

03-401-CD  
DONALD L. KELCE, ETAL. VS. W.A. COPENHAYER, ET AL.

**William A. Shaw**  
**Prothonotary**

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

DONALD L. KELCE	:	No.: 2003-
and SHIRLEY J. KELCE,	:	
his wife,	:	
Plaintiffs	:	
vs.	:	QUIET TITLE ACTION
W.A. COPENHAVER; H.A.	:	
McCONNELL; FRANK NEWKIRK	:	
a/k/a FRANK G. NEWKIRK;	:	
C.A. FAULKNER a/k/a CORLISS A.	:	
FAULKNER a/k/a CHARLES A.	:	
FAULKNER and FLORENCE	:	
FAULKNER, his wife, and	:	
their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown and any other	:	
person who may claim title	:	
in the property subject to	:	
this action,	:	
Defendants	:	

**NOTICE**

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may

be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

David S. Meholick  
Court Administrator's Office  
Clearfield County Courthouse  
One North Second Street  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5982

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

DONALD L. KELCE	:	No.: 2003-
and SHIRLEY J. KELCE,	:	
his wife,	:	
Plaintiffs	:	
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vs.	:	QUIET TITLE ACTION
	:	
W.A. COPENHAVER; H.A.	:	
McCONNELL; FRANK NEWKIRK	:	
a/k/a FRANK G. NEWKIRK;	:	
C.A. FAULKNER a/k/a CORLISS A.	:	
FAULKNER a/k/a CHARLES A.	:	
FAULKNER and FLORENCE	:	
FAULKNER, his wife, and	:	
their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown and any other	:	
person who may claim title	:	
in the property subject to	:	
this action,	:	
Defendants	:	

**COMPLAINT**

AND NOW comes Donald L. Kelce, Sr. and Shirley J. Kelce, his wife, by and through their attorney, Girard Kasubick, Esq., and files the following Complaint:

1. The Plaintiffs are Donald L. Kelce, Sr. and Shirley J. Kelce, his wife, who reside at 511 West Presqueisle Street, Philipsburg, PA 16866.

2. The Defendants, W.A. Copenhaver, H.A. McConnell, Frank Newkirk a/k/a Frank G. Newkirk, C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner and Florence

Faulkner, his wife, and their heirs, executors, administrators, successors, trustees and assigns, known or unknown, and any other person who may claim title under them, and who are deceased or their whereabouts are unknown.

3. The real property involved in and subject to this action is all that certain piece or parcel of land located in Chester Hill Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the East side of Grace Street said point being forty-seven and one-half ( $47\frac{1}{2}$ ) feet South of the Southeast corner of the intersection of Grace Street and Laurel Street; thence in an Easterly direction and parallel with the Southern line of Laurel Street one hundred (100) feet to a point; thence in a Southerly direction and parallel to the Eastern line of Grace Street along lot in Block "B" of Faulkner's Addition of Chester Hill Borough forty-seven and one-half ( $47\frac{1}{2}$ ) feet to a twelve (12) foot alley; thence in a Westerly direction and parallel to the Southern line of Laurel Street along said alley one hundred (100) feet to a point on the East side of Grace Street; thence in a Northerly direction along the East side of Grace Street forty-seven and one-half ( $47\frac{1}{2}$ ) feet to point and place of beginning. The property is believed to be Lot #7 in Block "B" of the Faulkner's Addition to Chester Hill Borough and is know by Tax Map No. 3-P12-337-25.

The real property described above herein after referred to as "Premises".

