearfield County, Pennsylvania on March 9, 1980 thereby vesting exclusive title to the premises in her surviving spouse, Marlin Shope, decedent herein.

\$3,100.00

TOTAL NET BALANCE DISTRIBUTED: \$34,120.00

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

BY THE COURT:

John K. Petty, Jr.

Judge

NOV 3 1998

*John K. Petty*  
Judge of Wills, Rec. of Deeds & Ct. of Orphans' Court

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY, PA  
Pennsylvania

INSTRUMENT NUMBER  
199909937

RECORDED ON

JUN 16, 1999  
12:06:47 PM

RECORDING FEES - \$13.00  
RECORDER  
COUNTY IMPROVEMENT \$1.00  
FUND  
RECORDER \$1.00  
IMPROVEMENT FUND  
STATE WRIT TAX \$0.50  
TOTAL \$15.50

County Parcel No. 101-J17-71

RECD

MADE the 5<sup>th</sup> day of JANUARY in the year nineteen hundred and ninety-nine (1999).

BETWEEN RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, of Box 433, Coalport, Clearfield County, Pennsylvania 16627, parties of the first part, hereinafter referred to as the "GRANTORS";

-and-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627; and KENNETH C. SHOPE of Box 171, Iriona, PA 16656, equally as tenants in common, parties of the second part, hereinafter referred to as the "GRANTEES."

WITNESSETH, that in consideration of the sum of One (\$1.00) Dollar, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees equally, as tenants in common, their heirs, executors, administrators, and assigns forever,

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of begin-

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The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole) which vested in Ruth H. Orichosky, formerly Ruth H. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the *Intestate Laws of the Commonwealth of Pennsylvania* to the heirs at law of Marlin Shope, deceased, including Ruth H. Orichosky. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 23E. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Ruth H. Orichosky acquired an interest in the above described premises and her husband, Henry A. Orichosky, joins herein for the purpose of conveying such interest as he may have in the above described premises, if any, to the Grantees herein.

By acceptance and recording of this instrument, the Grantees acknowledge their intent that the premises conveyed herein be held by each of them equally, absolutely, as tenants in common.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHERS AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, ti-

tle, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type

Witness:

Mary J. Shope

Lynn M. Shope

Mary L. Zimmerman

Kenneth C. Shope

This 14<sup>th</sup> day of June, 1999

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Helen C. Shank

Ruth H. Orichosky (SEAL)

Helen C. Shank

Ruth H. Orichosky

Henry A. Orichosky (SEAL)

Henry A. Orichosky

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residences of the Grantees herein are as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

Kenneth C. Shope  
Box 171  
Irsvona, PA 16656

John Sughrue  
John Sughrue, Esquire  
Attorney or Agent for Grantees

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

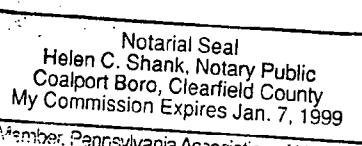
On this, the 5<sup>th</sup> day of January, 1998, before me, the undersigned authority, personally appeared RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

1999

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Helen C. Shank  
Notary Public

My Commission Expires:



Member, Pennsylvania Association of Notaries

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
PA-PENNSYLVANIA

INSTRUMENT NUMBER  
200104799

RECORDED ON

APR 06, 2001  
1:51:43 PM

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER	\$1.00
IMPROVEMENT FUND	
STATE WRIT TAX	\$0.50
TOTAL	\$15.50

SUGHRUE, JOHN  
CUSTOMER

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 10<sup>th</sup> day of MARCH in the year two thousand one (2001)

BETWEEN June L. Laughard and William Laughard, her husband, of 529 Hughes Drive, Tallmadge, OH 44728, parties of the first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Eight hundred sixty-two and thirty-five (\$862.35) Dollars, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hun-

dred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including June L. Laughard, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, June L. Laughard acquired an interest in the above described premises and her husband, William Laughard, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

Mary L. Shoppe

Lynn M. Dugay

Lynn M. Shoppe

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will SPECIALLY warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

June L. Laughard

William Laughard

JS/N.T.S.

June L. Laughard (SEAL)

William Laughard (SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

John Sughrue, Esquire  
Attorney for Grantee

STATE OF OHIO

:

SS.

COUNTY OF Monroe

:

On this, the 10<sup>th</sup> day of March, 2001, before me, the undersigned authority, personally appeared June L. Laughard and William Laughard, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sheri L. Dier  
Notary Public

My Commission Expires: Oct 25, 2001

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER

200107298

RECORDED ON

May 16, 2001  
1:35:19 PM

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER IMPROVEMENT FUND	\$1.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$15.50</b>
CUSTOMER	
SUGIRUE, JOHN	

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 6 day of May in the year two thousand one  
(2001)

BETWEEN Joan M. Singleton and James Singleton, her husband, of  
3223 University Blvd., S. Jacksonville, FL 32216, parties of the  
first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, P. O., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Nine Hundred and Fourteen and Ten (\$914.10) Dollars, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W.

G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/16 ownership in the whole), which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1993, absolute November 12, 1996, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Joan M. Singleton, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Joan M. Singleton acquired an interest in the above described premises and her husband, James Singleton, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

**TOGETHER** with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

May L Shope

Lynn M Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Joan M. Singleton SEAL  
Joan M. Singleton

James Singleton (SEAL)  
James Singleton

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 60, P. O.  
Coalport, PA 16627

John Sughrue, Esquire  
Attorney for Grantee

STATE OF FLORIDA

:

: SS.

COUNTY OF Duval

:

On this, the 6th day of May, 2001, before me, the undersigned authority, personally appeared Joan M. Singleton and James Singleton, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

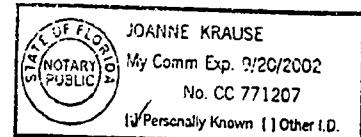
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

Joanne Krause  
Notary Public

My Commission Expires:

September 20, 2002



KAREN L. STARCK  
 REGISTER AND RECORDER  
 CLEARFIELD COUNTY  
 Pennsylvania  
 INSTRUMENT NUMBER  
 200213141  
 RECORDED ON  
 AUG 16, 2002  
 2:51:10 PM  
 Total Pages: 4  
 RECORDING FEES - \$17.00  
 RECORDER  
 COUNTY IMPROVEMENT FUND \$2.00  
 RECORDER IMPROVEMENT FUND \$3.00  
 STATE MWT TAX \$0.50  
 TOTAL \$18.50  
 CUSTOMER  
 MILGRUB, RICHARD

County Parcel No.  
101-J17-71

THIS DEED

MADE the 12<sup>th</sup> day of August in the year two thousand two  
 (2002)

BETWEEN BEVERLY BUPP, a single individual, of R.D. 4, Box 118,  
 Tyrone, PA 16686, party of the first part, hereinafter referred to  
 as the "GRANTOR";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
 Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
 of the second part, hereinafter referred to as the "GRANTEES".

WITNESSETH, that in consideration of the sum of One Thousand  
 Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
 valuable consideration, in hand paid the receipt whereof is hereby  
 acknowledged, the said Grantors do hereby grant and convey unto  
 the Grantees, their heirs, executors, administrators, and assigns  
 forever.

ALL those three certain tracts of land situate in the Township of  
 Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
 and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
 or formerly of John Litz Estate; thence West by lands now or  
 formerly of said John Litz Estate forty (40) perches to a post;  
 thence by land now or formerly of W. G. Croyle North twenty (20)  
 perches to a post; thence East forty (40) perches to a post;  
 thence by land now or formerly of John Litz Estate twenty (20)  
 perches to the place of beginning. Believed to contain five (5)  
 acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
 or formerly of John Litz Estate; thence West by five acre piece  
 above described and land now or formerly of W. G. Croyle one  
 hundred three (103) perches to the ash corner now or formerly of  
 W. G. Croyle in line of land now or formerly of G. W. Dillen;  
 thence North by line of land now or formerly of G. W. Dillen  
 forth-two (42) perches to a chestnut; thence East one hundred  
 three (103) perches to a stone heap; thence by land now or  
 formerly of John Litz Estate South forth-two (42) perches to the  
 place of beginning. Believed to contain twenty-five (25) acres  
 and seventy-one (71) perches, more or less.

Exhibit E

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Beverly J. Bupp, formerly Beverly J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws of the Commonwealth of Pennsylvania* to the heirs at law of Marlin Shope, deceased including Beverly J. Bupp, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238.

**THIS IS A CONVEYANCE FROM SISTER TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, **FOREVER**.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owner of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
~~in the presence of:~~

in the presence of:

Beverly J. Bupp  
Beverly J. Bupp

(SEAL)

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein  
is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

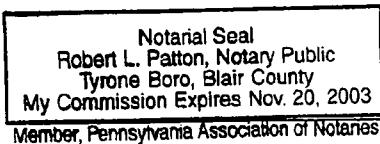
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF PENNA )  
COUNTY OF BLAIR ) :ss

On this, the 12<sup>th</sup> day of Aug, 2002, before me, the undersigned officer, personally appeared BEVERLY J. BUPP and RONALD BUPP, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213140

RECORDED ON  
AUG 16, 2002  
2:51:09 PM  
Total Pages: 4

MILGROB, RICHARD	CUSTOMER
RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$2.00
FUND	
RECORDER	\$3.00
IMPROVEMENT FUND	
STATE WRIT TAX	\$0.50
TOTAL	\$18.50

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 12 day of Aug. in the year two thousand two  
(2002)

BETWEEN MARY J. SINCLAIR and ROBERT SINCLAIR, her husband, of 2021  
Muncy Road, State College, PA 16801, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit F

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Mary J. Sinclair, formerly Mary J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Mary J. Sinclair, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Mary J. Sinclair acquired an interest in the above described premises and her husband, Robert Sinclair, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Polly G. Brooks Mary J. Sinclair (SEAL)  
Mary J. Sinclair

Polly G. Brooks Robert Sinclair (SEAL)  
Robert Sinclair

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

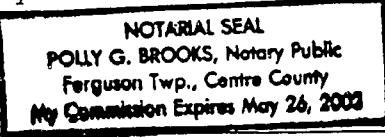
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania) :ss  
COUNTY OF Centre)

On this, the 12<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared MARY J. SINCLAIR and ROBERT SINCLAIR, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Polly G. Brooks

KAREN L. STARCK  
REGISTER AND RECORDER  
- CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213139  
RECORDED ON  
AUG 16, 2002  
2:51:08 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 13 day of August in the year two thousand two  
(2002)

BETWEEN ANNA C. BALDWIN and GEORGE BALDWIN, her husband, of 1407  
W. 37th Street, Erie, PA 16508, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit G

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Anna C. Baldwin, formerly Anna C. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Anna C. Baldwin, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Anna C. Baldwin acquired an interest in the above described premises and her husband, George Baldwin, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Anthony Mumm Anna C Baldwin (SEAL)  
Anna C. Baldwin

Anthony Mumm George C Baldwin (SEAL)  
George Baldwin

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

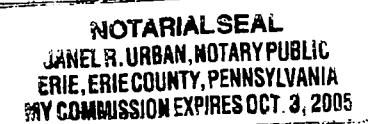
STATE OF PA)  
:ss  
COUNTY OF Erie)

On this, the 13 day of August, 2002, before me, the undersigned officer, personally appeared ANNA C. BALDWIN and GEORGE BALDWIN, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: Oct 3 2005

Janel R Urban



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213491  
RECORDED ON  
Aug 23, 2002  
2:53:15 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 20<sup>th</sup> day of August in the year two thousand two (2002)

BETWEEN LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, her husband, of 3913 Stanley Avenue, Erie, PA 16504, parties of the first part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

Exhibit H

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Louise M. Kutruff, formerly Louise M. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Louise M. Kutruff, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Louise M. Kutruff acquired an interest in the above described premises and her husband, George M. Kutruff, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## **NOTICE**

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Janel R Urban

Louise M. Kutruff (SEAL)  
Louise M. Kutruff

Janel R Urban

George M. Kutruff (SEAL)  
George M. Kutruff

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania )  
COUNTY OF Erie ) :ss

On this, the 20<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

Sept. 26<sup>th</sup>, 2005

Jennie E. Hirrod

Notarial Seal  
Jennie E. Hirrod, Notary Public  
City of Erie, Erie County  
Commission Expires Sept. 26, 2005

KATHEN L. STARK  
RECLERK AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
2200214354  
RECORDED ON  
10/1/2002  
2:40:01 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 31<sup>st</sup> day of August in the year two thousand two  
(2002)

BETWEEN SUSAN R. ALDSTADT and JAMES ALDSTADT, her husband, of  
13543 Market Avenue N, Hartford, OH 44632, parties of the first  
part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Susan R. Aldstadt, formerly Susan R. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Susan R. Aldstadt, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Susan R. Aldstadt acquired an interest in the above described premises and her husband, James Aldstadt, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Bernadette Maurer Susan R. Aldstadt (SEAL)  
Susan R. Aldstadt

Bennie Miller James R. Aldstadt (SEAL)  
James Aldstadt

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Ohio )  
COUNTY OF Stark ) :ss

On this, the 31<sup>st</sup> day of August, 2002, before me, the undersigned officer, personally appeared SUSAN R. ALDSTADT and JAMES ALDSTADT, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

BERNADETTE R. MAURER  
Notary Public, State of Ohio  
My Commission Expires Aug. 21, 2006

Bernadette Maurer

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
210218342  
RECORDED ON  
NOV 12, 2002  
2:54:41 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 15 day of October in the year two thousand two  
(2002)

BETWEEN ROBERT J. SHOPE and MICHELLE L. SHOPE, his wife, of 810 W.  
6th Street, Payen, Arkansas 72128, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Semple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; On the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay as fully as are reserved in prior deed.

