

2003-217-CD
JOHN L. DAVIS ETAL VS NED IRISH ETAL

Date: 04/21/2003

Time: 09:10 AM

Page 1 of 1

Clearfield County Court of Common Pleas

User: DGREGG

ROA Report

Case: 2003-00217-CD

Current Judge: John K. Reilly Jr.

Civil Other

Date	Judge
02/19/2003	<input checked="" type="checkbox"/> Filing: Complaint in Quiet Title Action Paid by: Hugney-Shope, Barbara J. No Judge (attorney for Davis, John L.) Receipt number: 1855731 Dated: 02/19/2003 Amount: \$95.00 (Check) Twelve CC Attorney Shope
03/05/2003	<input checked="" type="checkbox"/> Affidavit That Defendant's or Defendant's Whereabouts Are Unknown. filed No Judge by, s/Barbara J. Hugney-Shope, Esq. 3 cc Atty Shope
	<input checked="" type="checkbox"/> Motion For Leave To Serve By Publication. filed by s/Barbara J. Hugney-Shope, Esquire 3 cc Atty Shope
03/07/2003	<input checked="" type="checkbox"/> ORDER, filed 3 cert. to Atty. AND NOW, to wit, this 6th day of March, 2003, Order for Publication,
04/17/2003	<input checked="" type="checkbox"/> Affidavit. filed by s/Barbara J. Hugney-Shope, Esq. 1 cc Atty Shope
	<input checked="" type="checkbox"/> Motion For Judgment. Filed by s/Barbara J. Hugney-Shope, Esq. 1 cc Atty Shope
	<input checked="" type="checkbox"/> ORDER OF COURT, AND NOW, this 17th day of April, 2003. by the Court, s/JKR,JR.,P.J. 4 cc Atty Shope

Date: 04/10/2003

Time: 08:55 AM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BANDERSON

ROA Report

Case: 2003-00217-CD

Current Judge: John K. Reilly Jr.

Civil Other

Date

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02/19/2003	Filing: Complaint in Quiet Title Action Paid by: Hugney-Shope, Barbara J. No Judge ✓ (attorney for Davis, John L.) Receipt number: 1855731 Dated: 02/19/2003 Amount: \$95.00 (Check) Twelve CC Attorney Shope
03/05/2003	Affidavit That Defendant's or Defendant's Whereabouts Are Unknown. filed No Judge ✓ by, s/Barbara J. Hugney-Shope, Esq. 3 cc Atty Shope Motion For Leave To Serve By Publication. filed by s/Barbara J. Hugney-Shope, Esquire 3 cc Atty Shope No Judge ✓
03/07/2003	ORDER, filed 3 cert. to Atty. AND NOW, to wit, this 6th day of March, 2003, Order for Publication, John K. Reilly Jr. ✓

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

FILED

FEB 19 2003

William A. Shaw
Prothonotary

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

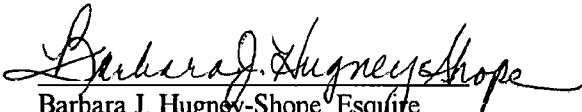
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
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McCAUSLAND; JESSIE M. CASANOVA,)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel., his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

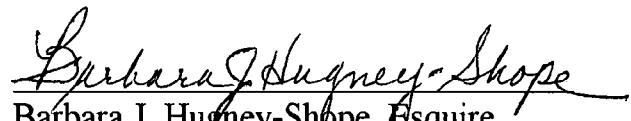
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis

John L. Davis

Marita M. Davis

Marita M. Davis

Dated: 3/13/03, 2003

BARBARA J. HUGNEY-SHOPE
Attnomey-at-Law
23 N. Second Street
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ACTION TO QUIET TITLE
NO. 03-
-CD

JOHN L. DAVIS and
MARITA M. DAVIS,

Plaintiffs,

vs.

NED IRISH, et. al.,
Defendants.

C O M P L A I N T

FILED

Q10:30 AM
FEB 19 2003

BS
William A. Shaw
Prothonotary

Attn: pd.
q5:cc
12 cc Amyshape

BARBARA J. HUGNEY-SHOPE
Attnomey-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: MOTION FOR
) LEAVE TO SERVE BY
) PUBLICATION AND
) ORDER FOR PUBLICATION
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
)

FILED

MAR 05 2003

William A. Shaw
Prothonotary

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

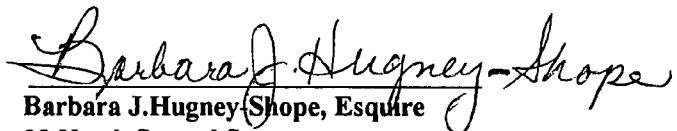
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a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

MOTION FOR LEAVE TO SERVE BY PUBLICATION

AND NOW, to wit: March 4, 2003, an Affidavit having been executed and filed on behalf of Plaintiffs that the whereabouts of NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, a/k/a O. P. BECHTEL, ANNA T. McCASLAND; JOHN McCASLAND, a/k/a JOHN C. McCASLAND; JESSIE M. CASANOVA, a/k/a JESSIE McCASLAND CASANOVA, and LAURA H. McCASLAND, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, are unknown, the Plaintiffs by their attorney, Barbara J. Hugney-Shope, Esquire, move the Court for leave to serve the Complaint on these Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities, known or unknown, claiming by and through or under them, by

publication in **The Progress of Clearfield, Pennsylvania, a newspaper of general circulation,**
and in the Clearfield County Legal Journal.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
23 North Second Street
Clearfield, PA 16830
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

FILED

MAR 07 2003

0142001

William A. Shaw
Prothonotary

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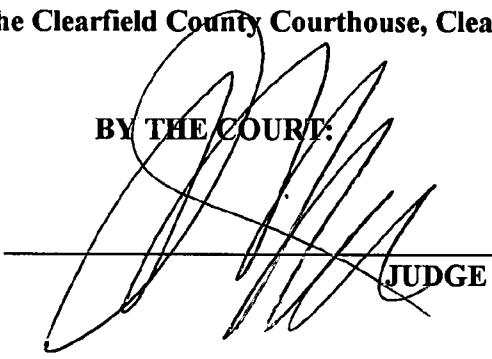
ORDER FOR PUBLICATION

AND NOW, to wit, this 6th day of March, 2003, upon consideration of the foregoing