4. The deeds and method by which Donald L. Kelce, Sr. and Shirley J. Kelce obtained title to the real property described in Paragraph 3 of this Complaint is as follows:

a). The Premises was conveyed to Donald L. Kelce, Sr. and Shirley J. Kelce by deed from Steven M. Grubbs and Maryn Grubbs, his wife; and Paulette B. Black and Kenneth Black, her husband, dated December 23, 2002 and recorded in Clearfield County Instrument No. 200300262. The Premises is the Second Thereof described in Instrument No. 200300262.

b). The said Steven M. Grubbs and Paulette B. Black were married at one time and they divorced and each party remarried.

c). The Premises was conveyed to Steven M. Grubbs and Paulette B. Grubbs by deed from Clarissa Mae Reiter, widow, dated August 24, 1972 and recorded in Clearfield County Deed Book 604, Page 221. The Premises is the second parcel described in Deed Book 604, Page 221.

d). Clarissa Mae Reiter inherited the Premises from her husband, James Earl Reiter a/k/a James Reiter as shown in the estate of James Earl Reiter who died September 11, 1970. The estate file is Clearfield County File No. 72-341 and the Will of James Earl Reiter in Clearfield County Will Book 20, Page 125 in Paragraph Third leaves all his estate to his wife, Clarissa Mae Reiter.

e). Clarissa Mae Reiter was the second wife of James Earl Reiter as shown by marriage license filed in Clearfield County Marriage Docket 72, Page 380. The marriage license states his first wife died March 13, 1951.

f). The Premises was conveyed to James Reiter and Janeva Reiter, his wife, by deed from James B. Beatty, widower, dated April 18, 1946 and recorded in Clearfield County Deed Book 375, Page 353. There is no metes and bounds description in this deed and it is described as a H & 1L in Chester Hill Borough sold by the Clearfield County Commissioners in the name of W.A. Copenhaver and H.A. McConnell for the non-payment of taxes.

g). The Premises was conveyed to James B. Beatty by deed from the Clearfield County Commissioners in name of W.A. Copenhaver and H.A. McConnell dated December 30, 1936, but not recorded until May 4, 1946 in Clearfield County Deed Book 375, Page 352. The property is only described as H & 1L in this deed also.

h). After diligent search of the records of the Recorder's Office of Clearfield County no recorded deed was found into W.A. Copenhaver and H.A. McConnell.

i). The assessment records of Chester Hill Borough, Clearfield County shows W.A. Copenhaver and H.A.



McConnell assessed with a H & L from 1928 to 1932. The 1932 records show this H & L was sold to the County in 1931 for unpaid taxes. These records also show that this H & L was acquired as the property of Frank Newkirk in 1927 Commissioners Sale.

j). Lands sold to County Book 4, Page 3 shows H & L of W.A. Copenhaver and H.A. McConnell in Chester Hill Borough was sold to the County on August 10, 1931 and the remarks show this H & L was sold to James B. Beatty at Commissioners sale on November 23, 1936.

k). Land sold to County Book 3, Page 21 shows H & L of Frank Newkirk in Chester Hill Borough was sold to the County on July 14, 1924 and the remarks show this H & L was sold to W.A. Copenhaver and H.A. McConnell at July 27, 1927 Commissioners Sale.

l). After diligent search of the records of the Recorder's Office of Clearfield County no recorded deed was found into W.A. Copenhaver and H.A. McConnell from the County or from Frank Newkirk.

m). The Assessment Records of Chester Hill Borough, Clearfield County, shows Frank Newkirk a/k/a Frank G. Newkirk was assessed with H & 1L from 1889 until 1924. In various years including 1889 it was listed as H & L #7.

n). After diligent search of the Records of the Recorder's Office of Clearfield County no recorded deed was found into Frank Newkirk a/k/a Frank G. Newkirk. It is believed and averred that Frank Newkirk obtained the Premises subject of this action in or about 1889 from C.A. Faulkner, et. ux., but the deed was never recorded.

o). C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner obtained a 27 acre tract of land in Chester Hill Borough, Clearfield County, Pennsylvania from Henrietta Foster by deed dated October 27, 1886 and recorded in Clearfield County Deed Book 41, Page 451.

p). C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner developed a plan of lots called Faulkners Addition to Chester Hill Borough as set forth in numerous deeds recorded out of C.A. Faulkner from the property conveyed in Deed Book 41, Page 451. After diligent search of the records of Clearfield County, the Plan of Faulkners Addition is not recorded in the Recorder's Office.