TOGETHER with all right, privileges, title, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Robert J. Shope, one of the Grantors herein, by virtue of the death of his father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree Robert J. Shope acquired an interest in the above described premises and his wife, Michelle L. Shope, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM BROTHER AND SISTER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Robert J. Shope (SEAL)  
Robert J. Shope

Michelle L. Shope (SEAL)  
Michelle L. Shope

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Semple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania )  
:ss  
COUNTY OF Potter )

On this, the 28th day of October, 2002, before me, the undersigned officer, personally appeared ROBERT J. SHOPE and MICHELLE L. SHOPE, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

10/9/2007

Janet G. Gaff

FILED

01/30/04  
FEB 18 2003

Atty milgrub  
ad 85.00

3cc Atty's Marshall & Milgrub

William A. Shaw  
Prothonotary

RICHARD H. MILGRUB

Attorney & Counselor at Law

211 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. 03-213-CD  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

Type of Pleading:  
Praecipe to Reinstate Complaint

Filed on Behalf of:  
Plaintiffs

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

**FILED**

MAR 27 2003

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. 03-213-CD  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Please reissue the Plaintiffs' Complaint in the above-captioned matter.

Date: 3/27/03



Brian K. Marshall, Esquire

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

**FILED**

01/30/04  
MAR 27 2003

William A. Shaw  
Prothonotary

Any pd.  
7.00 *(initials)*

I Re-instated  
to Sheriff

RICHARD H. MILGRUB

*Attorney & Counselor at Law*

211 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

SHOPE, LYNN M. & MARY

Sheriff Docket # 13731

VS.

03-213-CD

SHOPE, KENNETH C. al

COMPLAINT IN EQUITY-PARTITION

SHERIFF RETURNS

NOW MARCH 3, 2003, LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN EQUITY ON REID C. SHOPE, DEFENDANT.

NOW MARCH 5, 2003 SERVED THE WITHIN COMPLAINT IN EQUITY ON REID C. SHOPE, DEFENDANT BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED REID SHOPE.

NOW MARCH 3, 2003, WAYNE COUNTY SHERIFF, N.C. WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN EQUITY ON RNOALD SHOPE, DEFENDANT.

NOW APRIL 3, 2003 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN EQUITY ON RONALD SHOPE, DEFENDANT BY DEPUTIZING THE SHERIFF OF WAYNE COUNTY, N.C. THE RETURN OF THE WAYNE COUNTY SHERIFF IF HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "MOVED ACCORDING TO NEIGHBORS MONTTH AGO".

NOW MAY 6, 2003 RETURN THE WITHIN COMPLAINT IN EQUITY "NOT SERVED, TIME EXPIRED" AS TO KENNETH C. SHOPE, DEFENDANT.

FILED  
APR 01 3:45 PM  
MAY 08 2003  
cc

William A. Shaw  
Prothonotary

---

Return Costs

Cost	Description
57.76	SHERIFF HAWKINS PAID BY: ATTY CK# 21285
30.00	SURCHARGE PAID BY: ATTY CK# 21289
32.00	BLAIR CO. SHFF. PAID BY: ATTY CK# 21287
<u>5.00</u>	WAYNE CO. N.C. PAID BY: ATTY CK# 21288
124.76	

---

Sworn to Before Me This

8<sup>th</sup> Day Of May 2003

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,

Chester Hawkins  
by Mary H. Hause

Chester A. Hawkins

Sheriff

# **SHERIFF'S DEPARTMENT**

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN										INSTRUCTIONS: Print legibly, insuring readability of all copies. Do not detach any copies. BCSD ENV. #									
1. PLAINTIFF / S / <i>Lynn M &amp; Mary Shape</i>										2. COURT NUMBER <i>03-213-CO / 60596T</i>									
3. DEFENDANT / S / <i>Kenneth C Shape et al</i>										4. TYPE OF WRIT OR COMPLAINT <i>Complaint in Equity</i>									
SERVE  AT		5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Reid E. Shape</i>																	
		6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>Re 2 Box 244 Tyrone Pa 16686</i>																	
7. INDICATE UNUSUAL SERVICE:		<input checked="" type="checkbox"/> PERSONAL <input checked="" type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER																	
NOW, _____, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.																			
SHERIFF OF BLAIR COUNTY																			
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:																			
<p>NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.</p>																			
9. SIGNATURE of ATTORNEY or OTHER ORIGINATOR REQUESTING SERVICE on behalf of: <i>Deputy of Bedford County Richard H Milgrub Esquire</i>										10. TELEPHONE NUMBER <i>814 765 1717</i>	11. DATE								
<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT																			
SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE																			
12. I acknowledge receipt of the writ or complaint as indicated above.										13. Date Received <i>3-4-03</i>					14. Expiration/Hearing date <i>3-20-03</i>				
15. I hereby CERTIFY and RETURN that <input type="checkbox"/> have personally served, <input type="checkbox"/> have served person in charge, <input type="checkbox"/> have legal evidence of service as shown in "Remarks" (on reverse) <input type="checkbox"/> have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing or Posting a TRUE and ATTESTED COPY thereof.																			
16. <input type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)										18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/>					Read Order <input type="checkbox"/>				
17. Name and title of individual served <i>Reid Shape</i>																			
19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>SPMR</i>										20. Date of Service <i>3-5-03</i>	21. Time <i>1920</i>								
22. ATTEMPTS																			
23. Advance Costs <i>50.00 Rec'd 106653 8/10 30.00 24. Not 2.00 32.00 28. COST DUE OR REFUND 118.00</i>																			
27. Total Costs																			
30. REMARKS																			
AFFIRMED and subscribed to before me this <i>21st</i> day of <i>April</i> , <i>2003</i> <i>Carol Green</i> Notary Seal ROTARY PUBLIC Holidaysburg Boro, Blair County										SO ANSWER.									
By (Sheriff/Dep. Sheriff) (Please Print or Type) <i>Terry T. Hagan</i> Signature of Sheriff										Date <i>3-5-03</i>									
MY COMMISSION EXPIRES <i>Apr. 3, 2007</i>										39. Date Received									
I ACKNOWLEDGE Member Pennsylvania Association of Notaries SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE.																			

## **SHERIFF'S RETURN OF SERVICE**

( ) (1) The within \_\_\_\_\_ upon \_\_\_\_\_, the within named defendant by mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid \_\_\_\_\_ on the \_\_\_\_\_, a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_ defendant on the \_\_\_\_\_ is hereto attached and made part of this return.

( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and attested copy thereof at \_\_\_\_\_

in the following manner.

( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested, postage prepaid, addressee only on the \_\_\_\_\_ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

( ) (3) By publication in a daily publication of general circulation in the County of Blair Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing \_\_\_\_\_

The affidavit from said publication is hereto attached.

( ) (4) By mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid, \_\_\_\_\_ on the \_\_\_\_\_ a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal Authorities marked \_\_\_\_\_ is hereto attached.

( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Office of the Sheriff

13731



SHERIFF  
CAREY A. WINDERS

P.O. Box 1877  
207 E. Chestnut St.  
Goldsboro, NC 27533

## AFFIDAVIT OF SERVICE

COUNTY OF WAYNE

Lynn Shope  
PLAINTIFF

VS

Kenneth Shope  
DEFENDANT

A. E. Greene, BEING DULY SWORN, DEPOSED AND SAYS  
THAT HE IS A DEPUTY SHERIFF OF WAYNE COUNTY, AUTHORIZED AND QUALIFIED TO SERVE  
CIVIL PROCESS PAPERS ON INDIVIDUAL DEFENDANTS FOUND IN THIS COUNTY. THAT ON THE

\_\_\_\_\_, DAY OF \_\_\_\_\_, 20\_\_\_\_\_.  
HE SERVED THE FOREGOING SUMMONS AND / OR COMPLAINT IN THE FOLLOWING MANNER:

ON \_\_\_\_\_, AT THE FOLLOWING PLACE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( ) BY DELIVERING A COPY OR COPIES TO HIM / HER PERSONALLY.  
( ) BY LEAVING A COPY OR COPIES WITH \_\_\_\_\_

AT \_\_\_\_\_  
 THE DEFENDANT WAS NOT SERVED FOR THE FOLLOWING REASON(S)  
Neighbors stated he moved about month  
or so ago

THIS 3rd DAY OF April, 20 03.

SWORN TO AND SUBSCRIBED BEFORE ME,

John D. Winder MY COMMISSION EXPIRES: January 28, 2006  
NOTARY PUBLIC

CAREY A. WINDERS, SHERIFF

BY: Carey A. Winder  
DEPUTY SHERIFF

"Dedicated to Serving the Citizens of Wayne County"



# Sheriff's Office Clearfield County

OFFICE (814) 765-2641  
AFTER 4:00 P.M. (814) 765-1533  
CLEARFIELD COUNTY FAX  
(814) 765-5915

CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE  
1 NORTH SECOND STREET, SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830

Robert Snyder  
CHIEF DEPUTY  
Cynthia Aughenbaugh  
OFFICE MANAGER

MARILYN HAMM  
DEPT. CLERK  
PETER F. SMITH  
SOLICITOR

## DEPUTATION

### IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LYNN M. SHOPE & MARY SHOPE

TERM & NO. 03-213-CD

VS

DOCUMENT TO BE SERVED:

KENNETH C. SHOPE al

COMPLAINT IN EQUITY-PARTITION

SERVE BY:

May 18, 2003  
3/20/03

RECEIVED  
3-28-03  
MAR 10 2003

Wayne County Sheriff's Office

**MAKE REFUND PAYABLE TO:**

RICHARD H. MILGRUB, ATTORNEY

60

**SERVE:** RONALD SHOPE

20059066

**ADDRESS:** 107 W. DOROTHY LANE, PIKESVILLE, NC. 27863

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF WAYNE COUNTY, N.C. to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 3<sup>rd</sup> Day of MARCH 2003

Respectfully,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY



**Certified Mail Provides:**

1313

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years
- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, dotach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

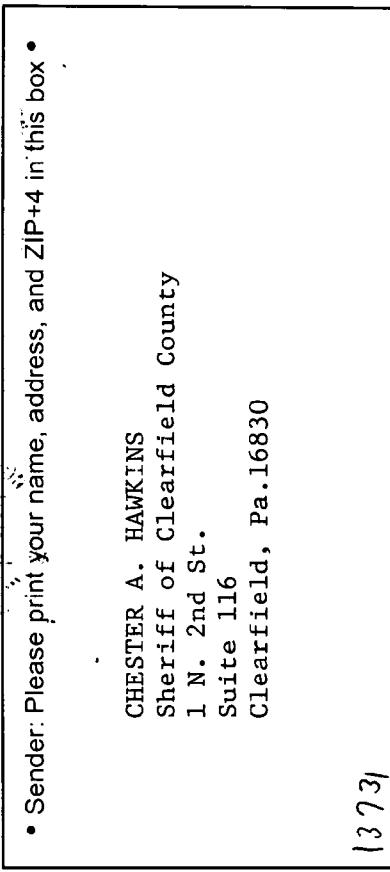
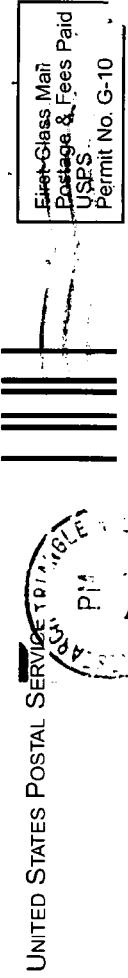
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressee to:**

WAYNE COUNTY SHFF. DEPT.  
207 E. Chestnut St.  
Goldsboro, NC 27530-4812

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**



02

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \*  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

No. 03-213-CD -EQU.

Type of Action:  
Civil

Type of Pleading:  
Complaint in Equity-Partition

Filed on Behalf of:  
Plaintiff

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

Richard H. Milgrub, Esquire  
Supreme Court I.D. 19865

The Law Offices of  
Richard H. Milgrub  
211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

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

FEB 18 2003

Attest.

*William L. Shaeffer*  
Prothonotary/  
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, *		
husband and wife, *		
Plaintiffs *		
	*	
-vs-	*	No. EQU.
	*	
KENNETH C. SHOPE, RONALD D. *		
SHOPE and REID C. SHOPE, *		
Defendants *		

NOTICE TO DEFEND AND CLAIM RIGHTS

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 (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

COMPLAINT

AND NOW, come the Plaintiffs, Lynn M. Shope and Mary Shope, by and through their attorneys, Brian K. Marshall, Esquire, and Richard H. Milgrub, Esquire, who request that the Honorable Court Order a partition of the property hereinafter described, and in support thereof aver as follows:

1. Plaintiff, Lynn M. Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

2. Plaintiff, Mary Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

3. Defendant, Kenneth C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, residing at Box 171, Irvona, Clearfield County, Pennsylvania 16656.

4. Defendant, Ronald D. Shope, is an adult individual, and citizen of the State of North Carolina, currently

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16630

—  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

residing at 107 West Dorothy Lane, Pikesville, North Carolina 27863.

5. Defendant, Reid C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, currently residing at RR 2, Box 244, Tyrone, Blair County, Pennsylvania, 16617.