Motion and Affidavit of Barbara J. Hugney-Shope, Attorney for Plaintiffs, that the current whereabouts of NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, a/k/a O. P. BECHTEL, ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C. McCausland; JESSIE M. CASANOVA a/k/a JESSIE McCausland CASANOVA, and LAURA H. McCausland, a/k/a LAURA M. SMITHERS are unknown, and that a good-faith effort has been made pursuant to PA.R.C.P. 430 to locate them, their heirs, successors and assigns, and that any heirs, successors and assigns are unable to be located, Plaintiffs are hereby granted leave to make service of the Complaint on all parties in interest in the property who cannot be personally served, and such heirs, executors, successors and assigns of Defendants

who are presently not of record and cannot be determined after due investigation, by publication one (1) time in The Progress of Clearfield, Pennsylvania, being a newspaper of general circulation in the County of Clearfield, Pennsylvania, and in the Clearfield County Legal Journal, with publication to appear not less than twenty (20) days prior to the 17 day of April, 2003, the date set for hearing on said Complaint, at 1:30o'clock P.M., in Court Room No. 1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:


JUDGE

Barbara J. Hugney-Shope
Attn: Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
Clerfield, PA 16830

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

NO. 03-217-CD

JOHN L. DAVIS and
MARITA M. DAVIS,

Plaintiffs,

vs.

NED IRISH, et. al.,
Defendants.

MOTION FOR LEAVE TO SERVE BY
PUBLICATION AND ORDER FOR
PUBLICATION

FILED

10/1/2001
MAR 5 2003

3cc
Barbara J. Hugney-Shope
Attn: Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

William A. Shaw
Prothonotary

Barbara J. Hugney-Shope

Attn: Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217-CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: AFFIDAVIT THAT
) DEFENDANT'S OR DEFENDANT'S
) WHEREABOUTS ARE UNKNOWN
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
)

FILED

MAR 05 2003

William A. Shaw
Prothonotary

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

**JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217-CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)**

**AFFIDAVIT THAT THE DEFENDANT'S OR
DEFENDANTS' WHEREABOUTS ARE UNKNOWN**

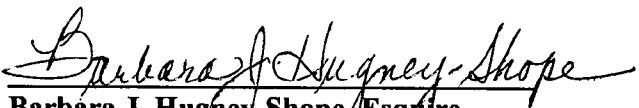
**COMMONWEALTH OF PENNSYLVANIA)
SS:)
COUNTY OF CLEARFIELD)**

**Before me, the undersigned officer, personally appeared Barbara J. Hugney-Shope,
Esquire, attorney for the above-named Plaintiffs, John L. Davis and Marita M. Davis, and
being authorized to do so, declares that NED IRISH, J. B. IRISH, OLIVER P. BECHTEL,
a/k/a O. P. BECHTEL, ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C.
McCAUSLAND; JESSIE M. CASANOVA a/k/a JESSIE McCausland CASANOVA, and
LAURA H. McCausland, a/k/a LAURA M. SMITHERS, their heirs, executors,
administrators, successors and assigns, and all other persons or entities in interest, known or**

unknown, claiming by and through or under them, are either deceased or their present whereabouts are unknown to the Plaintiffs.

Plaintiffs and the undersigned, their attorney, have made an investigation to locate these named Defendants by checking tax records of Clearfield County, review of telephone directories in the area, attempting service by the Sheriff of Clearfield County, and none of these Defendants have been located by the Sheriff as indicated on his return as "Not Found" to be filed in this case.

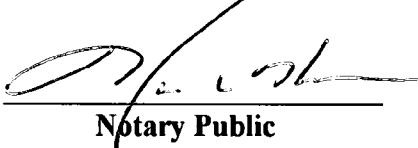
Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

SWORN to and subscribed

before me this 5 day

of March, 2003.



Notary Public



Barbara J. Hugney-Shope
Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
Clerk of Court
23 N. Second Street
Clearfield, PA 16830

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

NO. 03-217-CD

JOHN L. DAVIS and MARITA M.
DAVIS,
Plaintiffs,

vs.

NED IRISH, ET. AL.,
Defendants.

AFFIDAVIT THAT THE DEFENDANT'S
OR DEFENDANT'S WHEREABOUTS
ARE UNKNOWN

FILED

11:49 AM
MAR 05 2003

William A. Shaw
Prothonotary

3C
Barbara J. Hugney-Shope
by
RHS

Barbara J. Hugney-Shope

Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217-CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
Type of Case: QUIET TITLE ACTION)
)
)
)
Type of Pleading: AFFIDAVIT)
)
)
)
Filed on behalf of: PLAINTIFFS)
) JOHN L. DAVIS AND)
) MARITA M. DAVIS)
Counsel of record for Plaintiffs:)
)
BARBARA J. HUGNEY-SHOPE, ESQ.)
)
Supreme Court I. D. No. 26274)
23 North Second Street)
Clearfield, PA 16830)
(814) 765-5155)
)

FILED

APR 17 2003

William A. Shaw
Prothonotary

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

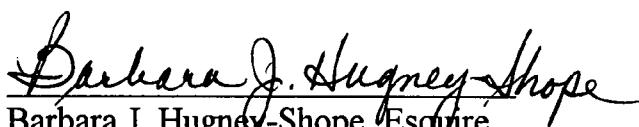
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
ss.:
COUNTY OF CLEARFIELD)

BARBARA J. HUGNEY-SHOPE, ESQUIRE, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiffs in the above-captioned action and makes this affidavit on behalf of Plaintiffs, being authorized to do so; that a Complaint in Action to Quiet Title, endorsed with a Notice to Defend within twenty (20) days from service thereof was served on the Defendants, NED IRISH; J. B. IRISH; OLIVER P. BECHTEL, a/k/a O. P. BECHTEL; ANNA T. McCausland;

JOHN McCASLAND, a/k/a JOHN C. McCASLAND; JESSIE M. CASANOVA, a/k/a JESSIE McCASLAND CASANOVA; and LAURA H. McCASLAND, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, by publication in The Progress of Clearfield, Pennsylvania, on March 14, 2003, proof of which is attached hereto marked Exhibit "A," and the Clearfield County Legal Journal during the week of March 21, 2003, proof of which is attached hereto, marked Exhibit "B," and these Defendants have not filed an Answer thereto although the time in which to do so has expired.



Barbara J. Hugney-Shope
Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

SWORN to and subscribed
before me this 17th day
of April, 2003.