q). After reviewing all deeds recorded out of C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner none was recorded conveying out Lot 7 in Block B of the Plan which is averred to be Tax Map Number 3-P12-337-25. Numerous other lot numbers in various Blocks were

conveyed out by him and his wife, Florence Faulkner, but not the Premises subject of this action.

r). After diligent search of the records of the Register of Wills Office of Clearfield County, no Estates could be found for W.A. Copenhaver, H.A. McConnell, Frank Newkirk a/k/a Frank G. Newkirk, C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner and Florence Faulkner.

5. The Plaintiffs and their predecessors and title have been in open, continuous, notorious, actual, exclusive, visible, distinct and hostile possession of the property described in Paragraph 3 of this Complaint in excess of twenty-one (21) years immediately preceding the filing of this Action, and thereby claim title by adverse possession.

6. This Quiet Title Action is also necessary to establish a proper chain of title out of which the real property subject of this action comes, because of irregularities in the chain of title, including unrecorded deeds, variances in the descriptions, failure to file estates for deceased parties establishing a proper chain of title, tax sales of record, deeds recorded wherein it is unclear what property they may be transferring all of which raise a question as to the chain of title to the

Premises subject of this action and create a cloud on title.

7. It is finally averred that this Quiet Title Action is necessary to determine the validity or discharge of any document, obligation, assessment or deed affecting any right, title and interest in the property subject of this action which may affect the rights of the Defendants.

8. All of the named Defendants to this action are deceased or their whereabouts are unknown and Plaintiffs has made a diligent and reasonable search to locate the whereabouts of the Defendants, W.A. Copenhaver, H.A. McConnell, Frank Newkirk a/k/a Frank G. Newkirk, C.A. Faulkner a/k/a Corliss A. Faulkner a/k/a Charles A. Faulkner and Florence Faulkner, his wife, but they are deceased or their whereabouts are unknown.

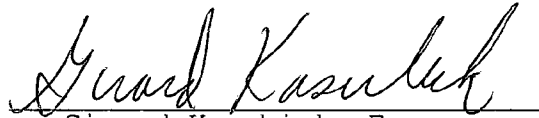
WHEREFORE, Plaintiff brings this action and respectfully requests the Court to decree as follows:

a). That the Plaintiffs, their heirs, executors, personal representatives and assigns are seized of an indefeasible title to the property situated in Chester Hill Borough, Clearfield County, Pennsylvania, described herein and that an Order and Decree be entered adjudicating that each Defendant and any of their heirs, successors, trustees, personal representatives, or assigns

be forever barred from asserting any right, title, lien or interest in the within described parcel of land.

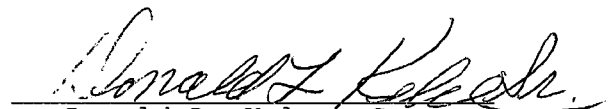
b). That such other relief be granted as may be necessary in establishing Plaintiff's title, including determinations on the validity or discharge of any documents, obligations or deeds affecting right, title and interest in the property described herein.

c). Such other and further relief as the Court deems proper.

  
Girard Kasubick, Esq.  
Attorney for Plaintiffs

**VERIFICATION**

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

  
Donald L. Kelce, Sr.

  
Shirley J. Kelce

FILED

NO  
CC

01:06 PM  
MAR 21 2003

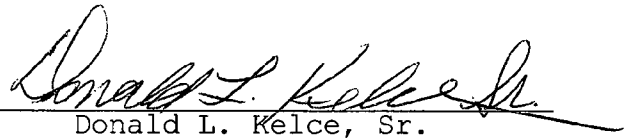
Atty Kasubick  
pd. 95.00

William A. Shaw  
by Preinnotary

Before me, the undersigned officer, personally appeared DONALD L. KELCE, SR. and SHIRLEY J. KELCE, husband and wife, who being duly sworn according to law, deposes and says that the names of the Defendants, W.A. COPENHAVER; H.A. McCONNELL; FRANK NEWKIRK a/k/a FRANK G. NEWKIRK; C.A. FAULKNER a/k/a CORLISS A. FAULKNER a/k/a CHARLES A. FAULKNER and FLORENCE FAULKNER, his wife, their