6. Plaintiffs and Defendants are the owners of certain real estate in Beccaria Township, Clearfield County as described below, and all the interests of the parties in the property with the exception of those held jointly by Lynn and Mary Shope, are held as tenants in common and are undivided, with the following persons owning the following proportionate interest:

- a. Lynn M. Shope and Mary Shope, Plaintiffs, 19/26
- b. Kenneth C. Shope, Defendant, 3/26
- c. Ronald D. Shope, Defendant, 1/13
- d. Reid C. Shope, Defendant, 1/13

7. The subject real property is more particularly described as follows:

**ALL** those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen;

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

8. The property previously described was initially distributed from the Estate of Marlin B. Shope, a/k/a Marlin Benjamin Shope, deceased, No. 93-426, in the Orphans' Court Division of the Court of Common Pleas of Clearfield County on November 2, 1998, to the following intestate heirs: Susan R. Alstadt, Ruth H. Orichosky, Ronald D. Shope, Robert J. Shope, Louise Kutruff, Joan M. Singleton, Reid C. Shope, Beverly J. Bupp, Anna C. Baldwin, Mary J. Sinclair, June L. Laughard, Lynn M. Shope and Kenneth C. Shope. A copy of the Decree of Distribution is attached hereto and marked Exhibit A.

9. Since that date and time, the following persons have transferred the following interests:

a. By Deed dated the 5<sup>th</sup> day of January, 1999, Ruth H. Orichosky, and Henry A. Orichosky, her husband, transferred their interest to Lynn M. Shope and Kenneth C. Shope equally as tenants in common. Said Deed being recorded in the Recorder of

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RICHARD H. MILGRUB  
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CLEARFIELD, PA 16830

—  
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Deeds Office at Clearfield County as Instrument Number 199909937. A copy of said Deed is attached and marked Exhibit B.

b. By Deed dated the 10<sup>th</sup> day of March, 2001, June Laughard, and William Laughard, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200104799. A copy of said Deed is attached and marked Exhibit C.

c. By Deed dated the 6<sup>th</sup> day of May, 2001, Joan M. Singleton, and James Singleton, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200107298. A copy of said Deed is attached and marked Exhibit D.

d. By Deed dated the 12<sup>th</sup> day of August, 2002, Beverly Bupp transferred her interest to Lynn M. Shope, and Mary Shope, his wife. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213141. A copy of said Deed is attached and marked Exhibit E.

e. By Deed dated the 12<sup>th</sup> day of August, 2002, Mary J. Sinclair, and Robert Sinclair, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213140. A copy of said Deed is attached and marked Exhibit F.

f. By Deed dated the 13<sup>th</sup> day of August, 2002, Anna C. Baldwin, and George Baldwin, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being

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recorded in the Recorder of Deeds Office at Clearfield County as instrument Number 200213139. A copy of said Deed is attached hereto and marked Exhibit G.

g. By Deed dated the 20<sup>th</sup> day of August, 2002, Louise M. Kutruff, and George M. Kutruff, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield Count as instrument Number 200213491. A copy of said Deed is attached hereto and marked Exhibit H.

h. By Deed dated the 31<sup>st</sup> day of August, 2002, Susan R. Alstadt, and James Alstadt, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as instrument Number 200214364. A copy of said Deed is attached hereto and marked Exhibit I.

i. By Deed date the 28<sup>th</sup> day of October, 2002, Robert J. Shope, and Michelle L. Shope, his wife, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as instrument Number 200218342. A copy of said Deed is attached hereto and marked Exhibit J.

10. No other persons than the parties to this suit has any interest in the property.

11. No partition or division of the property has ever been made.

12. The Decree of Distribution from the Estate of Marlin B. Shope, attached hereto and marked as Exhibit A, evidences, in Subpart B, a lien in the amount of \$9,720.40 in

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favor of Plaintiff, Lynn M. Shope, for funds loaned to the Estate in order to pay administrative expenses, inheritance taxes and real estate taxes due in the Estate.

13. The aforesaid lien in the amount of \$9,720.40, together with interest from the date of the Decree of Distribution, November 2, 1998, constitutes a charge against the above-described real property and is payable by the distributees, their heirs and assigns equally to Lynn M. Shope as aforesaid upon demand of Lynn M. Shope or at the sale or partitioning of the above-described real property or upon judgment of a competent Court of jurisdiction in a civil action brought by any party in interest.

14. Lynn M. Shope, in purchasing the interests referred to in Paragraph 8 above, agreed to forgive the lien against those Grantors who sold their interest to him through the Deeds attached hereto and marked Exhibits B through J.

15. Lynn M. Shope still maintains liens against Defendants, Kenneth C. Shope, Ronald D. Shope and Reid C. Shope based upon the undivided proportionate interest each owns in the property, as stated in the Decree of Distribution.

16. Said liens are in the amount of \$747.73 each against Defendants, Ronald D. Shope and Reid C. Shope, representing their proportionate one-thirteenth (1/13) interest in the property.

17. Said lien maintained against Defendant, Kenneth C. Shope, is in the amount of \$1,121.59, representing the three-twenty-sixth (3/26) interest that is currently owned by Kenneth C. Shope.

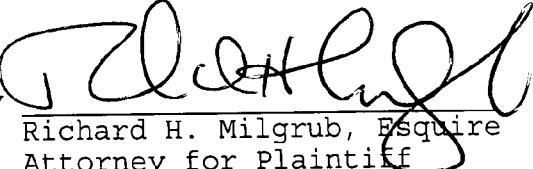
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CLEARFIELD, PA 16830  
—  
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DUBOIS, PA 15801

WHEREFORE, Plaintiff, Lynn M. Shope, requests the Honorable Court to:

a. decree partition of the real estate;  
b. determine the share or shares to which your respective parties are entitled be set out to them in severalty and that all proper and necessary conveyances and assurances be executed preparing such partition into effect, and that, if the real estate cannot be divided without prejudice to or spoiling the whole, such proper and necessary sale or sales of the same may be made by such persons and in such manner as the Court may direct;

c. Order the Defendants to pay their proportionate share of the outstanding lien amount as set forth previously; and  
d. Order such other and further relief be granted as the Court deems just and proper.

By   
Brian K. Marshall, Esquire  
Attorney for Plaintiff

By   
Richard H. Milgrub, Esquire  
Attorney for Plaintiff

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VERIFICATION

We, Lynn M. Shope and Mary Shope, verify that the statements made herein are true and correct. We understand that false statements herein are made subject to penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 2-6-03

Lynn M. Shope

Date: 2-6-03

Mary L. Shope

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211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

—  
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

RE: Estate of MARLIN B. SHOPE, \*  
a/k/a MARLIN BENJAMIN SHOPE, \*  
Deceased \* No. 93-426

DECREE OF DISTRIBUTION

AND NOW, to wit: this 2nd day of November, 1998, the First and Final Account of Kenneth C. Shope and Lynn M. Shope, Co-Administrators of the above-captioned estate, having been filed, together with a Certificate of Notice as provided for by Clfd. C.C.R. 6.3A and a Statement of Proposed Distribution provided for by Clfd. C.C.R. 6.3B, no exceptions or objections having been filed thereto.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED that the First and Final Account including Statement of Proposed Distribution shall be and is hereby approved and confirmed nisi; and further, that unless exceptions or objections to this decree nisi are filed within ten (10) days from the date hereof, this Court shall confirm the First and Final Account absolutely, as of course, and it shall be deemed confirmed absolutely without further action by the Court and the said Co-Administrators, following distribution of the net balance in their hands, pursuant to this decree, shall be and are hereby released from all liability on account of their appointment as co-administrators; and further, it is ORDERED, ADJUDGED, and DECREED that the property, real and personal, constituting the net balance of the estate in the hands of the Co-Administrators for distribution as set forth in the First and Final Account, specifically, property having an inventory value of \$34,100.00, shall be and is hereby distributed as follows:

A. Tangible Personal Property:

The following described tangible personal property hereby is distributed equally as tenants in common to: Kenneth C. Shope, Lynn M. Shope, Susan R. Alstadt, Ronald D. Shope, Louise Nutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Grishosky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair:

1.	1954 Ford tractor	200.00
2.	Hay bailer	200.00
3.	Miscellaneous farm machinery, including 1954 Ford tractor, plows, harrows, cultivator, and disc	1,500.00
4.	Riding lawn mower	800.00
5.	Miscellaneous hand & garden tools	100.00
6.	1978 Ford 2-wd half ton pick- up truck	250.00
7.	1979 Lincoln coupe	500.00
8.	One lot of misc. household goods	<u>470.00</u>
		4,020.00

B. Real Estate Distribution Schedule:

ALL of the right, title, interest, choses in action, and claims of whatsoever nature of which the decedent, Marlin B. Shope a/k/a Marlin Benjamin Shope, died seized in and to that certain parcel of land situated in Beccaria Township, Clearfield County, Pennsylvania as described in the Inventory filed in this estate and as more fully hereinafter described hereby is distributed equally as tenants in common to decedent's children: Kenneth C. Shope, Lynn M. Shope, Susan R. Alstadt, Ronald D. Shope, Louise Kutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair; provided however, said real property shall be and is hereby distributed subject to a judicial lien in favor of Lynn M. Shope, his heirs, executors, administrators, and assigns, in the amount of \$9,720.47, being the amount which the decedent's estate owes Lynn M. Shope for funds loaned to the estate in order to pay administrative expenses, inheritance taxes, and real estate taxes due in the estate.

The real property of which the decedent died seized and is distributable from this estate is more fully bounded and described as follows:

ALL of those three certain tracts of land situated in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres.

THE SECOND THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence

East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

THE THIRD THEREOF: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

The aforesaid lien in the amount of \$9,720.47, together with interest from the date of this Decree, at the legal rate, shall constitute a charge against the above-described real property and is payable by the above named distributees, their heirs and assigns, equally to Lynn M. Shope as aforesaid, upon demand of Lynn M. Shope, his heirs or assigns, or at the time of the sale or partitioning of the above-described real property or upon judgment of a competent court of jurisdiction in a civil action brought by any party in interest.

BEING the same premises which John Holler, widower, by Deed dated November 1, 1953 and recorded in the Recorder's Office of Clearfield County, Pennsylvania on April 24, 1963 in Deed Book Volume 301, page 191, granted and conveyed unto Marlin Shope and Mayme Shope, husband and wife. The said Mayme Shope died a resident of Clearfield County, Pennsylvania on March 9, 1991 thereby vesting exclusive title to the premises in her surviving spouse, Marlin Shope, decedent herein.

\$0,100.00

TOTAL NET BALANCE DISTRIBUTED: \$34,120.00

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

BY THE COURT:

John K. Petty, Jr.

Judge

test

  
Notary Public  
State of West Virginia  
County of Clearfield  
My Commission Expires June 2008

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY, PA  
Pennsylvania

INSTRUMENT NUMBER

199909937

RECORDED ON

JUN 16, 1999  
12:06:47 PM

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT	\$1.00
FUND	
RECORDER IMPROVEMENT FUND	\$1.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$15.50</b>

County Parcel No. 101-J17-71

RECD

MADE the 5<sup>th</sup> day of JANUARY in the year nineteen hundred and ninety-nine (1999).

BETWEEN RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, of Box 433, Coalport, Clearfield County, Pennsylvania 16627, parties of the first part, hereinafter referred to as the "GRANTORS";

-and-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627; and KENNETH C. SHOPE of Box 171, Irvona, PA 16656, equally as tenants in common, parties of the second part, hereinafter referred to as the "GRANTEEES."

WITNESSETH, that in consideration of the sum of One (\$1.00) Dollar, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees equally, as tenants in common, their heirs, executors, administrators, and assigns forever,

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of begin-

ning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole) which vested in Ruth H. Orichosky, formerly Ruth H. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Ruth H. Orichosky. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV/1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Ruth H. Orichosky acquired an interest in the above described premises and her husband, Henry A. Orichosky, joins herein for the purpose of conveying such interest as he may have in the above described premises, if any, to the Grantees herein.

By acceptance and recording of this instrument, the Grantees acknowledge their intent that the premises conveyed herein be held by each of them equally, absolutely, as tenants in common.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHERS AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, ti-

tle, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

Mary L. Shope

Lynn M. Shope  
Lynn M. Shope

Mary L. Kinsman

Kenneth C. Shope  
Kenneth C. Shope

This 14<sup>th</sup> day of June, 1999

**THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).**

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of;

Helen C. Shank

Helen C. Shank

Ruth H. Orichosky (SEAL)  
Ruth H. Orichosky

Henry A. Orichosky (SEAL)  
Henry A. Orichosky

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residences of the Grantees herein are as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

Kenneth C. Shope  
Box 171  
Irvington, PA 16656

John Sughrue  
John Sughrue, Esquire  
Attorney or Agent for Grantees

COMMONWEALTH OF PENNSYLVANIA

:  
: SS.

COUNTY OF CLEARFIELD

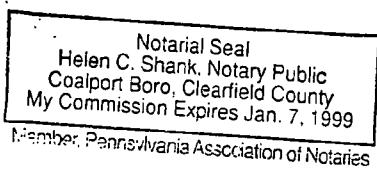
:

On this, the 5th day of January, 1998, before me, the undersigned authority, personally appeared RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Helen C. Shank  
Notary Public

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200104799  
RECORDED ON  
APR 06, 2001  
1:51:43 PM

RECORDING FEES - \$13.00  
RECORDER  
COUNTY IMPROVEMENT \$1.00  
FUND  
RE ORDER  
IMPROVEMENT FUND  
STATE WRIT TAX \$0.50  
TOTAL \$15.50  
CUSTOMER SUGHRUE, JOHN

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 100 day of MARCH in the year two thousand one (2001)

BETWEEN June L. Laughard and William Laughard, her husband, of 529 Hughes Drive, Tallmadge, OH 44728, parties of the first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Eight hundred sixty-two and thirty-five (\$862.35) Dollars, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hun-

dred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including June L. Laughard, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, June L. Laughard acquired an interest in the above described premises and her husband, William Laughard, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

Mary A. Shope

Lynn M. Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

June L. Laughard  
William Laughard

JS/N.T.S.