Notary Public

NOTARIAL SEAL
KRISTEN L. ZURAT, NOTARY PUBLIC
CLEARFIELD BORO, CLEARFIELD CO., PA
MY COMMISSION EXPIRES MAY 7, 2005

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW
JOHN L. DAVIS and MARITA M.
DAVIS, husband and wife, Plaintiffs
vs.

NED IRISH; J. B. IRISH; OLIVER
P. BECHTEL, a/k/a O. P. BECH-
TEL; ANNA T. McCausland;
JOHN McCausland, a/k/a JOHN
C. McCausland; JESSIE M. CA-
SANOA, a/k/a JESSIE McCaus-
land CASANOVA; and LAURA H.
McCAUSLAND, a/k/a LAURA M.
SMITHERS, their heirs, executors,
administrators, successors and as-
signs, and all other persons or enti-
ties in interest, known or unknown,
claiming by and through or under
them, Defendants.

ACTION TO
QUIET TITLE
No. 03-217-CD

TO: NED IRISH; J. B. IRISH;
OLIVER P. BECHTEL, a/k/a O. P.
BECHTEL; ANNA T. McCausland;
JOHN McCausland, a/k/a
JOHN C. McCausland; JESSIE
M. CASANOVA, a/k/a JESSIE
McCausland CASANOVA; and
LAURA H. McCausland, a/k/a
LAURA M. SMITHERS, their heirs,
executors, administrators, suc-
cessors and assigns, and all other per-
sons or entities in interest, known
or unknown, claiming by and
through or under them.

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

ALL that certain piece or parcel of
land situate in Decatur Township,
Clearfield County, Pennsylvania,
bounded and described as follows:
BEGINNING at a post (white oak),
the common corner now or formerly
of Showalter, Shultz and Derby
Tracts; thence North 67 degrees
14 minutes East three thousand
one hundred and four and two-
tenths (3104.2) feet to a stone corner;
thence South 74 degrees 52
minutes East one hundred and
eighty-seven (187) feet to the Derby
Branch now or formerly of the
Pennsylvania Railroad; thence
North 28 degrees 45 minutes East
along the Derby Branch of the said
Pennsylvania Railroad, two hun-
dred ninety-three and nine-tenths
(293.9) feet to stone corner on line
now or formerly of Test Estate;
thence North 62 degrees 04 minutes
West two hundred and forty
(240) feet along the line of the said
Test Estate to a stone corner;
thence North 40 degrees 56 minutes
East one hundred seventy-
two and four tenths (172.4) feet to
a corner on the said Test Estate;
thence North 22 degrees 51 minutes
West one thousand eight hundred
and seventy-four (1,874) feet
to corner on land now or formerly of
the Lloyd Estate; thence South 66
degrees 40 minutes West thirty-
five hundred (3,500) feet more or
less, to land now or formerly of the
Showalter Estate; thence South 23
degrees 32 minutes East two thou-
sand one hundred and forty
(2,140) feet to white oak post and
the place of beginning. Being the
original Muhlen and Derby Tracts
and identified on the Clearfield
County Tax Assessment records
as Tax Map No. 112-P11-82 and
assessed as 114 acres.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 11th day of April, A.D. 2003,
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Margaret E. Krebs, who being duly sworn
according to law, deposes and says that she is the President of The
Progressive Publishing Company, Inc., and Associate Publisher of The
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of March 14, 2003.
And that the affiant is not interested in the subject matter of the notice or
advertising, and that all of the allegations of this statement as to the time,
place, and character of publication are true.

Margaret E. Krebs

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

Ann K. Law

Notary Public

Clearfield, Pa.

My Commission Expires
September 16, 2004

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

Member, Pennsylvania Association of Notaries

EXCEPTING AND RESERVING
from the terms of this conveyance
any and all properties or parts
thereof heretofore sold and con-
veyed out of or from the same, the
full and complete descriptions of
which may be had by referring to
the records of Clearfield County,
Pennsylvania.

BEING the same premises
granted and conveyed to the Plaintiffs
by a deed of Jean Sewall, et al.,
and recorded in Clearfield County
Deed Book Volume 736, page
435.

TAKE NOTICE that the plaintiffs
are the record owners of the land
described hereinabove and that
they have requested in a complaint
filed in Clearfield County, on Febru-
ary 19, 2003, that the Court de-
cree that the title to the same is in
them, free and clear of the claims of
all Defendants, their heirs, execu-
tors, administrators, successors
and assigns, and all other persons
or entities in interest, known or
unknown, claiming by and through or
under them.

NOTICE TO DEFEND
YOU HAVE BEEN SUED IN
COURT. If you wish to defend, you
must enter a written appearance
personally or by attorney and file
your defenses or objections in writ-
ing with the Court no later than April
17, 2003, at 1:30 P.M., the date
and time set for hearing on this
Complaint. You are warned that if
you fail to do so, the case may pro-
ceed without you and a judgment
may be entered against you without
further notice for the relief re-
quested by the Plaintiff. You may
lose money or property or other
rights important to you.

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

Court Administrator, Clearfield
County Courthouse, Second and
Market Streets, Clearfield, Penn-
sylvania 16830. Telephone: (814)
765-2641, Ext. 5982.

BARBARA J. HUGNEY-SHOPE,
Attorney at Law, 23 North Second
Street, Clearfield, Pennsylvania
16830 (814) 765-5155.

3:14-1d-b

EXHIBIT "A"

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

COUNTY OF CLEARFIELD : :

On this 24th day of March AD 2003, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of March 21, 2003, Vol. 15 No.12. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



Gary A. Knaresboro, Esquire
Editor

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

Margaret B. Buzzanca
Notary Public
My Commission Expires



Barbara J Hugney-Shope
23 North 2nd Street
Clearfield PA 16830

EXHIBIT "B"

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

JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, Plaintiffs vs. NED IRISH; J. B. IRISH; OLIVER P. BECHTEL, a/k/a O. P. BECHTEL; ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C. McCausland; JESSIE M. CASANOVA a/k/a JESSIE McCausland CASANOVA; and LAURA H. McCausland, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, Defendants.

ACTION TO QUIET TITLE
NO. 03-217-CD

TO: NED IRISH; J. B. IRISH; OLIVER P. BECHTEL, a/k/a O. P. BECHTEL; ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C. McCausland; JESSIE M. CASANOVA a/k/a JESSIE McCausland CASANOVA; and LAURA H. McCausland, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through them.