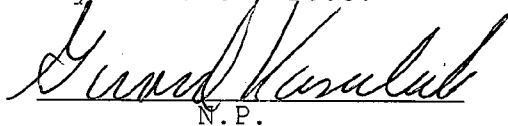
heirs, executors, administrators, successors, trustees, assigns and successors, known or unknown, are all deceased or their whereabouts are unknown to the Plaintiffs.

Plaintiffs and their attorney have made an investigation to locate the aforesaid Defendants that are unknown, by checking the records of Clearfield County and by review of the telephone directories in the area, tax rolls, and voting records, however none of the above were found because they are deceased or their whereabouts are unknown.

  
Donald L. Kelce, Sr.

  
Shirley J. Kelce

Sworn to and subscribed  
before me this 18th  
day of March, 2003.

  
N.P.

Notarial Seal  
Girard Kasubick, Notary Public  
Houtzdale Boro, Clearfield County  
My Commission Expires June 8, 2003



FILED

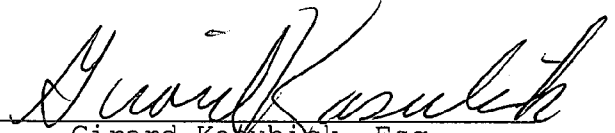
NOCC

01:06:44  
MAR 21 2003

Wm A. Shaw  
Prothonotary

WHEREFORE, Petitioner, by his attorney, Girard Kasubick, Esq., requests that Your Honorable Court grant

an order that certain of the herein named Defendants be  
served by publication as required by law.

  
Girard Kasubick, Esq.  
Attorney for Plaintiffs

FILED

NO  
cc

01/10/06  
MAR 21 2003

For  
William A. Shaw  
Prothonotary

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

DONALD L. KELCE  
and SHIRLEY J. KELCE,  
his wife,  
Plaintiffs

: No.: 2003-401-CD  
:  
:  
:  
:  
:

vs.

: QUIET TITLE ACTION  
:  
:  
:  
:  
:

W.A. COPENHAVER; H.A.  
McCONNELL; FRANK NEWKIRK  
a/k/a FRANK G. NEWKIRK;  
C.A. FAULKNER a/k/a CORLISS A.  
FAULKNER a/k/a CHARLES A.  
FAULKNER and FLORENCE  
FAULKNER, his wife, and  
their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown and any other  
person who may claim title  
in the property subject to  
this action,  
Defendants

**FILED**

MAR 25 2003

William A. Shaw  
Prothonotary

**ORDER DIRECTING COMPLAINT TO BE SERVED**  
**BY ADVERTISEMENT ON DEFENDANTS**

NOW, this 25<sup>th</sup> day of March, 2003, the  
within Action being an Action to Quiet Title and the  
Plaintiffs having made Affidavit that the addresses of  
certain Defendants are unknown and cannot be ascertained,  
and therefore upon Motion of Girard Kasubick, Esq.,  
Attorney for Plaintiffs, it is Ordered and Decreed that  
substitute service by publication be made upon the  
Defendants whose addresses are unknown, or may be



FILED<sub>icc</sub>

01/11/09 *BT*  
MAR 25 2003  
*CC*  
*BT*

William A. Shaw  
Prothonotary

William A. Shaw  
Prothonotary



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


DONALD L. KELCE	:	No.: 2003-401-CD
and SHIRLEY J. KELCE,	:	
his wife,	:	
Plaintiffs	:	
	:	
vs.	:	QUIET TITLE ACTION
	:	
W.A. COPENHAVER; H.A.	:	
McCONNELL; FRANK NEWKIRK	:	
a/k/a FRANK G. NEWKIRK;	:	
C.A. FAULKNER a/k/a CORLISS A.	:	
FAULKNER a/k/a CHARLES A.	:	
FAULKNER and FLORENCE	:	
FAULKNER, his wife, and	:	
their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown and any other	:	
person who may claim title	:	
in the property subject to	:	
this action,	:	
Defendants	:	