June L. Laughard (SEAL)  
June L. Laughard  
William Laughard (SEAL)  
William Laughard

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

John Sughrue, Esquire  
John Sughrue, Esquire  
Attorney for Grantee

STATE OF OHIO

:

: SS.

COUNTY OF Jefferson

:

On this, the 10<sup>th</sup> day of July, 2001, before me, the undersigned authority, personally appeared June L. Laughard and William Laughard, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

John L. Laughard  
Notary Public

My Commission Expires: Oct 30, 2001

KAREN L. STACK  
 REGISTER AND RECORDER  
 CLEARFIELD COUNTY  
 Pennsylvania  
 INSTRUMENT NUMBER  
 200107298  
 RECORDED ON  
 May 16, 2001  
 1:35:19 PM

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 6 day of May in the year two thousand one  
 (2001)

**BETWEEN** Joan M. Singleton and James Singleton, her husband, 3223 University Blvd., S. Jacksonville, FL 32216, parties of the first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 61, P. O., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

**WITNESSETH**, that in consideration of the sum of Nine Hundred and Fourteen and Ten \$914.10 Dollars, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W.

G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/16 ownership in the whole, which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1993, absolute November 12, 1993, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Joan M. Singleton, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Joan M. Singleton acquired an interest in the above described premises and her husband, James Singleton, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

**TOGETHER** with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

May L. Shope

Lynn M. Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Joan M. Singleton SEAL  
Joan M. Singleton

James Singleton SEAL  
James Singleton

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 61, P.O.  
Coalport, PA 16627  
John Sughrue, Esquire  
Attorney for Grantee

STATE OF FLORIDA

:

COUNTY OF Duval

: SS.

:

On this, the 6th day of May, 2001, before me, the undersigned authority, personally appeared Joan M. Singleton and James Singleton, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

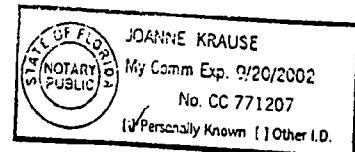
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

Joanne Krause  
Notary Public

My Commission Expires:

September 20, 2002



KAREN L. STARCK  
 REGISTER AND RECORDER  
 CLEARFIELD COUNTY  
 Pennsylvania  
 INSTRUMENT NUMBER  
 200213141  
 RECORDED ON  
 AUG 16, 2002  
 2:51:10 PM  
 Total Pages: 4  
 RECORDING FEES - \$17.00  
 RECORDER  
 COUNTY IMPROVEMENT \$2.00  
 FUND  
 RECORDER \$3.00  
 IMPROVEMENT FUND  
 STATE WRIT TAX \$0.50  
 TOTAL \$18.50  
 MILGRUB, RICHARD  
 CUSTOMER

County Parcel No.  
101-J17-71

### THIS DEED

MADE the 12<sup>th</sup> day of August in the year two thousand two (2002)

BETWEEN BEVERLY BUPP, a single individual, of R.D. 4, Box 118, Tyrone, PA 16686, party of the first part, hereinafter referred to as the "GRANTOR";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

Exhibit E

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Beverly J. Bupp, formerly Beverly J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws of the Commonwealth of Pennsylvania* to the heirs at law of Marlin Shope, deceased including Beverly J. Bupp, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238.

**THIS IS A CONVEYANCE FROM SISTER TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owner of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
~~in the presence of:~~

in the presence of:

Beverly J. Bupp  
Beverly J. Bupp

(SEAL)

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein  
is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

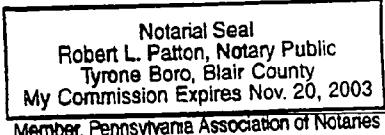
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF PENNA )  
:ss  
COUNTY OF BLAIR )

On this, the 12<sup>th</sup> day of Aug, 2002, before me, the undersigned officer, personally appeared BEVERLY J. BUPP and RONALD BUPP, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213140

RECORDED ON  
AUG 16, 2002  
2:51:09 PM

Total Pages: 4

RECORDING FEES -	\$13.00
RECORDER	
COUNTRY IMPROVEMENT FUND	\$2.00
RECORDER IMPROVEMENT FUND	\$3.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$18.50</b>

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 12 day of Aug. in the year two thousand two  
(2002)

BETWEEN MARY J. SINCLAIR and ROBERT SINCLAIR, her husband, of 2021  
Muncy Road, State College, PA 16801, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit F

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Mary J. Sinclair, formerly Mary J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Mary J. Sinclair, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Mary J. Sinclair acquired an interest in the above described premises and her husband, Robert Sinclair, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Polly G. Brooks Mary J. Sinclair (SEAL)  
Mary J. Sinclair

Polly G. Brooks Robert Sinclair (SEAL)  
Robert Sinclair

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

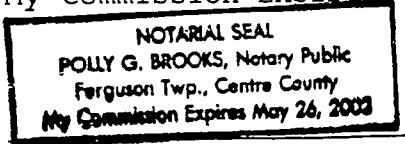
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania :ss  
COUNTY OF Centre )

On this, the 12<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared MARY J. SINCLAIR and ROBERT SINCLAIR, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Polly G. Brooks

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213139  
RECORDED ON  
Aug 16, 2002  
2:51:08 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 13 day of August in the year two thousand two  
(2002)

BETWEEN ANNA C. BALDWIN and GEORGE BALDWIN, her husband, of 1407  
W. 37th Street, Erie, PA 16508, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit G

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Anna C. Baldwin, formerly Anna C. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Anna C. Baldwin, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Anna C. Baldwin acquired an interest in the above described premises and her husband, George Baldwin, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Anthony Marshall Anna C Baldwin (SEAL)  
Anna C. Baldwin

Anthony Marshall George C Baldwin (SEAL)  
George Baldwin

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Brian K. Marshall, Esquire  
Attorney for Grantees

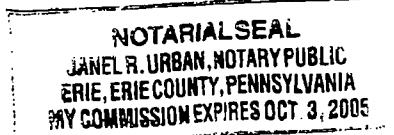
STATE OF PA)  
:ss  
COUNTY OF Erie)

On this, the 13 day of August, 2002, before me, the undersigned officer, personally appeared ANNA C. BALDWIN and GEORGE BALDWIN, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: Oct 3 2005

Janel R Urban



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213491  
RECORDED ON  
AUG 23, 2002  
2:58:15 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 20<sup>th</sup> day of August in the year two thousand two  
(2002)

BETWEEN LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, her husband, of  
3913 Stanley Avenue, Erie, PA 16504, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit H

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Louise M. Kutruff, formerly Louise M. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Louise M. Kutruff, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Louise M. Kutruff acquired an interest in the above described premises and her husband, George M. Kutruff, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Janel R Urban

Louise M. Kutruff (SEAL)  
Louise M. Kutruff

Janel R Urban

George M. Kutruff (SEAL)  
George M. Kutruff

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania )  
:ss  
COUNTY OF Erie )

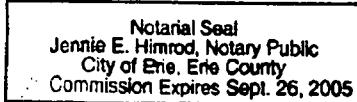
On this, the 20<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

Sept. 26<sup>th</sup>, 2005

Jennie E. Himrod



KAREN L. STACK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
22002144364  
RECORDED ON  
10-10-2002  
2:40 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

### THIS DEED

MADE the 31<sup>st</sup> day of August in the year two thousand two (2002)

BETWEEN SUSAN R. ALDSTADT and JAMES ALDSTADT, her husband, of 13543 Market Avenue N, Hartford, OH 44632, parties of the first part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Susan R. Aldstadt, formerly Susan R. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Susan R. Aldstadt, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Susan R. Aldstadt acquired an interest in the above described premises and her husband, James Aldstadt, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Bernadette Maurer

  
Susan R. Aldstadt (SEAL)

Bennie Miller

  
James Aldstadt (SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Ohio )  
COUNTY OF Stark ) :ss

On this, the 31<sup>st</sup> day of August, 2002, before me, the undersigned officer, personally appeared SUSAN R. ALDSTADT and JAMES ALDSTADT, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

BERNADETTE R. MAURER  
Notary Public, State of Ohio  
My Commission Expires Aug. 21, 2006

Bernadette Maurer

KAREN L. STARCH  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200218342

RECORDED ON  
NOV 12, 2002

2:54:41 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 25 day of October in the year two thousand two  
(2002)

BETWEEN ROBERT J. SHOPE and MICHELLE L. SHOPE, his wife, of 810 W.  
6th Street, Payen, Arkansas 72128, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Semple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; On the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay as fully as are reserved in prior deed.

TOGETHER with all right, privileges, title, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Robert J. Shope, one of the Grantors herein, by virtue of the death of his father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree Robert J. Shope acquired an interest in the above described premises and his wife, Michelle L. Shope, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM BROTHER AND SISTER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Robert J. Shope (SEAL)  
Robert J. Shope

Michelle L. Shope (SEAL)  
Michelle L. Shope

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Semple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania) :ss  
COUNTY OF Washington)

On this, the 20th day of October, 2002, before me, the undersigned officer, personally appeared ROBERT J. SHOPE and MICHELLE L. SHOPE, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

10/9/2007

Judith C. Gaff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \*  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

03-213-CD

No.

-EQU.

Type of Action:  
Civil

Type of Pleading:  
Complaint in Equity-Partition

Filed on Behalf of:  
Plaintiff

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

Richard H. Milgrub, Esquire  
Supreme Court I.D. 19865

The Law Offices of  
Richard H. Milgrub  
211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

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

Feb 18 2003

Attest.

*Leanne Miller*  
Prothonotary/  
Clerk of Courts

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

NOTICE TO DEFEND AND CLAIM RIGHTS

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 (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

COMPLAINT

AND NOW, come the Plaintiffs, Lynn M. Shope and Mary Shope, by and through their attorneys, Brian K. Marshall, Esquire, and Richard H. Milgrub, Esquire, who request that the Honorable Court Order a partition of the property hereinafter described, and in support thereof aver as follows:

1. Plaintiff, Lynn M. Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

2. Plaintiff, Mary Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

3. Defendant, Kenneth C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, residing at Box 171, Irvona, Clearfield County, Pennsylvania 16656.

4. Defendant, Ronald D. Shope, is an adult individual, and citizen of the State of North Carolina, currently

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residing at 107 West Dorothy Lane, Pikesville, North Carolina 27863.

5. Defendant, Reid C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, currently residing at RR 2, Box 244, Tyrone, Blair County, Pennsylvania, 16617.

6. Plaintiffs and Defendants are the owners of certain real estate in Beccaria Township, Clearfield County as described below, and all the interests of the parties in the property with the exception of those held jointly by Lynn and Mary Shope, are held as tenants in common and are undivided, with the following persons owning the following proportionate interest:

- a. Lynn M. Shope and Mary Shope, Plaintiffs, 19/26
- b. Kenneth C. Shope, Defendant, 3/26
- c. Ronald D. Shope, Defendant, 1/13
- d. Reid C. Shope, Defendant, 1/13

7. The subject real property is more particularly described as follows:

**ALL** those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen;

thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

8. The property previously described was initially distributed from the Estate of Marlin B. Shope, a/k/a Marlin Benjamin Shope, deceased, No. 93-426, in the Orphans' Court Division of the Court of Common Pleas of Clearfield County on November 2, 1998, to the following intestate heirs: Susan R. Alstadt, Ruth H. Orichosky, Ronald D. Shope, Robert J. Shope, Louise Kutruff, Joan M. Singleton, Reid C. Shope, Beverly J. Bupp, Anna C. Baldwin, Mary J. Sinclair, June L. Laughard, Lynn M. Shope and Kenneth C. Shope. A copy of the Decree of Distribution is attached hereto and marked Exhibit A.

9. Since that date and time, the following persons have transferred the following interests:

a. By Deed dated the 5<sup>th</sup> day of January, 1999, Ruth H. Orichosky, and Henry A. Orichosky, her husband, transferred their interest to Lynn M. Shope and Kenneth C. Shope equally as tenants in common. Said Deed being recorded in the Recorder of

Deeds Office at Clearfield County as Instrument Number 199909937.

A copy of said Deed is attached and marked Exhibit B.

b. By Deed dated the 10<sup>th</sup> day of March, 2001, June Laughard, and William Laughard, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200104799. A copy of said Deed is attached and marked Exhibit C.

c. By Deed dated the 6<sup>th</sup> day of May, 2001, Joan M. Singleton, and James Singleton, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200107298. A copy of said Deed is attached and marked Exhibit D.

d. By Deed dated the 12<sup>th</sup> day of August, 2002, Beverly Bupp transferred her interest to Lynn M. Shope, and Mary Shope, his wife. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213141. A copy of said Deed is attached and marked Exhibit E.

e. By Deed dated the 12<sup>th</sup> day of August, 2002, Mary J. Sinclair, and Robert Sinclair, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213140. A copy of said Deed is attached and marked Exhibit F.

f. By Deed dated the 13<sup>th</sup> day of August, 2002, Anna C. Baldwin, and George Baldwin, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being

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—  
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DUBOIS, PA 15801

recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213139. A copy of said Deed is attached hereto and marked Exhibit G.

g. By Deed dated the 20<sup>th</sup> day of August, 2002, Louise M. Kutruff, and George M. Kutruff, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield Count as Instrument Number 200213491. A copy of said Deed is attached hereto and marked Exhibit H.

h. By Deed dated the 31<sup>st</sup> day of August, 2002, Susan R. Alstadt, and James Alstadt, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200214364. A copy of said Deed is attached hereto and marked Exhibit I.

i. By Deed date the 28<sup>th</sup> day of October, 2002, Robert J. Shope, and Michelle L. Shope, his wife, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200218342. A copy of said Deed is attached hereto and marked Exhibit J.