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

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

BEGINNING at a post (white Oak), the common corner now or formerly of

Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East, three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad two hundred ninety-three and nine-tenths (293.9) feet to a stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING the same premises granted and conveyed to the Plaintiffs by a deed of Jean Sewall, et al, and recorded in Clearfield County Deed Book Volume 736, page 435.

TAKE NOTICE that the Plaintiffs are the record owners of the land described hereinabove and that they have requested in a complaint filed in the Clearfield County, on February 19, 2003, that the Court decree that the title to the same is in them, free and clear of the claims of all Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court no later than April 17, 2003, at 1:30 p.m., the date and time set for hearing on the Complaint. You are warned that if you fail to do so, the case may proceed

without you and a judgment may be entered against you without further notice for the relief requested by the 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 Court House, Second and Market Streets, Clearfield, Pennsylvania, 16830. Telephone (814) 765-2641, Ext. 5982.

BARBARA J. HUGNEY-SHOPE, Attorney at Law, 23 North Second Street, Clearfield, Pennsylvania 16830. (814) 765-5155.

Barbara J. Hugney-Shope
Attnomey-at-Law
23 N. Second Street
Clearfield, PA 16830
Cleaffield, PA 16830

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

NO. 03-217-CD

JOHN L. DAVIS, et. al., Plaintiffs,
vs.

NED IRISH, et. al., Defendants.

A F F I D A V I T

FILED

Q1 19 2003
APR 17 2003

William A. Shaw
Prothonotary



Q1 19 2003
Barbara J. Hugney-Shope
Prothonotary

BARBARA J. HUGNEY-SHOPE

Attnomey-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217-CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: MOTION
) FOR JUDGMENT
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
) **FILED**

APR 17 2003

William A. Shaw
Prothonotary

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

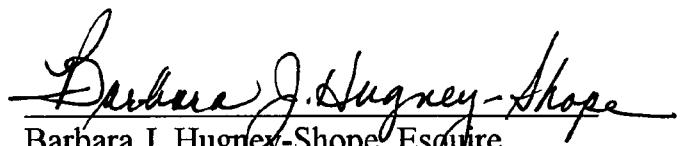
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCASLAND; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCASLAND CASANOVA,)
and LAURA H. McCASLAND,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

MOTION FOR JUDGMENT

NOW, this 17th day of April, 2003, an Affidavit having been filed by the Plaintiffs, John L. Davis and Marita M. Davis, through their attorney, Barbara J. Hugney-Shope, Esquire, that the Complaint with Notice to Defend was served on the Defendants, NED IRISH; J. B. IRISH; OLIVER P. BECHTEL, a/k/a O. P. BECHTEL; ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C. McCausland; JESSIE M. CASANOVA, a/k/a JESSIE McCausland CASANOVA; and LAURA H. McCausland, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors and assigns, and all other persons or entities

in interest, known or unknown, claiming by and through or under them, by publication and these Defendants having failed to answer or enter an appearance, the Plaintiffs, by their attorney, Barbara J. Hugney-Shope, Esquire, moves the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above-captioned case and to grant to the Plaintiffs the relief prayed for in accordance with the Pennsylvania Rules of civil Procedure 1066. Plaintiffs further request that the Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Pennsylvania Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

Respectfully submitted,



Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

BARBARA J. HUGNEY-SHOPE
Attny-at-Law
23 N. Second Street
Clearfield, PA 16830

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

NO. 03-217-CD

JOHN L. DAVIS, et. al., Plaintiffs,
vs.

NED IRISH, et. al., Defendants.

MOTION FOR JUDGMENT

10/13/03
Barbara J. Hugney-Shope
FAX 1/26/03
EKG

William A. Shaw
Prothonotary

BARBARA J. HUGNEY-SHOPE
Attny-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

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

)
)
FILED

APR 17 2003

William A. Shaw
Prethonotary

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

ORDER OF COURT

AND NOW, this 17 day of April, 2003, an Affidavit having been made that service was made by publication on NED IRISH; J. B. IRISH; OLIVER P. BECHTEL, a/k/a O. P. BECHTEL; ANNA T. McCausland; JOHN McCausland, a/k/a JOHN C. McCausland; JESSIE M. CASANOVA, a/k/a JESSIE McCausland CASANOVA; and LAURA H. McCausland, a/k/a LAURA M. SMITHERS, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, in The Progress of Clearfield, Pennsylvania, on March 14, 2003, and in the Clearfield County Legal

Journal the week of March 21, 2003, and it appearing that it was impossible to serve any of these Defendants by any other means,

IT IS ORDERED AND DECREED, that Defendant file suit in ejectment or otherwise enter a proceeding to contest the case within thirty (30) days, or this Order of Court shall become final upon Praeclipe by Plaintiffs, which hereby Orders and Decrees that title to the land subject of this action is vested absolutely in the Plaintiffs, their heirs and assigns, free and clear of any and all claims of any nature by these Defendants, their successors or assigns or anyone claiming by, through or under them, or any of them, and that the Plaintiffs are seized of an indefeasible title to the land situated in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

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

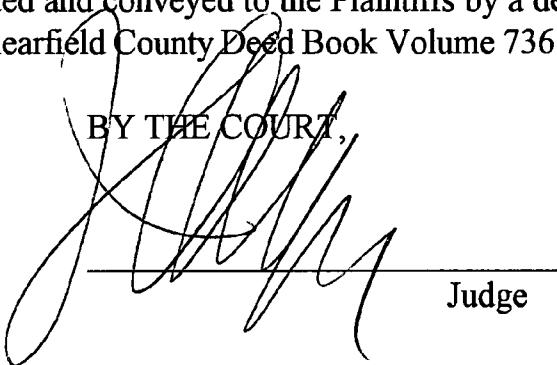
BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes

East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING the same premises granted and conveyed to the Plaintiffs by a deed of Jean Sewall, et al., and recorded in Clearfield County Deed Book Volume 736, page 435.

BY THE COURT,

Judge

Clearfield, PA 16830
23 N. Second Street
Attorney-at-Law
BARBARA J. HUGNEY-SHOPE

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

NO. 03-217-CD

JOHN L. DAVIS, et. al.,
Plaintiffs,

vs.

NED IRISH, et. al.,
Defendants.