**AFFIDAVIT OF SERVICE**

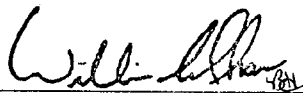
Before me, William A. Shaw, Prothonotary, personally appeared Girard Kasubick, Esq., who being duly sworn according to law, deposes and says that service was made in this case by publication in the Clearfield Progress one time only on March 29, 2003 and in the Clearfield County Legal Journal one time only for the week of April 4, 2003, as appears by sworn proof hereto attached, and that all the named Defendants who are deceased or their whereabouts are unknown were served by publication and not by any other manner. No appearance having been entered on behalf

of any of the Defendants served by publication, nor any answer filed by any of them after service of a Complaint containing a notice to defend. Plaintiffs have caused this Affidavit to be made for the purpose of obtaining a decree or Order of Court under Pa. R.C.P. 1066.

WHEREFORE, this Affidavit of Service made by the manner aforesaid is made for the purpose of obtaining a Decree of Court.

  
Girard Kasubick, Esq.,  
Attorney for Plaintiffs

Sworn to and subscribed  
before me this 29<sup>th</sup>  
day of April, 2003.



N. P.  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

**6**

**National Library Week  
(April 6-12)**

**Daylight Saving Time  
begins (April 6 to October  
26)**

- Roast beef dinner  
Glen Hope Firehall, 11:30  
a.m. to 1:30 p.m.

*Continued from April 5*

- Clearfield Area  
Alzheimer's Disease sup-  
port group meeting  
Clearfield Colonia  
Courtyard, 1300 Leonard  
St., Clearfield, 7 p.m.  
Call Valerie at 765-4249  
with questions.

**13**

**Palm Sunday  
National Garden Week  
(April 13-19)**

- All-you-can-eat roast  
beef dinner, Mountain  
Top Fire Station, Sandy  
Ridge, 11:30 a.m. to 1:30  
p.m.

**20**

**Easter  
Administrative**

SURS, or  
or unknown  
You have, rt. You  
are hereby no. Action to  
Quiet Title to th es situated  
in Chester Hill f ., Clearfield  
County, Pennsylvania, has been  
filed against you: Said lands are  
bounded and described as follows:

BEGINNING at a point on the East  
side of Grace Street said point  
being forty-seven and one-half  
(47½) feet South of the Southeast  
corner of the intersection of Grace  
Street and Laurel Street; thence in  
an Easterly direction and parallel  
with the Southern line of Laurel  
Street one hundred (100) feet to a  
point; thence in a Southerly direc-  
tion and parallel to the Eastern line  
of Grace Street along lot in Block  
"B" of Faulkner's Addition of Ches-  
ter Hill Borough forty-seven and  
one-half (47½) feet to a twelve (12)  
foot alley; thence in a Westerly di-  
rection and parallel to the Southern  
line of Laurel Street along said alley  
one hundred (100) feet to a point  
on the East side of Grace Street;  
thence in a Northerly direction  
along the East side of Grace Street  
forty-seven and one-half (47½)  
feet to point and place of beginning.  
The property is believed to be Lot  
#7 in Block "B" of the Faulkner's  
Addition to Chester Hill Borough  
and is known by Tax Map No.  
3-P12-337-25.

You are further notified to appear  
and answer the Complaint in said  
Action within twenty (20) days of  
this Notice, otherwise judgment will  
be entered against you barring you  
from all claims, rights and interest  
inconsistent with the Plaintiff's  
claim of title as set forth in the Com-  
plaint.