10. No other persons than the parties to this suit has any interest in the property.

11. No partition or division of the property has ever been made.

12. The Decree of Distribution from the Estate of Marlin B. Shope, attached hereto and marked as Exhibit A, evidences, in Subpart B, a lien in the amount of \$9,720.40 in

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favor of Plaintiff, Lynn M. Shope, for funds loaned to the Estate in order to pay administrative expenses, inheritance taxes and real estate taxes due in the Estate.

13. The aforesaid lien in the amount of \$9,720.40, together with interest from the date of the Decree of distribution, November 2, 1998, constitutes a charge against the above-described real property and is payable by the distributees, their heirs and assigns equally to Lynn M. Shope as aforesaid upon demand of Lynn M. Shope or at the sale or partitioning of the above-described real property or upon judgment of a competent Court of jurisdiction in a civil action brought by any party in interest.

14. Lynn M. Shope, in purchasing the interests referred to in Paragraph 8 above, agreed to forgive the lien against those Grantors who sold their interest to him through the Deeds attached hereto and marked Exhibits B through J.

15. Lynn M. Shope still maintains liens against Defendants, Kenneth C. Shope, Ronald D. Shope and Reid C. Shope based upon the undivided proportionate interest each owns in the property, as stated in the Decree of Distribution.

16. Said liens are in the amount of \$747.73 each against Defendants, Ronald D. Shope and Reid C. Shope, representing their proportionate one-thirteenth (1/13) interest in the property.

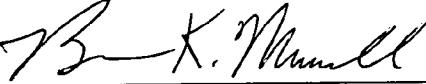
17. Said lien maintained against Defendant, Kenneth C. Shope, is in the amount of \$1,121.59, representing the three-twenty-sixth (3/26) interest that is currently owned by Kenneth C. Shope.

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—  
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WHEREFORE, Plaintiff, Lynn M. Shope, requests the Honorable Court to:

a. decree partition of the real estate;  
b. determine the share or shares to which your respective parties are entitled be set out to them in severalty and that all proper and necessary conveyances and assurances be executed preparing such partition into effect, and that, if the real estate cannot be divided without prejudice to or spoiling the whole, such proper and necessary sale or sales of the same may be made by such persons and in such manner as the Court may direct;

c. Order the Defendants to pay their proportionate share of the outstanding lien amount as set forth previously; and  
d. Order such other and further relief be granted as the Court deems just and proper.

By   
Brian K. Marshall, Esquire  
Attorney for Plaintiff

By   
Richard H. Milgrub, Esquire  
Attorney for Plaintiff

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VERIFICATION

We, Lynn M. Shope and Mary Shope, verify that the statements made herein are true and correct. We understand that false statements herein are made subject to penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 2-6-03

Lynn M. Shope

Date: 2-6-03

Mary L. Shope

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

RE: Estate of MARLIN B. SHOPE, \*  
a/k/a MARLIN BENJAMIN SHOPE, \*  
Deceased \* No. 93-426

DECREE OF DISTRIBUTION

AND NOW, to wit: this 2nd day of November, 1992, the First and Final Account of Kenneth C. Shope and Lynn M. Shope, Co-Administrators of the above-captioned estate, having been filed, together with a Certificate of Notice as provided for by Clfd. C.C.R. 6.3A and a Statement of Proposed Distribution provided for by Clfd. C.C.R. 6.3B, no exceptions or objections having been filed thereto.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED that the First and Final Account including Statement of Proposed Distribution shall be and is hereby approved and confirmed nisi; and further, that unless exceptions or objections to this decree nisi are filed within ten (10) days from the date hereof, this Court shall confirm the First and Final Account absolutely, as of course, and it shall be deemed confirmed absolutely without further action by the Court and the said Co-Administrators, following distribution of the net balance in their hands, pursuant to this decree, shall be and are hereby released from all liability on account of their appointment as co-administrators; and further, it is ORDERED, ADJUDGED, and DECREED that the property, real and personal, constituting the net balance of the estate in the hands of the Co-Administrators for distribution as set forth in the First and Final Account, specifically, property having an inventory value of \$34,121.00, shall be and is hereby distributed as follows:

A. Tangible Personal Property:

The following described tangible personal property hereby is distributed equally as tenants in common to: Kenneth C. Shope, Lynn M. Shope, Susan R. Alstadt, Ronald D. Shope, Louise Kutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Grichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair:

1.	1954 Ford tractor	200.00
2.	Hay bailer	200.00
3.	Miscellaneous farm machinery, including 1954 Ford tractor, plows, harrows, cultivator, and disc	1,500.00
4.	Riding lawn mower	800.00
5.	Miscellaneous hand & garden tools	100.00
6.	1978 Ford 2-wd half ton pick- up truck	250.00
7.	1979 Lincoln coupe	500.00
8.	One lot of misc. household goods	<u>470.00</u>
		4,020.00

B. Real Estate Distribution Schedule:

ALL of the right, title, interest, choses in action, and claims of whatsoever nature of which the decedent, Marlin B. Shope a/k/a Marlin Benjamin Shope, died seized in and to that certain parcel of land situated in Beccaria Township, Clearfield County, Pennsylvania as described in the Inventory filed in this estate and as more fully hereinafter described hereby is distributed equally as tenants in common to decedent's children: Kenneth C. Shope, Lynn M. Shope, Susan E. Alstadt, Ronald D. Shope, Louise Kutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair; provided however, said real property shall be and is hereby distributed subject to a judicial lien in favor of Lynn M. Shope, his heirs, executors, administrators, and assigns, in the amount of \$9,720.47, being the amount which the decedent's estate owes Lynn M. Shope for funds loaned to the estate in order to pay administrative expenses, inheritance taxes, and real estate taxes due in the estate.

The real property of which the decedent died seized and is distributable from this estate is more fully bounded and described as follows:

ALL of those three certain tracts of land situated in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres.

THE SECOND THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence

East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

THE THIRD THEREOF: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

The aforesaid lien in the amount of \$9,720.47, together with interest from the date of this Decree, at the legal rate, shall constitute a charge against the above-described real property and is payable by the above named distributees, their heirs and assigns, equally to Lynn M. Shope as aforesaid, upon demand of Lynn M. Shope, his heirs or assigns, or at the time of the sale or partitioning of the above-described real property or upon judgment of a competent court of jurisdiction in a civil action brought by any party in interest.

BEING the same premises which John Miller, deceased, by Deed dated November 1, 1958 and recorded in the Recorder's Office of Clearfield County, Pennsylvania on April 24, 1963 in Deed Book Volume 511, page 191, granted and conveyed unto Marlin Shope and Mayme Shope, husband and wife. The said Mayme Shope died a resident of Clearfield County, Pennsylvania on March 9, 1990 thereby vesting exclusive title to the premises in her surviving spouse, Marlin Shope, decedent herein.

\$1,100.00

TOTAL NET BALANCE DISTRIBUTED: \$34,120.00

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

BY THE COURT:

John K. Poffly, Jr.

Judge

test

James D. Taft  
Reg. of Wills, Rec. of Deeds & Clk. of Orphans' Court

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY, PA  
Pennsylvania

INSTRUMENT NUMBER

199909937

RECORDED ON

JUN 16, 1999  
12:06:47 PM

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER IMPROVEMENT FUND	\$1.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$15.50</b>

County Parcel No. 101-J17-71

DEED

MADE the 5<sup>th</sup> day of JANUARY in the year nineteen hundred and ninety-nine (1999).

BETWEEN RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, of Box 433, Coalport, Clearfield County, Pennsylvania 16627, parties of the first part, hereinafter referred to as the "GRANTORS";

-and-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627; and KENNETH C. SHOPE of Box 171, Iriona, PA 16656, equally as tenants in common, parties of the second part, hereinafter referred to as the "GRANTEEES."

WITNESSETH, that in consideration of the sum of One (\$1.00) Dollar, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees equally, as tenants in common, their heirs, executors, administrators, and assigns forever,

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of begin-

ning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole) which vested in Ruth H. Orichosky, formerly Ruth H. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Ruth H. Orichosky. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV/186, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Ruth H. Orichosky acquired an interest in the above described premises and her husband, Henry A. Orichosky, joins herein for the purpose of conveying such interest as he may have in the above described premises, if any, to the Grantees herein.

By acceptance and recording of this instrument, the Grantees acknowledge their intent that the premises conveyed herein be held by each of them equally, absolutely, as tenants in common.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHERS AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, ti-

tle, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

Mary J. Shope

Mary R. Kinsman

This 14<sup>th</sup> day of June, 1999

Lynn M. Shope  
Lynn M. Shope  
Kenneth C. Shope  
Kenneth C. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will SPECIALLY warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of;

Helen C. Shank

Helen C. Shank

Ruth H. Orichosky (SEAL)

Ruth H. Orichosky

Henry A. Orichosky (SEAL)

Henry A. Orichosky

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residences of the Grantees herein are as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

Kenneth C. Shope  
Box 171  
Irion, PA 16656

John Sughrue  
John Sughrue, Esquire  
Attorney or Agent for Grantees

COMMONWEALTH OF PENNSYLVANIA

:

SS.

COUNTY OF CLEARFIELD

:

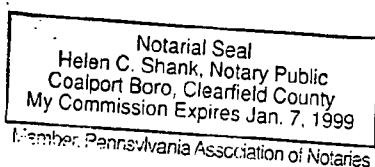
1999

On this, the 5<sup>th</sup> day of January, 1999, before me, the undersigned authority, personally appeared RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Helen C. Shank  
Notary Public

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200106-799  
RECORDED ON  
APR 06, 2001  
1:51:43 PM  
RECORDING FEES - \$13.00  
RECORDER COUNTY IMPROVEMENT \$1.00  
FUND RECORDER \$1.00  
IMPROVEMENT FUND \$1.00  
STATE WRIT TAX \$0.50  
TOTAL \$15.50  
SUGARUE, JOHN CUSTOMER

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 10<sup>th</sup> day of MARCH in the year two thousand one (2001)

BETWEEN June L. Laughard and William Laughard, her husband, of 529 Hughes Drive, Tallmadge, OH 44728, parties of the first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Eight hundred sixty-two and thirty-five (\$862.35) Dollars, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantee his heirs, executors, administrators, and assigns forever.

All those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hun-

dred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including June L. Laughard, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, June L. Laughard acquired an interest in the above described premises and her husband, William Laughard, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1965.)

May L. Shope

Lynn M. Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will SPECIALLY warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

June L. Laughard  
William Laughard

JS/N.T.S.

June L. Laughard

(SEAL)

William Laughard

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

John Sughrue, Esquire  
Attorney for Grantee

STATE OF OHIO

:

: SS.

COUNTY OF Monroe

:

On this, the 10<sup>th</sup> day of March, 2001, before me, the undersigned authority, personally appeared June L. Laughard and William Laughard, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

John Sughrue  
Notary Public

My Commission Expires: Oct 25, 2001

KAREN L. STACK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200107298

RECORDED ON  
May 16, 2001  
1:35:19 PM

	RECORDING FEES -	\$13.00
RECORDER	COUNTY IMPROVEMENT	\$1.00
FUND	RECORDER	\$1.00
IMPROVEMENT FUND	STATE WRIT TAX	\$0.50
TOTAL	CUSTOMER	\$15.50
SUGIRUE, JOHN		

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 6 day of May in the year two thousand one  
2001,

BETWEEN Joan M. Singleton and James Singleton, her husband, of  
3223 University Blvd., S. Jacksonville, FL 32216, parties of the  
first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, P. O., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Nine Hundred and  
Fourteen and Ten \$914.10 Dollars, and other good and valuable  
consideration, in hand paid, the receipt whereof is hereby ac-  
knowledged, the said Grantors do hereby grant and convey unto the  
Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or for-  
merly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one hun-  
dred three (103) perches to the ash corner now or formerly of W.

G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/10 ownership in the whole, which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 1, 1993, absolute November 12, 1993, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Joan M. Singleton, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Joan M. Singleton acquired an interest in the above described premises and her husband, James Singleton, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoif of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

May L Shope

Lynn M Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Joan M. Singleton SEAL  
Joan M. Singleton

James Singleton SEAL  
James Singleton

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 61, P. O.  
Coalport, PA 16627

John Sughrue  
John Sughrue, Esquire  
Attorney for Grantee

STATE OF FLORIDA

:

COUNTY OF Duval

: SS.

On this, the 6th day of May, 2001, before me, the undersigned authority, personally appeared Joan M. Singleton and James Singleton, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

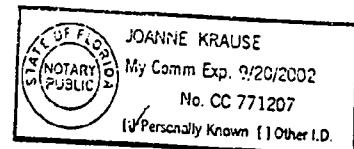
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

Joanne Krause  
Notary Public

My Commission Expires:

September 20, 2002



KAREN L. STARCK  
 REGISTER AND RECORDER  
 CLEARFIELD COUNTY  
 Pennsylvania  
 INSTRUMENT NUMBER  
 200213141  
 RECORDED ON  
 AUG 16, 2002  
 2:51:10 PM  
 Total Pages: 4  
 RECORDING FEES - \$12.00  
 RECORDER  
 COUNTY IMPROVEMENT \$2.00  
 FUND  
 RECORDER \$3.00  
 IMPROVEMENT FUND  
 STATE WITN TAX \$0.50  
 TOTAL \$18.50  
 MILGRUB, RICHARD  
 CUSTOMER

County Parcel No.  
101-J17-71

THIS DEED

MADE the 12<sup>th</sup> day of August in the year two thousand two  
 (2002)

**BETWEEN** BEVERLY BUPP, a single individual, of R.D. 4, Box 118,  
 Tyrone, PA 16686, party of the first part, hereinafter referred to  
 as the "GRANTOR";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
 Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
 of the second part, hereinafter referred to as the "GRANTEEES".