ORDER OF COURT

CC
C 113418X
MR 1, JWW
C
William A. Shaw
Prothonotary

BARBARA J. HUGNEY-SHOPE
Attorney-at-Law
23 N. Second Street
Clearfield, PA 16830
(814) 765-5155
FAX (814) 765-2957

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13690

DAVIS, JOHN L. & MARITA M.

03-217-CD

VS.

IRISH, NED et al

COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW APRIL 17, 2003 RETURN THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND, DECEASED" AS TO NED IRISH, J.B. IRISH, OLIVER P. BECHTEL a/k/a O.P. BECHTEL, ANNA T. McCASLAND, JOHN McCASLAND a/k/a JOHN C. McCASLAND, JESSIE M. CASANOVA a/k/a JESSIE McCASLAND CASANOVA and LAURA McCASLAND a/k/a LAURA M. SMITHERS, DEFENDANTS.

Return Costs

Cost	Description
\$44.37	SHERIFF HAWKINS PAID BY: ATTY CK# 2959
70.00	SURCHARGE PAID BY: ATTY CK# 2959

FILED

05A-91264

MAY 01 2003

William A. Shaw
Prothonotary

Sworn to Before Me This

1st Day Of May 2003

William A. Shaw

So Answers,

Chester A. Hawkins
by Marky A. Haskins
Chester A. Hawkins
Sheriff

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- 217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: COMPLAINT
)
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
) I hereby certify this to be a true
) and attested copy of the original
) statement filed in this case.

FEB 19 2003

Attest.

[Signature]
Prothonotary/
Clerk of Courts

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

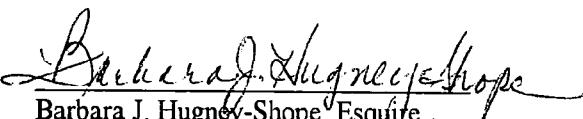
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA,)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E Bechtel., his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

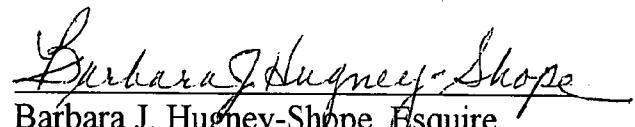
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis
John L. Davis

Marita M. Davis
Marita M. Davis

Dated: 2/13/03, 2003

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- 217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: COMPLAINT
)
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
) I hereby certify this to be a true
 and accurate copy of the original
 statement filed in this case.

FEB 10 2003

Attest.

John L. DAVIS
Prothonotary
Clark of Courts

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

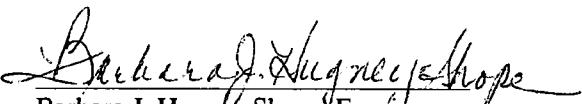
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Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

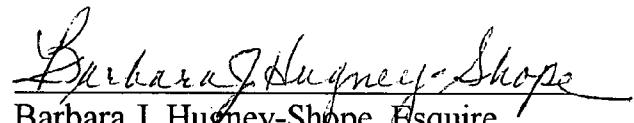
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

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Exhibit "A"

VERIFICATION

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

John L. Davis
John L. Davis

Marita M. Davis
Marita M. Davis

Dated: 2/13/03, 2003

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) Filed on behalf of: PLAINTIFFS
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) MARITA M. DAVIS
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) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
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)
) I hereby certify this to be a true
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 statement filed in this case.

FEB 19 2003

Attest.

[Signature]
Prothonotary/
Clerk of Courts

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Barbara J. Hugney-Shope
Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

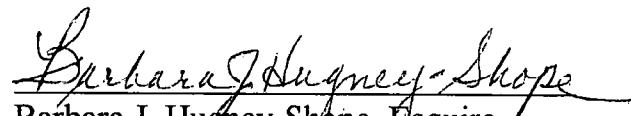
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis

John L. Davis

Marita M. Davis

Marita M. Davis

Dated: 5/13/03, 2003

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- 217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: COMPLAINT
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
) hereby certify this to be a true
) and attested copy of the original
) statement filed in this case.

FEB 19 2003

Attest.

John S. Shaffer
Prothonotary/
Clerk of Courts

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

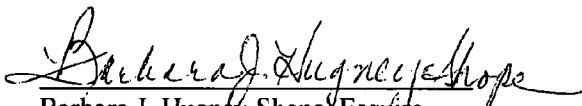
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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

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4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

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12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

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15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

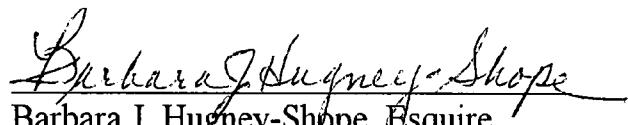
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis

John L. Davis

Marita M. Davis

Marita M. Davis

Dated: 2/13/03, 2003

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- 217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: COMPLAINT
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
) I hereby certify this to be a true
) and attested copy of the original
) statement filed in this case.

FEB 10 2003

Attest.

John E. Shaeffer
Prothonotary/
Clerk of Courts

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

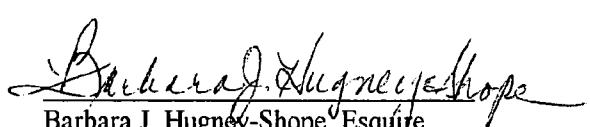
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA,)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel., his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

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28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

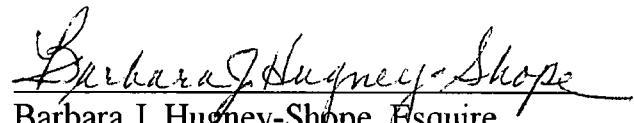
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis

John L. Davis

Marita M. Davis

Marita M. Davis

Dated: 3/13/03, 2003

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)
) Type of Case: QUIET TITLE ACTION
)
)
) Type of Pleading: COMPLAINT
)
)
) Filed on behalf of: PLAINTIFFS
) JOHN L. DAVIS AND
) MARITA M. DAVIS
)
) Counsel of record for Plaintiffs:
)
) BARBARA J. HUGNEY-SHOPE, ESQ.
)
) Supreme Court I. D. No. 26274
) 23 North Second Street
) Clearfield, PA 16830
) (814) 765-5155
)
) I hereby certify this to be a true
 and attested copy of the original
 statement filed in this case.

FEB 10 2003

Attest.