#### NOTICE

TO: W. A. COPENHAVER; H. A.  
McCONNELL; FRANK NEWKIRK,  
a/k/a FRANK G. NEWKIRK; C. A.  
FAULKNER, a/k/a CORLISS A.  
FAULKNER, a/k/a CHARLES A.  
FAULKNER and FLORENCE  
FAULKNER, his wife, their heirs,  
executors, administrators, succes-  
sors, trustees and assigns, known  
or unknown.

If you wish to defend, you must  
enter a written appearance person-  
ally or by attorney and file your de-  
fenses or objections in writing with  
the Court. 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 Plaintiffs. 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.

David S. Meholic  
Court Administrator's Office  
Clearfield County Courthouse  
One North Second Street  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5982  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651

3:29-1d-b

NOTICE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION  
No.: 2003-401-CD

QUIET TITLE ACTION

DONALD L. KELCE  
and SHIRLEY J. KELCE,  
his wife, Plaintiffs

vs.

W. A. COPENHAVER; H. A.  
McCONNELL; FRANK NEWKIRK;  
a/k/a FRANK G. NEWKIRK; C. A.  
FAULKNER, a/k/a CORLISS A.  
FAULKNER, a/k/a CHARLES A.  
FAULKNER, and FLORENCE  
FAULKNER, his wife, and their  
heirs, executors, administrators,  
successors, trustees and assigns,  
known or unknown and any other  
person who may claim title in the  
property subject to this action,  
Defendants

ACTION TO  
QUIET TITLE

NOTICE

TO: W. A. COPENHAVER; H. A.  
McCONNELL; FRANK NEWKIRK;  
a/k/a FRANK G. NEWKIRK; C. A.  
FAULKNER, a/k/a CORLISS A.  
FAULKNER, a/k/a CHARLES A.  
FAULKNER, and FLORENCE  
FAULKNER, his wife, their heirs,  
executors, administrators, succe-  
ssors, trustees and assigns, known  
or unknown.

been sued in Court  
and tried that an  
order be pre-  
sented to the  
Court for an  
order of  
summary judgment.

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 2nd 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 29, 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.

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

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

THE PROGRESS

## THE CLEARFIELD COUNTY LEGAL JOURNAL

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

DONALD L. KELCE and SHIRLEY J. KELCE, his wife, Plaintiffs vs. W. A. COPENHAVER; H. A. McCONNELL; FRANK NEWKIRK, A/K/A FRANK G. NEWKIRK; C. A. FAULKNER, A/K/A CORLISS A. FAULKNER, A/K/A CHARLES A. FAULKNER AND FLORENCE FAULKNER, his wife, and their heirs, executors, administrators, successors, trustees and assigns, known or unknown and any other person who may claim title in the property subject to this action, Defendants.

#### ACTION TO QUIET TITLE

No. 03-401 -CD

TO: W. A. COPENHAVER; H. A. McCONNELL; FRANK NEWKIRK, A/K/A FRANK G. NEWKIRK; C. A. FAULKNER, A/K/A CORLISS A. FAULKNER, A/K/A CHARLES A. FAULKNER AND FLORENCE FAULKNER, his wife, and their heirs, executors, administrators, successors, trustees and assigns, known or unknown

You have been sued in court. You are hereby notified that an action to quiet title to the premises situate in Chester Hill Borough, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

BEGINNING at a point on the East side of Grace Street said point being forty-seven and one-half (47½) feet South of the Southeast corner of the intersection of Grace Street and Laurel Street; thence in an Easterly direction and parallel with the Southern line of Laurel Street one hundred (100) feet to a point; thence in a Southerly direction and parallel to the Eastern line of Grace Street along lot in Block "B" of Faulkner's Addition of Chester Hill Borough forty-seven and one-half (47½) feet to a twelve (12) foot alley; thence in a Westerly direction and parallel to the Southern line of Laurel Street along said alley one hundred (100) feet to a point on the East side of Grace Street; thence in a Northerly direction along the East side of Grace Street forty-seven and one-half (47½) feet to point and place of beginning. The property is believed to be Lot #7 in Block "B" of the Faulkner's Addition to Chester Hill Borough and is known by Tax Map No. 3-P12-337-25.