**WITNESSETH**, that in consideration of the sum of One Thousand  
 Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
 valuable consideration, in hand paid the receipt whereof is hereby  
 acknowledged, the said Grantors do hereby grant and convey unto  
 the Grantees, their heirs, executors, administrators, and assigns  
 forever.

**ALL** those three certain tracts of land situate in the Township of  
 Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
 and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
 or formerly of John Litz Estate; thence West by lands now or  
 formerly of said John Litz Estate forty (40) perches to a post;  
 thence by land now or formerly of W. G. Croyle North twenty (20)  
 perches to a post; thence East forty (40) perches to a post;  
 thence by land now or formerly of John Litz Estate twenty (20)  
 perches to the place of beginning. Believed to contain five (5)  
 acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
 or formerly of John Litz Estate; thence West by five acre piece  
 above described and land now or formerly of W. G. Croyle one  
 hundred three (103) perches to the ash corner now or formerly of  
 W. G. Croyle in line of land now or formerly of G. W. Dillen;  
 thence North by line of land now or formerly of G. W. Dillen  
 forth-two (42) perches to a chestnut; thence East one hundred  
 three (103) perches to a stone heap; thence by land now or  
 formerly of John Litz Estate South forth-two (42) perches to the  
 place of beginning. Believed to contain twenty-five (25) acres  
 and seventy-one (71) perches, more or less.

Exhibit E

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Beverly J. Bupp, formerly Beverly J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Beverly J. Bupp, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238.

**THIS IS A CONVEYANCE FROM SISTER TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owner of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
~~in the presence of:~~

Beverly J. Bupp  
Beverly J. Bupp

(SEAL)

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein  
is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

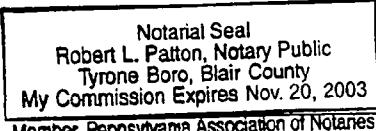
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF PENNA )  
:ss  
COUNTY OF BLAIR )

On this, the 12<sup>th</sup> day of Aug, 2002, before me, the undersigned officer, personally appeared BEVERLY J. BUPP and RONALD BJPP, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Member, Pennsylvania Association of Notaries

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213140  
RECORDED ON  
AUG 16, 2002  
2:51:09 PM  
Total Pages: 4

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$2.00
RECORDER IMPROVEMENT FUND	\$3.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$18.50</b>

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 12 day of Aug. in the year two thousand two  
(2002)

BETWEEN MARY J. SINCLAIR and ROBERT SINCLAIR, her husband, of 2021  
Muncy Road, State College, PA 16801, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit F

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Mary J. Sinclair, formerly Mary J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Mary J. Sinclair, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Mary J. Sinclair acquired an interest in the above described premises and her husband, Robert Sinclair, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Polly G. Brooks Mary J. Sinclair (SEAL)  
Mary J. Sinclair

Polly G. Brooks Robert Sinclair (SEAL)  
Robert Sinclair

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

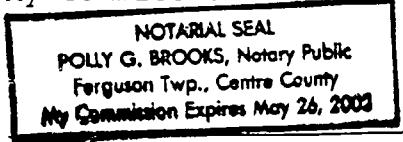
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania)  
:ss  
COUNTY OF Centre)

On this, the 12<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared MARY J. SINCLAIR and ROBERT SINCLAIR, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Polly G. Brooks

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213139  
RECORDED ON  
AUG 16, 2002  
2:51:08 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

THIS DEED

MADE the 13 day of August in the year two thousand two  
(2002)

BETWEEN ANNA C. BALDWIN and GEORGE BALDWIN, her husband, of 1407  
W. 37th Street, Erie, PA 16508, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit G

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Anna C. Baldwin, formerly Anna C. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Anna C. Baldwin, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Anna C. Baldwin acquired an interest in the above described premises and her husband, George Baldwin, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Audrey Munn Anna C. Baldwin (SEAL)  
Anna C. Baldwin

Audrey Munn George C. Baldwin (SEAL)  
George Baldwin

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Brian K. Marshall, Esquire  
Attorney for Grantees

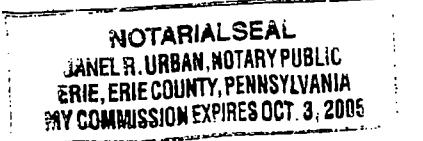
STATE OF PA)  
:ss  
COUNTY OF Erie)

On this, the 13 day of August, 2002, before me, the undersigned officer, personally appeared ANNA C. BALDWIN and GEORGE BALDWIN, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: Oct 3 2005

Janel R. Urban



- KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213491  
RECORDED ON  
AUG 23, 2002  
2:58:15 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 20<sup>th</sup> day of August in the year two thousand two  
(2002)

BETWEEN LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, her husband, of  
3913 Stanley Avenue, Erie, PA 16504, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

Exhibit H

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Louise M. Kutruff, formerly Louise M. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Louise M. Kutruff, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Louise M. Kutruff acquired an interest in the above described premises and her husband, George M. Kutruff, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Janel R Urban

Louise M. Kutruff (SEAL)  
Louise M. Kutruff

Janel R Urban

George M. Kutruff (SEAL)  
George M. Kutruff

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania )  
:ss  
COUNTY OF Erie )

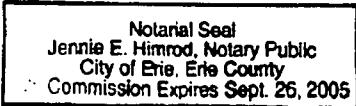
On this, the 20<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

Sept. 26<sup>th</sup>, 2005

Jennie E. Himrod



KIRKEN L. STARCH  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
220072144354  
RECORDED ON  
MAY 10, 2002  
244001 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

THIS DEED

MADE the 31<sup>st</sup> day of August in the year two thousand two  
(2002)

BETWEEN SUSAN R. ALDSTADT and JAMES ALDSTADT, her husband, of  
13543 Market Avenue N, Hartford, OH 44632, parties of the first  
part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Susan R. Aldstadt, formerly Susan R. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Susan R. Aldstadt, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Susan R. Aldstadt acquired an interest in the above described premises and her husband, James Aldstadt, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

**THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.**

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Bernadette Maurer

  
Susan R. Aldstadt (SEAL)

Bennie Miller

  
James Aldstadt (SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Ohio)  
COUNTY OF Ste. Genevieve)

On this, the 31<sup>st</sup> day of August, 2002, before me, the undersigned officer, personally appeared SUSAN R. ALDSTADT and JAMES ALDSTADT, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

BERNADETTE R. MAURER  
Notary Public, State of Ohio  
My Commission Expires Aug. 21, 2006

Bernadette Maurer

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200218342  
RECORDED ON  
Nov 12, 2002  
2:54:41 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

THIS DEED

MADE the 25 day of October in the year two thousand two  
(2002)

BETWEEN ROBERT J. SHOPE and MICHELLE L. SHOPE, his wife, of 810 W.  
6th Street, Payen, Arkansas 72128, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Semple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; On the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay as fully as are reserved in prior deed.

TOGETHER with all right, privileges, title, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Robert J. Shope, one of the Grantors herein, by virtue of the death of his father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree Robert J. Shope acquired an interest in the above described premises and his wife, Michelle L. Shope, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM BROTHER AND SISTER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Robert J. Shope (SEAL)  
Robert J. Shope

Michelle L. Shope (SEAL)  
Michelle L. Shope

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Semple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania) :ss  
COUNTY OF Potowmuck)

On this, the 20th day of October, 2002, before me, the undersigned circuit, personally appeared ROBERT J. SHOPE and MICHELLE L. SHOPE, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

10/9/2007

John C. Goff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \*  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

No. 03-213-CD EQU.

Type of Action:  
Civil

Type of Pleading:  
Praecipe to Withdraw Complaint  
In Equity-Partition

Filed on Behalf of:  
Plaintiffs

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

Richard H. Milgrub, Esquire  
Supreme Court I.D. 19865

211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

**FILED**

JUN 06 2003

William A. Shaw  
Prothonotary

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. 03-213-CD  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

PRAECIPE TO WITHDRAW COMPLAINT IN EQUITY-PARTITION

TO THE PROTHONOTARY:

Please withdraw the Complaint in Equity-Partition which  
had been filed in the above-captioned number.

Date: 6/5/03

By   
Brian K. Marshall, Esquire  
Attorney for Plaintiffs

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

**FILED**

07:55 AM  
JUN 06 2003

CC  
Amy Marshall

William A. Shaw  
Prothonotary

RICHARD H. MILGRUB

*Attorney & Counselor at Law*

211 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

SHOPE, LYNN M. & MARY

VS.

SHOPE, KENNETH C. et al

**COMPLAINT IN EQUITY-PARTITION**

Sheriff Docket #

13731

03-213-CD

**SHERIFF RETURNS**

NOW MAY 6, 2003 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN EQUITY "NOT FOUND" AS TO KENNETH C. SHOPE, DEFENDANT

FILED  
108 01-06-03  
AUG 20 2003

William A. Shaw  
Prothonotary/Clerk of Courts

---

**Return Costs**

Cost	Description
24.81	SHERIFF HAWKINS PAID BY: atty
10.00	SURCHARGE PAID BY: atty

---

Sworn to Before Me This

20<sup>th</sup> Day Of August, 2003

William A. Shaw

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins  
My Deputy Sheriff  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \*  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

03-213-CD.  
No. EQU.

Type of Action:  
Civil

Type of Pleading:  
Complaint in Equity-Partition

Filed on Behalf of:  
Plaintiff

Counsel of Record for this  
Party:

Brian K. Marshall, Esquire  
Supreme Court I.D. 87331

Richard H. Milgrub, Esquire  
Supreme Court I.D. 19865

The Law Offices of  
Richard H. Milgrub  
211 North Second Street  
Clearfield, PA 16830  
(814) 765-1717

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RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

3-27-03 Document  
Reinstated/Revised to Sheriff/Attorney  
for service. W.L. Shantz  
Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

NOTICE TO DEFEND AND CLAIM RIGHTS

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 (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
IN EQUITY

LYNN M. SHOPE, and MARY SHOPE, \*  
husband and wife, \*  
Plaintiffs \*  
\*  
-vs- \* No. EQU.  
\*  
KENNETH C. SHOPE, RONALD D. \*  
SHOPE and REID C. SHOPE, \*  
Defendants \*

COMPLAINT

AND NOW, come the Plaintiffs, Lynn M. Shope and Mary Shope, by and through their attorneys, Brian K. Marshall, Esquire, and Richard H. Milgrub, Esquire, who request that the Honorable Court Order a partition of the property hereinafter described, and in support thereof aver as follows:

1. Plaintiff, Lynn M. Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

2. Plaintiff, Mary Shope, is an adult individual and a citizen of the Commonwealth of Pennsylvania, residing at 236 Semple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627.

3. Defendant, Kenneth C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, residing at Box 171, Irvona, Clearfield County, Pennsylvania 16656.

4. Defendant, Ronald D. Shope, is an adult individual, and citizen of the State of North Carolina, currently

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residing at 107 West Dorothy Lane, Pikesville, North Carolina 27863.

5. Defendant, Reid C. Shope, is an adult individual, and citizen of the Commonwealth of Pennsylvania, currently residing at RR 2, Box 244, Tyrone, Blair County, Pennsylvania, 16617.

6. Plaintiffs and Defendants are the owners of certain real estate in Beccaria Township, Clearfield County as described below, and all the interests of the parties in the property with the exception of those held jointly by Lynn and Mary Shope, are held as tenants in common and are undivided, with the following persons owning the following proportionate interest:

- a. Lynn M. Shope and Mary Shope, Plaintiffs, 19/26
- b. Kenneth C. Shope, Defendant, 3/26
- c. Ronald D. Shope, Defendant, 1/13
- d. Reid C. Shope, Defendant, 1/13

7. The subject real property is more particularly described as follows:

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen;

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thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

8. The property previously described was initially distributed from the Estate of Marlin B. Shope, a/k/a Marlin Benjamin Shope, deceased, No. 93-426, in the Orphans' Court Division of the Court of Common Pleas of Clearfield County on November 2, 1998, to the following intestate heirs: Susan R. Alstadt, Ruth H. Orichosky, Ronald D. Shope, Robert J. Shope, Louise Kutruff, Joan M. Singleton, Reid C. Shope, Beverly J. Bupp, Anna C. Baldwin, Mary J. Sinclair, June L. Laughard, Lynn M. Shope and Kenneth C. Shope. A copy of the Decree of Distribution is attached hereto and marked Exhibit A.

9. Since that date and time, the following persons have transferred the following interests:

a. By Deed dated the 5<sup>th</sup> day of January, 1999, Ruth H. Orichosky, and Henry A. Orichosky, her husband, transferred their interest to Lynn M. Shope and Kenneth C. Shope equally as tenants in common. Said Deed being recorded in the Recorder of

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—  
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DUBOIS, PA 15801

Deeds Office at Clearfield County as Instrument Number 199909937.