[Signature]
Prothonotary/
Clerk of Courts

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

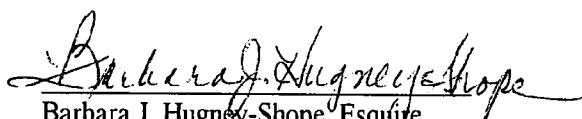
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their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA,)
a/k/a JESSIE McCausland CASANOVA,)
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a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel., his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

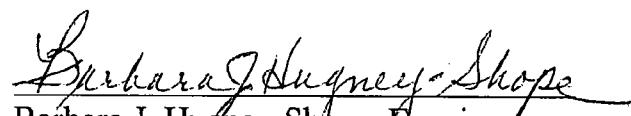
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis
John L. Davis

Marita M. Davis
Marita M. Davis

Dated: 5/13/03, 2003

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

FEB 19 2003

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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

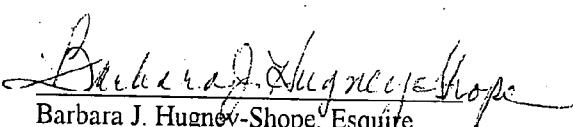
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Defendants.)

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against these claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or 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
1 North Second Street
Clearfield, PA 16830
(814) 765-2641, Ext. 5982


Barbara J. Hugney-Shope, Esquire
Attorney for Defendant

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

JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03- -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA,)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

COMPLAINT

AND NOW COME, Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, husband and wife, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file this complaint to quiet the title to certain real estate and in support thereof aver as follows:

1. That the Plaintiffs, JOHN L. DAVIS and MARITA M. DAVIS, are husband and wife, who reside at 1105 Old Town Road, Clearfield, Pennsylvania.

2. That Defendants, NED IRISH, J. B. IRISH, OLIVER P. BECHTEL, also known as O. P. BECHTEL, ANNA T. McCausland, JOHN McCausland, also known as JOHN C. McCausland, JESSIE M. CASANOVA, also known as JESSIE McCausland CASANOVA, LAURA H. McCausland, also known as LAURA M. SMITHERS, are all believed to be deceased and their heirs, executors, administrators, successors and assigns, except for the ones who have previously conveyed their interest to the parcel of land subject of this quiet title action, are unknown.

3. That the Plaintiffs, are currently the owners of a certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, by virtue of a deed recorded in Clearfield County Deed Book 736, page 435, that is bounded and described as set forth in Exhibit "A" attached hereto and incorporated herein as if set forth in full.

4. The parcel described in Exhibit "A" was conveyed to Plaintiff, John L. Davis, and Cecelia G. Davis, as tenants by the entireties, by the aforesaid deed dated February 28, 1977.

5. The said Cecilia G. Davis died June 30, 1991, vesting sole title in the parcel described in Exhibit "A" by operation of law in the Plaintiff, John L. Davis.

6. The Plaintiff, John L. Davis, then married Marita M. Davis , who joins in this Complaint.

7. The parcel of land described in Exhibit "A" is the residue of the parcel conveyed to Ned Irish, J. B. Irish and Oliver P. Bechtel, also known as O. P. Bechtel, by deed from Narciso A. Villaverde and Dolores C. deVillaverde, his wife, dated October 10, 1899, and recorded in Clearfield County Deed Book 104, page 395, and by Dolores R. deCasanova, a widow, Petrona Casanova, single, Rosario Casanova, single, Manuel A. Casanova, single, and Manuel Y. Casanova, single, dated September 7, 1899, and recorded in Clearfield County Deed Book 104, page 399.

8. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 465, conveyed a 15/144s interest in the said parcel to Jessie M. Casanova also known as Jessie McCausland Casanova, and Arturo Y. Casanova, her husband.

9. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded

in Clearfield County Deed Book 151, page 472, conveyed a 15/144s interest in the said parcel to Thomas G. McCausland and Nana N. McCausland, his wife.

10. The said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, by their attorney-in-fact, J. B. Irish, by deed dated November 10, 1905, and recorded in Clearfield County Deed Book 151, page 471, conveyed a 70/144s undivided interest in the said parcel to William H. McCausland.

11. It is believed and averred that the said Ned Irish and Agnes Irish, his wife; J. B. Irish and Martha Irish, his wife, and O. P. Bechtel, also known as Oliver P. Bechtel, and M. E. Bechtel, his wife, conveyed the remaining 44/144s undivided interest in the said parcel to Josephine C. deBallister, Arturo Y. Casanova, and Thomas G. McCausland and Nana N. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" variously dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and recorded in Deed Book 359, page 75; and dated September 26, 1941 and recorded in Deed Book 382, page 369; however the deed for this 44/144s interest although clearly intended to be recorded does not appear of record in the Office of the Recorder of Deeds in Clearfield County, Pennsylvania.

12. The said William H. McCausland died testate on June 14, 1906 in Centre County survived by the following testate heirs: Anna T. McCausland, Hervey McCausland, also known as Harvey McCausland, Piersol McCausland, Laura H. McCausland, Thomas G. McCausland, John McCausland, also known as John C. McCausland, Ida J. Scott, Charles P. McCausland and Jessie M. Casanova, also known as Jessie McCausland Casanova, as appears in the exemplified copy of his estate filings and Last Will and Testament recorded in Clearfield County Will Book 32, page 76.

13. It is believed and averred that the said Anna T. McCausland died testate devising her interest in the parcel described in Exhibit "A" to Charles P. McCausland, Jessie M. Casanova, also known as Jessie McCausland Casanova, Thomas C. McCausland, Ida M. Scott, also known as Ida J. Scott; Laura H. McCausland, also known as Laura M. Smithers, and John C. McCausland as represented in deeds for out sales from the parcel described in Exhibit "A" and dated September 11, 1929, and recorded in Clearfield County Deed Book 359, page 72; dated September 11, 1929, and Deed Book 359, page 75; and dated September 26, 1941 and recorded in Clearfield County Deed Book 382, page 369; however, no estate for Anna T. McCausland has been filed with the Office of the Register of Wills of Clearfield

County nor does any deed conveying the interest of Anna T. McCausland appear of record in the Office of the Recorder of Deeds in Clearfield County.

14. The said Harvey McCausland, also known as Hervey W. McCausland, by his deed dated June 29, 1906, and recorded in Clearfield County Deed Book 158, page 356, conveyed his interest in the parcel described in Exhibit "A" to Thomas G. McCausland.