You are further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, otherwise judgment will be entered against you barring you from all claims, rights and interest inconsistent with the Plaintiff's claim of title as set forth in the Complaint.

NOTICE - W. A. COPENHAVER; H. A. McCONNELL; FRANK NEWKIRK, A/K/A FRANK G. NEWKIRK; C. A. FAULKNER, A/K/A CORLISS A. FAULKNER, A/K/A CHARLES A. FAULKNER AND FLORENCE FAULKNER, his wife, and their heirs, executors, administrators, successors, trustees and assigns, known or unknown.

If you wish to defend, you must enter a written appearance personally or by attorney file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

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

David S. Meholick, Court Administrator's Office, Clearfield County Courthouse, One North Second Street, Clearfield, PA 16830. (814) 765-2641. (ext. 5982).

LEHMAN & KASUBICK, 611 Brisbin Street, Houtzdale, PA 16651.

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

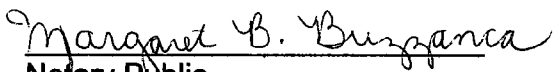
COUNTY OF CLEARFIELD :

On this 2nd day of April 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 April 4, 2003, Vol. 15 No. 14. 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.



Notary Public

My Commission Expires

NOTARIAL SEAL  
MARGARET B. BUZZANCA, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires Nov. 23, 2005

Lehman & Kasubick  
611 Brisbin St  
Houtzdale PA 16651

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LIBRARY OF THE CONGRESS

It is the policy of the Department of Defense to ensure that the Department is able to provide the necessary support to the Department of Defense. The Department of Defense is committed to ensuring that the Department is able to provide the necessary support to the Department of Defense.

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APR 29 1903  
W.C. Cc  
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CONFIDENTIAL & UNCLASSIFIED  
DATE 01-11-10  
BY 60321 A. J. [signature]



William A. Shaw  
Prothonotary

William A. Shaw  
Prothonotary

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


DONALD L. KELCE	:	No.: 2003-401-CD
and SHIRLEY J. KELCE,	:	
his wife,	:	
Plaintiffs	:	
	:	
vs.	:	QUIET TITLE ACTION
	:	
W.A. COPENHAVER; H.A.	:	
McCONNELL; FRANK NEWKIRK	:	
a/k/a FRANK G. NEWKIRK;	:	
C.A. FAULKNER a/k/a CORLISS A.	:	
FAULKNER a/k/a CHARLES A.	:	
FAULKNER and FLORENCE	:	
FAULKNER, his wife, and	:	
their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown and any other	:	
person who may claim title	:	
in the property subject to	:	
this action,	:	
Defendants	:	

**MOTION FOR JUDGMENT**

NOW, this 29<sup>th</sup> day of April, 2003, an Affidavit having been executed and presented herewith on behalf of the Plaintiffs showing that the Complaint was served by publication on all of the Defendants, one time only, to wit: March 29, 2003 in the Clearfield Progress and the week of April 4, 2003 in the Clearfield County Legal Journal, and further that all the named Defendants who are deceased or their whereabouts are unknown were not served in any other manner, and no Defendants served by publication having entered an appearance or filed an

Answer or having expressed any purpose of intent to be heard or desire to assert title to said property, and twenty (20) days having elapsed since the last publication, and it appearing that it was impossible to serve any of the Defendants by any other means.

WHEREFORE, Girard Kasubick, Esq., prays Your Honorable Court, as attorney for the Plaintiffs, that judgment be entered in favor of the Plaintiffs and against the Defendants, their heirs and assigns, with direction that they file suit in ejectment or otherwise enter proceedings to contest the case within thirty (30) days, or judgment may be entered against them forever barring them from asserting any title or claim to the real estate in this action.