A copy of said Deed is attached and marked Exhibit B.

b. By Deed dated the 10<sup>th</sup> day of March, 2001, June Laughard, and William Laughard, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200104799. A copy of said Deed is attached and marked Exhibit C.

c. By Deed dated the 6<sup>th</sup> day of May, 2001, Joan M. Singleton, and James Singleton, her husband, transferred their interest to Lynn M. Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200107298. A copy of said Deed is attached and marked Exhibit D.

d. By Deed dated the 12<sup>th</sup> day of August, 2002, Beverly Bupp transferred her interest to Lynn M. Shope, and Mary Shope, his wife. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213141. A copy of said Deed is attached and marked Exhibit E.

e. By Deed dated the 12<sup>th</sup> day of August, 2002, Mary J. Sinclair, and Robert Sinclair, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213140. A copy of said Deed is attached and marked Exhibit F.

f. By Deed dated the 13<sup>th</sup> day of August, 2002, Anna C. Baldwin, and George Baldwin, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being

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recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200213139. A copy of said Deed is attached hereto and marked Exhibit G.

g. By Deed dated the 20<sup>th</sup> day of August, 2002, Louise M. Kutruff, and George M. Kutruff, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield Count as Instrument Number 200213491. A copy of said Deed is attached hereto and marked Exhibit H.

h. By Deed dated the 31<sup>st</sup> day of August, 2002, Susan R. Alstadt, and James Alstadt, her husband, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200214364. A copy of said Deed is attached hereto and marked Exhibit I.

i. By Deed date the 28<sup>th</sup> day of October, 2002, Robert J. Shope, and Michelle L. Shope, his wife, transferred their interest to Lynn M. Shope and Mary Shope. Said Deed being recorded in the Recorder of Deeds Office at Clearfield County as Instrument Number 200218342. A copy of said Deed is attached hereto and marked Exhibit J.

10. No other persons than the parties to this suit has any interest in the property.

11. No partition or division of the property has ever been made.

12. The Decree of Distribution from the Estate of Marlin B. Shope, attached hereto and marked as Exhibit A, evidences, in Subpart B, a lien in the amount of \$9,720.40 in

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211 NORTH SECOND STREET  
CLEARFIELD, PA 16830

—  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

favor of Plaintiff, Lynn M. Shope, for funds loaned to the Estate in order to pay administrative expenses, inheritance taxes and real estate taxes due in the Estate.

13. The aforesaid lien in the amount of \$9,720.40, together with interest from the date of the Decree of Distribution, November 2, 1998, constitutes a charge against the above-described real property and is payable by the distributees, their heirs and assigns equally to Lynn M. Shope as aforesaid upon demand of Lynn M. Shope or at the sale or partitioning of the above-described real property or upon judgment of a competent Court of jurisdiction in a civil action brought by any party in interest.

14. Lynn M. Shope, in purchasing the interests referred to in Paragraph 8 above, agreed to forgive the lien against those Grantors who sold their interest to him through the Deeds attached hereto and marked Exhibits B through J.

15. Lynn M. Shope still maintains liens against Defendants, Kenneth C. Shope, Ronald D. Shope and Reid C. Shope based upon the undivided proportionate interest each owns in the property, as stated in the Decree of Distribution.

16. Said liens are in the amount of \$747.73 each against Defendants, Ronald D. Shope and Reid C. Shope, representing their proportionate one-thirteenth (1/13) interest in the property.

17. Said lien maintained against Defendant, Kenneth C. Shope, is in the amount of \$1,121.59, representing the three-twenty-sixth (3/26) interest that is currently owned by Kenneth C. Shope.

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CLEARFIELD, PA 16830

—  
109 NORTH BRADY STREET  
DUBOIS, PA 15801

WHEREFORE, Plaintiff, Lynn M. Shope, requests the Honorable Court to:

- a. decree partition of the real estate;
- b. determine the share or shares to which your respective parties are entitled be set out to them in severalty and that all proper and necessary conveyances and assurances be executed preparing such partition into effect, and that, if the real estate cannot be divided without prejudice to or spoiling the whole, such proper and necessary sale or sales of the same may be made by such persons and in such manner as the Court may direct;
- c. Order the Defendants to pay their proportionate share of the outstanding lien amount as set forth previously; and
- d. Order such other and further relief be granted as the Court deems just and proper.

By Brian K. Marshall, Esquire  
Attorney for Plaintiff

By Richard H. Milgrub, Esquire  
Attorney for Plaintiff

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VERIFICATION

We, Lynn M. Shope and Mary Shope, verify that the statements made herein are true and correct. We understand that false statements herein are made subject to penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 2-6-03

Lynn M. Shope

Date: 2-6-03

Mary L. Shope

THE LAW OFFICES OF  
RICHARD H. MILGRUB  
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CLEARFIELD, PA 16830

109 NORTH BRADY STREET  
DUBOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

RE: Estate of MARLIN B. SHOPE, \*  
a/k/a MARLIN BENJAMIN SHOPE, \*  
Deceased \* No. 93-426

DECREE OF DISTRIBUTION

AND NOW, to wit: this 2nd day of November, 1998, the First and Final Account of Kenneth C. Shope and Lynn M. Shope, Co-Administrators of the above-captioned estate, having been filed, together with a Certificate of Notice as provided for by Clfd. C.C.R. 6.3A and a Statement of Proposed Distribution provided for by Clfd. O.C.R. 6.3B, no exceptions or objections having been filed thereto.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED that the First and Final Account including Statement of Proposed Distribution shall be and is hereby approved and confirmed nisi; and further, that unless exceptions or objections to this decree nisi are filed within ten (10) days from the date hereof, this Court shall confirm the First and Final Account absolutely, as of course, and it shall be deemed confirmed absolutely without further action by the Court and the said Co-Administrators, following distribution of the net balance in their hands, pursuant to this decree, shall be and are hereby released from all liability on account of their appointment as co-administrators; and further, it is ORDERED, ADJUDGED, and DECREED that the property, real and personal, constituting the net balance of the estate in the hands of the Co-Administrators for distribution as set forth in the First and Final Account, specifically, property having an inventory value of \$34,121.00, shall be and is hereby distributed as follows:

A. Tangible Personal Property:

The following described tangible personal property hereby is distributed equally as tenants in common to: Kenneth C. Shope, Lynn M. Shope, Susan R. Ristadt, Ronald D. Shope, Louise Nutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Bupp, and Mary J. Sinclair:

1.	1954 Ford tractor	200.00
2.	Hay bailer	200.00
3.	Miscellaneous farm machinery, including 1954 Ford tractor, plows, harrows, cultivator, and disc	1,500.00
4.	Riding lawn mower	800.00
5.	Miscellaneous hand & garden tools	100.00
6.	1978 Ford 2-wd half ton pick- up truck	250.00
7.	1979 Lincoln coupe	500.00
8.	One lot of misc. household goods	470.00
		4,020.00

B. Real Estate Distribution Schedule:

ALL of the right, title, interest, choses in action, and claims of whatsoever nature of which the decedent, Marlin B. Shope a/k/a Marlin Benjamin Shope, died seized in and to that certain parcel of land situate in Beccaria Township, Clearfield County, Pennsylvania as described in the Inventory filed in this estate and as more fully hereinafter described hereby is distributed equally as tenants in common to decedent's children: Kenneth C. Shope, Lynn M. Shope, Susan F. Alstadt, Ronald D. Shope, Louise Kutruff, Reid C. Shope, Anna C. Baldwin, June L. Laughard, Ruth H. Orichosky, Robert J. Shope, Joan M. Singleton, Beverly J. Eupp, and Mary J. Sinclair; provided however, said real property shall be and is hereby distributed subject to a judicial lien in favor of Lynn M. Shope, his heirs, executors, administrators, and assigns, in the amount of \$9,720.47, being the amount which the decedent's estate owes Lynn M. Shope for funds loaned to the estate in order to pay administrative expenses, inheritance taxes, and real estate taxes due in the estate.

The real property of which the decedent died seized and is distributable from this estate is more fully bounded and described as follows:

ALL of those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres.

THE SECOND THEREOF: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence

East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

THE THIRD THEREOF: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

The aforesaid lien in the amount of \$9,720.47, together with interest from the date of this Decree, at the legal rate, shall constitute a charge against the above-described real property and is payable by the above named distributees, their heirs and assigns, equally to Lynn M. Shope as aforesaid, upon demand of Lynn M. Shope, his heirs or assigns, or at the time of the sale or partitioning of the above-described real property or upon judgment of a competent court of jurisdiction in a civil action brought by any party in interest.

BEING the same premises which John Hollan, widow, by Deed dated November 1, 1958 and recorded in the Register's Office of Clearfield County, Pennsylvania on April 24, 1963 in Deed Book Volume 501, page 191, granted and conveyed unto Marlin Shope and Mayme Shope, husband and wife. The said Mayme Shope died a resident of Clearfield County, Pennsylvania on March 9, 1991 thereby vesting exclusive title to the premises in her surviving spouse, Marlin Shope, decedent herein.

\$1,100.00

TOTAL NET BALANCE DISTRIBUTED:

\$34,120.00

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

BY THE COURT:

John K. Petty, Jr.

Judge

test

Karen J. Staud

Sec. of W.C. Rec. of Deeds & Cl. of Common Court

INSTRUMENT NUMBER  
**199909937**

RECORDED ON

*John Shope*  
Jan 16, 1999  
12:06:47 PM

County Parcel No. 101-J17-71

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER	\$1.00
IMPROVEMENT FUND	
STATE WRIT TAX	\$0.50
TOTAL	\$15.50

**Deed**

MADE the 5<sup>th</sup> day of JANUARY in the year nineteen hundred and ninety-nine (1999).

BETWEEN RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, of Box 433, Coalport, Clearfield County, Pennsylvania 16627, parties of the first part, hereinafter referred to as the "GRANTORS";

-and-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627; and KENNETH C. SHOPE of Box 171, Irvona, PA 16656, equally as tenants in common, parties of the second part, hereinafter referred to as the "GRANTEES."

WITNESSETH, that in consideration of the sum of One (\$1.00) Dollar, and other good and valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees equally, as tenants in common, their heirs, executors, administrators, and assigns forever,

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of begin-

ning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole) which vested in Ruth H. Orichosky, formerly Ruth H. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Ruth H. Orichosky. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1/86, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Ruth H. Orichosky acquired an interest in the above described premises and her husband, Henry A. Orichosky, joins herein for the purpose of conveying such interest as he may have in the above described premises, if any, to the Grantees herein.

By acceptance and recording of this instrument, the Grantees acknowledge their intent that the premises conveyed herein be held by each of them equally, absolutely, as tenants in common.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHERS AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, ti-

tle, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966" I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

Mary J. Shope  
Mary R. Klinefelter

Lynn M. Shope  
Kenneth C. Shope

This 14<sup>th</sup> day of June, 1999

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of;

Helen C. Shank  
Helen C. Shank

Ruth H. Orichosky (SEAL)  
Ruth H. Orichosky  
Henry A. Orichosky (SEAL)  
Henry A. Orichosky

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residences of the Grantees herein are as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

Kenneth C. Shope  
Box 171  
Irsvona, PA 16656

John Sughrue, Esquire  
John Sughrue, Esquire  
Attorney or Agent for Grantees

COMMONWEALTH OF PENNSYLVANIA :  
: SS.

COUNTY OF CLEARFIELD :

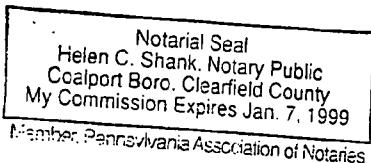
1999

On this, the 5<sup>th</sup> day of January, 1998, before me, the undersigned authority, personally appeared RUTH H. ORICHOSKY and HENRY A. ORICHOSKY, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Helen C. Shank  
Notary Public

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200104799  
APR 06, 2001  
1:51:43 PM  
RECORDED ON  
RECORDED  
COUNTY IMPROVEMENT FUND  
RECORDER IMPROVEMENT FUND  
STATE WRIT TAX  
TOTAL  
SUGIRUE, JOHN  
CUSTOMER

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 10<sup>th</sup> day of MARCH in the year two thousand one  
(2001)

BETWEEN June L. Laughard and William Laughard, her husband, of 329  
Hughes Drive, Tallmadge, OH 44728, parties of the first part,  
hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, R. D., Coalport, Clearfield County, Pennsylvania 16627 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Eight hundred  
sixty-two and thirty-five (\$862.35) Dollars, and other good and  
valuable consideration, in hand paid, the receipt whereof is  
hereby acknowledged, the said Grantors do hereby grant and convey  
unto the Grantee his heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or for-  
merly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one hun-

dred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including June L. Laughard, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, June L. Laughard acquired an interest in the above described premises and her husband, William Laughard, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

Mary L. Shope

Lynn M. Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will SPECIALLY warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

June L. Laughard

June L. Laughard

(SEAL)

William Laughard

William Laughard

(SEAL)

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shope  
Box 60, R. D.  
Coalport, PA 16627

John Sughrue, Esquire  
Attorney for Grantee

STATE OF OHIO :  
COUNTY OF Washington :  
SS.

On this, the 11<sup>th</sup> day of July, 2001, before me, the undersigned authority, personally appeared June L. Laughard and William Laughard, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Shirley D. Lee  
Notary Public

My Commission Expires: Oct 30, 2001

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
**'200107298**

RECORDED ON  
**May 16, 2001**  
**1:35:19 PM**

RECORDING FEES -	\$13.00
RECORDER	\$1.00
COUNTY IMPROVEMENT FUND	\$1.00
RECORDER IMPROVEMENT FUND	\$1.00
STATE WRIT TAX	\$0.50
<b>TOTAL</b>	<b>\$15.50</b>

SUGRUE, JOHN

CUSTOMER

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 6 day of May in the year two thousand one  
2001.