15. The said Piersol McCausland by his guardian, Thomas G. McCausland, in a deed dated April 10, 1916, and recorded in Clearfield County Deed Book 215, page 178, conveyed his interest in the parcel described in Exhibit "A" to Laura McCausland.

16. It is believed and averred that the said Laura H. McCausland having married Dennis K. Smithers and became known as Laura M. Smithers and that she died survived by her children, Laura Smithers Donovan and Robert H. Smithers as her sole intestate heirs.

17. The said Laura Smithers Donovan and Brian Donovan, her husband, and Robert H. Smithers and Ann Smithers, his wife, conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

18. The said Thomas G. McCausland died testate on February 7, 1932, in Centre County leaving one-half (1/2) of his estate to his surviving spouse, Nana N.

McCausland, and the remaining one-half (1/2) of his estate to his son, Thomas G. McCausland, Jr. An exemplified copy of the Last Will and Testament of Thomas G. McCausland is filed in Clearfield County Will Book 32, page 85.

19. The said Thomas G. McCausland, Jr. died March 17, 1937, in Centre County, leaving to survive him his mother, Nana N. McCausland, as his sole heir at law as appears in the exemplified copy of his estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-189.

20. The said Nana N. McCausland died April 4, 1944, in Centre County, with her sole heirs at law being her brothers, George Albert and Freemont E. Albert and her sisters, Madeline S. Stacey and Dorothy A. McElravey as appears in the exemplified copy of her estate proceedings filed in the Office of the Register and Recorder in Clearfield County as No. 77-190.

21. The said heirs at law of Nana N. McCausland; specifically, George Albert, Freemont E. Albert, Madeline S. Stacey, Dorothy A. McElravey, and their spouses, conveyed their interest in the property described in Exhibit "A" to H. B. Scott, also known as Harry B. Scott, by their deed dated July 14, 1944, and recorded in Clearfield County Deed Book 359, page 568.

22. The said John McCausland also known as John C. McCausland, is believed to have died survived by his son, John M. McCausland, as his sole heir.

23. The said John M. McCausland and Virginia L. McCausland, his wife, then conveyed all of the interest acquired from John McCausland, also known as John C. McCausland in the property described in Exhibit "A" to Arturo Y. Casanova, Jr. by a deed dated July 10, 1964, and recorded in Clearfield County in Deed Book 509, page 263.

24. The said Ida J. Scott, also known as Ida M. Scott, died testate on September 23, 1937, in Centre County, Pennsylvania, survived by her husband, Harry B. Scott, also known as H. B. Scott, and her children, George Scott, James Scott and Laura Scott, as her sole testate heirs. An exemplified copy of the Last Will and Testament of Ida M. Scott is filed of record in Clearfield County Will Book 32, page 147.

25. The husband of Ida M. Scott, Harry B. Scott, also known as H. B. Scott, died intestate on March 4, 1945, leaving his children, George Scott, James P. Scott and Laura M. Scott as his sole heirs at law. An exemplified copy of the estate proceedings for Harry B. Scott are filed of record in Clearfield County Will Book 32, page 160.

26. The said George Scott and Sara D. Scott, his wife; James P. Scott and Suzanne K. Scott, his wife; and Laura M. Scott conveyed all their interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977 and recorded in Clearfield County Deed Book 736, page 435.

27. The said Charles P. McCausland and his wife, Helen Z. McCausland, conveyed their interest in the property described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

28. It is believed and averred that the remaining heir at law of William H. McCausland; specifically, Jessie McCausland Casanova, also known as Jessie M. Casanova, died before her husband, Arturo Y. Casanova leaving her said husband and their son, Arturo Y. Casanova, Jr., as her sole surviving heirs at law.

29. The said Arturo Y. Casanova died testate on December 16, 1944 in Washington, D.C. with an exemplified copy of his Last Will and Testament recorded in Clearfield County in Will Book V, page 241.

30. The said Arturo Y. Casanova devised his estate to his wife, Jessie McCausland Casanova, also known as Jessie M. Casanova, if she survived him; otherwise to his son, Arturo Y. Casanova, Jr.

31. The said Arturo Y. Casanova, Jr., having acquired his interest in the parcel described in Exhibit "A" by the aforesaid devise then conveyed one-half (1/2) of this interest to his daughter, Jean C. Sewall, by his deed dated September 11, 1973, and recorded in Clearfield County in Deed Book 658, page 192, and the remaining one-half

(1/2) interest to his son, A. Y. Casanova, III, by his deed dated September 11, 1973, and recorded in Clearfield County Deed Book 658, page 198.

32. The said Jean C. Sewall and her husband, Charles H. Sewall, conveyed all her interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

33. The said A. Y. Casanova, III and Mary S. Casanova, his wife, conveyed all his interest to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435.

34. It is believed and averred that Josephine Casanova deBallister acquired a share in the 44/144s interest of the property described in Exhibit "A" by virtue of the unrecorded deed referred to in paragraphs 11 and 13 of this Complaint.

35. The said Josephine Casanova deBallister died testate on or about January 20, 1928, in Cuba, and by her holographic will devised her interest in the property described in Exhibit "A" to her nephew, Jorgito Hyatt y. Casanova, also known as Jorge J. Hyatt, subject to the usufruct of such property which she granted to her sister, Charito Casanova, also known as Rosaria Casanova, who subsequently on behalf of

herself, her heirs and assigns, forfeited all right or claim on account of the usufruct and donated it to her nephew, Jorge Juan Hyatt y. Casanova, his heirs and assigns.

36. An exemplified copy of the estate proceedings from Havana, Cuba, for the Josephine Casanova deBallister Estate, have been filed in the Office of the Register of Wills in Clearfield County to No. 19344.

37. The said Jorge J. Hyatt and Clotilde S. Hyatt, his wife, conveyed all the interest acquired from Josephine Casanova deBallister to the parcel of land described in Exhibit "A" to the Plaintiffs by joining in the deed dated February 28, 1977, recorded in Clearfield County Deed Book 736, page 435.

38. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel of land described in Exhibit "A" of this Complaint due to any irregularities in the chain of title because of incomplete chain of title, unrecorded deeds, lack of estates and possible adverse interests of unknown heirs or assigns of the Defendants.