  
\_\_\_\_\_  
Girard Kasubick, Esq.,  
Attorney for Plaintiffs

FILED

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William A. Shaw  
Prothonotary

**William A. Shaw**  
**Prothonotary**

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

DONALD L. KELCE	:	No.: 2003-401-CD
and SHIRLEY J. KELCE,	:	
his wife,	:	
Plaintiffs	:	
vs.	:	QUIET TITLE ACTION
W.A. COPENHAVER; H.A.	:	
McCONNELL; FRANK NEWKIRK	:	
a/k/a FRANK G. NEWKIRK;	:	
C.A. FAULKNER a/k/a CORLISS A.	:	
FAULKNER a/k/a CHARLES A.	:	
FAULKNER and FLORENCE	:	
FAULKNER, his wife, and	:	
their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown and any other	:	
person who may claim title	:	
in the property subject to	:	
this action,	:	
Defendants	:	

**ORDER OF COURT**

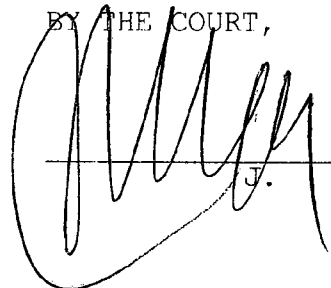
NOW, this 1<sup>st</sup> day of May, 2003, an  
Affidavit having been made that service was made by  
publication on unknown Defendants in the Clearfield  
Progress on March 29, 2003, and in the Clearfield County  
Legal Journal the week of April 4, 2003, and it appearing  
that it was impossible to serve any other Defendants by  
any other means,

IT IS ORDERED AND DECREED that Defendants 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 praecipe 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 any of the named Defendants, their heirs, executors, administrators, trustees, successors and assigns or by anyone claiming by, through or under them or any of them, and that the Plaintiffs are seized of an indefeasible title to that certain piece or parcel of land located in Chester Hill Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the East side of Grace Street said point being forty-seven and one-half ( $47\frac{1}{2}$ ) feet South of the Southeast corner of the intersection of Grace Street and Laurel Street; thence in an Easterly direction and parallel with the Southern line of Laurel Street one hundred (100) feet to a point; thence in a Southerly direction and parallel to the Eastern line of Grace Street along lot in Block "B" of Faulkner's Addition of Chester Hill Borough forty-seven and one-half ( $47\frac{1}{2}$ ) feet to a twelve (12) foot alley; thence in a Westerly direction and parallel to the Southern line of Laurel Street along said alley one hundred (100) feet to a point on the East side of Grace Street; thence in a Northerly direction along the East side of Grace Street forty-seven and one-half ( $47\frac{1}{2}$ ) feet to point and place of beginning. The property is believed to be Lot #7 in Block "B" of the Faulkner's Addition to Chester Hill Borough and is know by Tax Map No. 3-P12-337-25.

BY THE COURT,



A handwritten signature in dark ink, appearing to be 'M. J.', is written over a horizontal line. The signature is stylized and cursive.



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07/10:08 ~~AT~~

Atty Kasebick

MAY 01 2003

~~KEP~~

William A. Shaw  
Prothonotary

William A. Shaw  
Prothonotary

DONALD L. KELCE  
and SHIRLEY J. KELCE,  
his wife,  
Plaintiffs

vs.

: QUIET TITLE ACTION

W.A. COPENHAVER; H.A.  
McCONNELL; FRANK NEWKIRK  
a/k/a FRANK G. NEWKIRK;  
C.A. FAULKNER a/k/a CORLISS A.  
FAULKNER a/k/a CHARLES A.  
FAULKNER and FLORENCE  
FAULKNER, his wife, and  
their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown and any other  
person who may claim title  
in the property subject to  
this action,  
Defendants

TO: William A. Shaw, Prothonotary:

*Girard Kasubick*  
Girard Kasubick, Esq.  
Attorney for Plaintiffs

Dated: June 4, 2003

FILED

100  
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JUN 04 2003

ICC  
Atty Kasabick

William A. Shaw  
Prothonotary