BETWEEN Joan M. Singleton and James Singleton, her husband, of  
3223 University Blvd., S. Jacksonville, FL 32216, parties of the  
first part, hereinafter referred to as the "GRANTORS";

-AND-

LYNN M. SHOPE of Box 60, P. O., Coalport, Clearfield County, Pennsylvania  
16617 party of the second part, hereinafter referred to as the "GRANTEE".

WITNESSETH, that in consideration of the sum of Nine Hundred and  
Fourteen and Ten ~~Sept~~ 14.10 Dollars, and other good and valuable  
consideration, in hand paid, the receipt whereof is hereby ac-  
knowledged, the said Grantors do hereby grant and convey unto the  
Grantee his heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or for-  
merly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five ~~acres~~  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one hun-  
dred three (103) perches to the ash corner now or formerly of W.

G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forty-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forty-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven 37 perches, more or less.

EXCEPTING AND RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deeds.

TOGETHER with all rights, privileges, title, choses in action, easements, rights-of-way, and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises believed to be an undivided 1/10 ownership in the whole, which vested in June L. Laughard, formerly June L. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-416. By decree nisi dated November 1, 1993, absolute November 12, 1993, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased, including Joan M. Singleton, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Joan M. Singleton acquired an interest in the above described premises and her husband, James Singleton, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantee herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS, THEREFORE, EXEMPT FROM REALTY TRANSFER TAX.

**TOGETHER** with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof,

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said party of the second part, his heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

May L. Shope

Lynn M. Shope

Lynn M. Shope

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE, OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING, OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT, OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED, OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

AND the said Grantors will **SPECIALLY** warrant and forever defend the property hereby conveyed.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

*Joan M. Singleton* SEAL  
Joan M. Singleton

*James Singleton* SEAL  
James Singleton

JS/N.T.S.

Certificate of Residence

I hereby certify that the precise residence of the Grantee herein is as follows:

Lynn M. Shape  
Box 60, P. O.

Coalport, PA 15627

*John Sughrue, Esquire*  
John Sughrue, Esquire  
Attorney for Grantee

STATE OF FLORIDA

: ss.

COUNTY OF Duval

:

On this, the 6th day of May, 2001, before me, the undersigned authority, personally appeared Joan M. Singleton and James Singleton, her husband, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

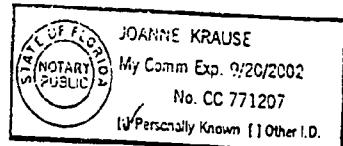
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

*Joanne Krause*  
Notary Public

My Commission Expires:

*September 20, 2002*



KAREN L. STARCK  
 REGISTER AND RECORDER  
 CLEARFIELD COUNTY  
 Pennsylvania  
 INSTRUMENT NUMBER  
 200213141  
 RECORDED ON  
 AUG 16, 2002  
 2:51:10 PM  
 Total Pages: 4  
 RECORDING FEES - \$17.00  
 RECORDER  
 COUNTY IMPROVEMENT FUND \$2.00  
 RECORDER  
 IMPROVEMENT FUND \$3.00  
 STATE WRIT TAX \$0.50  
 TOTAL \$18.50  
 NUGROB, RICHARD  
 CUSTOMER

County Parcel No.  
101-J17-71

THIS DEED

MADE the 12<sup>th</sup> day of August in the year two thousand two (2002)

BETWEEN BEVERLY BUPP, a single individual, of R.D. 4, Box 118, Tyrone, PA 16686, party of the first part, hereinafter referred to as the "GRANTOR";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Beverly J. Bupp, formerly Beverly J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws of the Commonwealth of Pennsylvania* to the heirs at law of Marlin Shope, deceased including Beverly J. Bupp, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238.

THIS IS A CONVEYANCE FROM SISTER TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owner of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Beverly J. Bupp (SEAL)  
Beverly J. Bupp ✓

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein  
is as follows:

236 Temple Lane  
P.C. Box 60  
Coalport, PA 16627

Brian K. Marshall, Esquire  
Attorney for Grantees

Attorney for Grantees

According, too, —

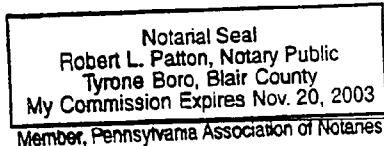
STATE OF PENNA )  
:ss  
PL. 1 )

COUNTY OF BLAIR)

On this, the 12<sup>th</sup> day of Aug, 2002, before me, the undersigned officer, personally appeared BEVERLY J. BUPP and RONALD BJPP, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213140  
RECORDED ON  
AUG 16, 2002  
2:51:09 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

THIS DEED

MADE the 12 day of Aug. in the year two thousand two  
(2002)

BETWEEN MARY J. SINCLAIR and ROBERT SINCLAIR, her husband, of 2021  
Muncy Road, State College, PA 16801, parties of the first part,  
hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O.  
Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties  
of the second part, hereinafter referred to as the "GRANTEES".

WITNESSETH, that in consideration of the sum of One Thousand  
Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and  
valuable consideration, in hand paid the receipt whereof is hereby  
acknowledged, the said Grantors do hereby grant and convey unto  
the Grantees, their heirs, executors, administrators, and assigns  
forever.

ALL those three certain tracts of land situate in the Township of  
Beccaria, County of Clearfield, and State of Pennsylvania, bounded  
and described as follows:

The First Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by lands now or  
formerly of said John Litz Estate forty (40) perches to a post;  
thence by land now or formerly of W. G. Croyle North twenty (20)  
perches to a post; thence East forty (40) perches to a post;  
thence by land now or formerly of John Litz Estate twenty (20)  
perches to the place of beginning. Believed to contain five (5)  
acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now  
or formerly of John Litz Estate; thence West by five acre piece  
above described and land now or formerly of W. G. Croyle one  
hundred three (103) perches to the ash corner now or formerly of  
W. G. Croyle in line of land now or formerly of G. W. Dillen;  
thence North by line of land now or formerly of G. W. Dillen  
forty-two (42) perches to a chestnut; thence East one hundred  
three (103) perches to a stone heap; thence by land now or  
formerly of John Litz Estate South forty-two (42) perches to the  
place of beginning. Believed to contain twenty-five (25) acres  
and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Mary J. Sinclair, formerly Mary J. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Mary J. Sinclair, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Mary J. Sinclair acquired an interest in the above described premises and her husband, Robert Sinclair, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

TO HAVE AND HOLD the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Polly G. Brooks

Mary J. Sinclair  
Mary J. Sinclair

(SEAL)

Polly G. Brooks

Robert Sinclair  
Robert Sinclair

(SEAL)

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 15627

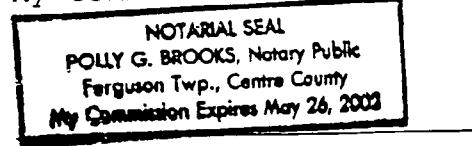
Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania :ss  
COUNTY OF Centre

On this, the 12<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared MARY J. SINCLAIR and ROBERT SINCLAIR, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:



Polly G. Brooks

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213139

RECORDED ON

AUG 16, 2002  
2:51:08 PM

Total Pages: 4

RECORDING FEES -	\$13.00
RECORDER	
COUNTY IMPROVEMENT FUND	\$2.00
RECORDER IMPROVEMENT FUND	\$3.00
STATE WRIT TAX	\$0.50
TOTAL	\$18.50
MILGRUB, RICHARD	CUSTOMER

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 13 day of August in the year two thousand two (2002)

BETWEEN ANNA C. BALDWIN and GEORGE BALDWIN, her husband, of 1407 W. 37th Street, Erie, PA 16508, parties of the first part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Anna C. Baldwin, formerly Anna C. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the *Intestate Laws* of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Anna C. Baldwin, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Anna C. Baldwin acquired an interest in the above described premises and her husband, George Baldwin, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, **to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.**

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended).

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Audrey Munn Anna C. Baldwin (SEAL)  
Anna C. Baldwin

Audrey Munn George Baldwin (SEAL)  
George Baldwin

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 15627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF PA)  
:ss  
COUNTY OF ERIE)

On this, the 13 day of August, 2002, before me, the undersigned officer, personally appeared ANNA C. BALDWIN and GEORGE BALDWIN, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: OCT 3 2005

Janel R. Urban



KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200213491  
RECORDED ON  
AUG 23, 2002  
2:58:15 PM  
Total Pages: 4

County Parcel No.  
101-J17-71

## THIS DEED

MADE the 20<sup>th</sup> day of August in the year two thousand two (2002)

BETWEEN LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, her husband, of 3913 Stanley Avenue, Erie, PA 16504, parties of the first part, hereinafter referred to as the "GRANTORS";

AND

LYNN M. SHOPE and MARY SHOPE, his wife, of 236 Temple Lane, P.O. Box 60, Coalport, Clearfield County, Pennsylvania 16627, parties of the second part, hereinafter referred to as the "GRANTEEES".

WITNESSETH, that in consideration of the sum of One Thousand Seventy-Six and Ninety-Two (\$1,076.92) Dollars, and other good and valuable consideration, in hand paid the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey unto the Grantees, their heirs, executors, administrators, and assigns forever.

ALL those three certain tracts of land situate in the Township of Beccaria, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

The First Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by lands now or formerly of said John Litz Estate forty (40) perches to a post; thence by land now or formerly of W. G. Croyle North twenty (20) perches to a post; thence East forty (40) perches to a post; thence by land now or formerly of John Litz Estate twenty (20) perches to the place of beginning. Believed to contain five (5) acres, more or less.

The Second Thereof: BEGINNING at a post on line of land now or formerly of John Litz Estate; thence West by five acre piece above described and land now or formerly of W. G. Croyle one hundred three (103) perches to the ash corner now or formerly of W. G. Croyle in line of land now or formerly of G. W. Dillen; thence North by line of land now or formerly of G. W. Dillen forth-two (42) perches to a chestnut; thence East one hundred three (103) perches to a stone heap; thence by land now or formerly of John Litz Estate South forth-two (42) perches to the place of beginning. Believed to contain twenty-five (25) acres and seventy-one (71) perches, more or less.

Exhibit H

The Third Thereof: Adjoining the last above described piece now or formerly of John Litz Estate; on the North by land now or formerly of J. R. Gill, deceased, and on the West by land now or formerly of Clearfield Creek Coal Company. Believed to contain twelve (12) acres and thirty-seven (37) perches, more or less.

EXCEPTING and RESERVING, HOWEVER, all the bituminous coal and fire clay, as fully as are reserved in prior Deed.

TOGETHER with all rights, privileges, titles, choses in action, easements, and rights-of-way and other claims of whatsoever nature, both real and personal, related to, arising out of, or pertinent to the beneficial use and enjoyment of the above described premises or of which Marlin Shope died seized.

BEING the same premises (believed to be an undivided 1/13 ownership in the whole), which vested in Louise M. Kutruff, formerly Louise M. Shope, one of the Grantors herein, by virtue of the death of her father, Marlin Shope, deceased. The said Marlin Shope died intestate on December 16, 1991 seized of the above-described property and his estate is filed of record in the Register of Wills' Office of Clearfield County, Pennsylvania at No. 93-426. By Decree Nisi dated November 2, 1998, absolute November 12, 1998, the Court of Common Pleas of Clearfield County, Pennsylvania, Orphans' Court Division, distributed the above-described premises under the Intestate Laws of the Commonwealth of Pennsylvania to the heirs at law of Marlin Shope, deceased including Louise M. Kutruff, one of the Grantors herein. Said decree is recorded in the Recorder's Office of Clearfield County, Pennsylvania in DRBV 1986, page 238. As a result of being an heir at law of the said Marlin Shope and by virtue of said decree, Louise M. Kutruff acquired an interest in the above described premises and her husband, George M. Kutruff, joins herein for the purpose of consenting to this conveyance and such interest as he may have in the above-described premises, under the law as a result of the Grantor marital relationship, if any, to the Grantees herein.

THIS IS A CONVEYANCE FROM SISTER AND BROTHER-IN-LAW TO BROTHER AND IS THEREFORE EXEMPT FROM REALTY TRANSFER TAX.

TOGETHER with all and singular, the improvements, privileges, hereditaments, and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the said parties of the first part in law, equity, or otherwise, howsoever, of, in, and to the same and every part thereof.

**TO HAVE AND HOLD** the said hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances unto the said parties of the second part, their heirs, executors, administrators, and assigns, to and for the only proper use and behoof of the said parties of the second part, their heirs, executors, administrators, and assigns, FOREVER.

## NOTICE

Grantee (hereinafter, whether one or more, called "Grantee") hereby states that he knows that he may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interests in the coal. (THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1996.)

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Sealed and delivered  
in the presence of:

Jamel R. Urban

Louise M. Kutruff (SEAL)  
Louise M. Kutruff

Jamel R. Urban

George M. Kutruff (SEAL)  
George M. Kutruff

Certificate of Residence

I hereby certify that the precise residence of the Grantees herein is as follows:

236 Temple Lane  
P.O. Box 60  
Coalport, PA 16627

Brian K. Marshall  
Brian K. Marshall, Esquire  
Attorney for Grantees

STATE OF Pennsylvania )  
:ss  
COUNTY OF Erie )

On this, the 20<sup>th</sup> day of August, 2002, before me, the undersigned officer, personally appeared LOUISE M. KUTRUFF and GEORGE M. KUTRUFF, known to me or satisfactorily proved to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:

Sept. 26<sup>th</sup>, 2005

Jennie E. Himrod

Notarial Seal  
Jennie E. Himrod, Notary Public  
City of Erie, Erie County  
Commission Expires Sept. 26, 2005