39. Plaintiffs believe and aver that all of the heirs and assigns of the Defendants have executed the deed conveying the parcel of land described in Exhibit "A" to Plaintiff dated February 28, 1977, and recorded in Clearfield County Deed Book 736, page 435; however, because many of the Defendants were domiciled out of state and/or out of the country at the time of their death, there are no estate records filed in

Clearfield County to confirm the information provided as to their heirs in the various deeds in the chain of title of this parcel of land.

40. From February 28, 1977, until the present, Plaintiff, John L. Davis, has exercised open, notorious and hostile possession and control over the parcel of land described in Exhibit "A" to the exclusion of all others.

41. That since 1977, the Plaintiffs have paid all tax assessments on the parcel of land described in Exhibit "A" of this Complaint.

42. That at no time since Plaintiffs obtained possession in 1977 have any Defendants, nor anyone acting or purporting to act, on their behalf attempted to secure possession of the parcel of land described in Exhibit "A" of this Complaint, contested the title of the Plaintiff nor assisted in the maintenance, repair or improvements of the premises hereinbefore described, nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

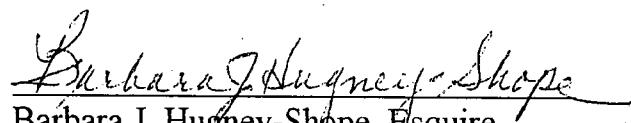
(a) That the Defendants, their heirs, executors, administrators, successors and assigns be forever barred from asserting any right, title, lien or interest in Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action in ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;

(b) That the Plaintiffs be decreed as the sole owners and be entitled to the exclusive possession of the parcel of land described in Exhibit "A" in the foregoing Complaint; and

(c) That the Court make such further Orders as may be necessary to establish legal and valid title of the Plaintiffs; and

(d) To grant Plaintiffs such other relief as the Court deems appropriate.

Respectfully submitted,


Barbara J. Hugney-Shope
Esquire
Attorney for Plaintiffs

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

BEGINNING at a post (white oak), the common corner now or formerly of Showalter, Shultz and Derby Tracts; thence North 67 degrees 14 minutes East three thousand one hundred and four and two-tenths (3104.2) feet to a stone corner; thence South 74 degrees 52 minutes East one hundred and eighty-seven (187) feet to the Derby Branch now or formerly of the Pennsylvania Railroad; thence North 28 degrees 45 minutes East along the Derby Branch of the said Pennsylvania Railroad, two hundred ninety-three and nine-tenths (293.9) feet to stone corner on line now or formerly of Test Estate; thence North 62 degrees 04 minutes West two hundred and forty (240) feet along the line of the said Test Estate to a stone corner; thence North 40 degrees 56 minutes East one hundred seventy-two and four-tenths (172.4) feet to a corner on the said Test Estate; thence North 22 degrees 51 minutes West one thousand eight hundred and seventy-four (1874) feet to corner on land now or formerly of the Lloyd Estate; thence South 66 degrees 40 minutes West thirty-five hundred (3500) feet, more or less, to land now or formerly of the Showalter Estate; thence South 23 degrees 32 minutes East two thousand one hundred and forty (2140) feet to white oak post and the place of beginning. Being the original Mulhollen and Derby Tracts and identified on the Clearfield County Tax Assessment records as Tax Map No. 112-P11-82 and assessed as 114 acres.

EXCEPTING AND RESERVING from the terms of this conveyance any and all properties or parts thereof heretofore sold and conveyed out of or from the same, the full and complete descriptions of which may be had by referring to the records of Clearfield County, Pennsylvania.

BEING part of the parcel known as Lots 1, 2, 3, 4 and 5 of the John L. Davis and Alfred B. Hurwitz and Edsel F. Hurwitz Map of Subdivision entered as of record May 16, 1997, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 199706055, assigned Map No. 1337.

BEING the same premises granted and conveyed unto John L. Davis and Cecelia G. Davis, husband and wife, by Deed from Jean C. Sewall, and Charles H. Sewall; A. Y. Casanova III and Mary S. Casanova; George Scott and Sarah D. Scott; James P. Scott and Suzanne K. Scott; Laura M. Scott; Jorge J. Hyatt and Clotilde S. Hyatt; Laura Smithers Donovan and Brian Donovan; Robert H. Smithers and Ann Smithers; and Charles P. McCausland and Helen Z. McCausland, Grantors, dated February 28, 1977, and recorded in the Clearfield County Recorder's Office in Deed Book Volume 736 at page 435. The said Cecelia G. Davis departed this life on June 31, 1991, thereby vesting title to the above-described premises in John L. Davis, her surviving spouse.

Exhibit "A"

VERIFICATION

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

John L. Davis

John L. Davis

Marita M. Davis

Marita M. Davis

Dated: 5/13/03, 2003

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

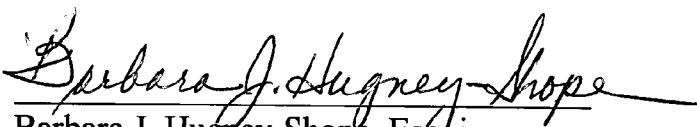
JOHN L. DAVIS and MARITA M.)
DAVIS, husband and wife,)
Plaintiffs,)
vs.) NO. 03-217 -CD
NED IRISH, J. B. IRISH, OLIVER P.)
BECHTEL, a/k/a O. P. BECHTEL,)
ANNA T. McCausland; JOHN) ACTION TO QUIET TITLE
McCAUSLAND, a/k/a JOHN C.)
McCAUSLAND; JESSIE M. CASANOVA)
a/k/a JESSIE McCausland CASANOVA,)
and LAURA H. McCausland,)
a/k/a LAURA M. SMITHERS,)
their heirs, executors, administrators,)
successors and assigns, and all other persons)
or entities in interest, known or unknown,)
claiming by and through or under them,)
Defendants.)

PRAECIPE

TO: WILLIAM A. SHAW, PROTHONOTARY

Please enter final judgment in favor of the above-named Plaintiffs and against
the Defendants in accordance with Order of the above-named Court dated April 17,
2003.

Respectfully submitted,


Barbara J. Hugney-Shope, Esquire
Attorney for Plaintiffs

FILED

MAY 2 2003

WILLIAM A. SHAW
Prothonotary

FILED

2cc

May 15, 2003
Bkt
Amy Shope

William A. Shaw
Prothonotary

E
Key