

03-406-CD
In Rem: Interst of Corvette (Ronald Young)

6A
FILED

MAR 24 2003

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

William A. Shaw
Prothonotary

IN THE INTEREST OF ONE 1986 :
CHEVROLET CORVETTE BEARING : No. 03 - 406 - CD
VIN# 1G1YY0783G5111784 :
:

ORDER FOR SERVICE BY PUBLICATION

AND NOW, this 24 day of March, 2003, the Court having reviewed Petitioner's In Rem Action to establish title to One 1986 Chevrolet Corvette bearing VIN# 1G1YY0783G5111784, and the Court being satisfied that all reasonable efforts have been made to effectuate actual notice on any party having an interest in this vehicle, the Court hereby establishes the 12 day of May, 2003, at 9:00 o'clock A.m. in Court Room No. 1 of the Clearfield County Courthouse, Clearfield Pennsylvania, as the day, date and time for any party claiming an interest in this vehicle to appear and prove their claim of title to the vehicle. In default of anyone appearing at that time and offering sufficient proof of ownership, the Court will establish good and actual title in this vehicle in the Petitioner.

The Court further directs that Petitioner shall give notice by publication of the said hearing date in one or more newspapers of general circulation published within the DuBois area, and in the legal newspaper for said county, if any, once a week for three

consecutive weeks before the date fixed for the hearing. This notice shall be in the form as follows:

Legal Notice

To all parties who may claim an ownership interest in a certain 1986 Chevrolet Corvette that was involved in a fatal accident on April 11, 1988, along Route 255 in DuBois, near the Sheetz:

You are hereby notified that Ronald Young has filed a Petition seeking to establish his ownership and right to title to this vehicle. Unless you appear and prove a superior claim to title at the hearing established, the Court will award title to Ronald Young to the exclusion of all other possible claims of ownership.

The hearing will be held on the 12 day of
May, 2003 at 9:00 o'clock A.M.
in the Courtroom No. 1, of the Clearfield County
Courthouse, Clearfield, Pennsylvania.

More information about this vehicle and Petitioner's claim of title can be found in the Office of the Prothonotary of Clearfield County in case **No. 03-4D10 - C.D.**

BY THE COURT

FILED
OCT 9 2003
MAR 24 2003

cc: Atty. C. Shaw
E
William A. Shaw
Prothonotary

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

IN THE INTEREST OF ONE 1986
CHEVROLET CORVETTE BEARING
VIN# 1G1YY0783G5111784

: No. 03 - 406 - CD
: Type of Case: In Rem
: Type of Pleading: Complaint
: Filed on Behalf of : Ronald Young
: Counsel of Record for this Party:
: Christopher J. Shaw, Esq.
: Pa. Sup. Ct. Id. #46836
: P.O. Box 392
: DuBois, PA 15801
: (814) 375-9700 ext. 706

FILED

MAR 24 2003

William A. Shaw
Prothonotary

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

IN THE INTEREST OF ONE 1986 :
CHEVROLET CORVETTE BEARING : No. 03 - - CD
VIN# 1G1YY0783G5111784 :
:

IN REM ACTION TO ESTABLISH TITLE TO
ONE 1986 CHEVROLET CORVETTE BEARING
VIN# 1G1YY0783G5111784

AND NOW, comes your Petitioner, Ronald Young, by and through his attorney, Christopher J. Shaw, Esquire, and moves this honorable Court to grant him title to a certain 1986 Chevrolet Corvette VIN# 1G1YY0783G5111784, following opportunity for anyone to contest the same after notice by publication service.

1. Petitioner is Ronald Young of Box 1218 Treasure Lake, DuBois Clearfield County Pennsylvania 15801.
2. Petitioner claims title to and since July 1988 has had uninterrupted physical possession of one 1986 Chevrolet Corvette bearing Vehicle Identification #1G1YY0783G5111784. This vehicle has, however, never been registered by Petitioner.
3. The last mention of record ownership of this vehicle is when this vehicle, then registered to Miller Leasing, Inc., P.O Box 190 Grand Haven Michigan, 49417 was involved in a one vehicle fatal accident on April 11, 1988, along Route 255 in DuBois, Clearfield County, Pennsylvania. A copy of the Police Accident Report is attached hereto as Exhibit "A".

4. This accident report indicates that although the vehicle was registered to Miller Leasing, Inc., the insurance was policy was through Auto Carrier Insurance Co. of Lansing Michigan. As noted on the Insurance declaration attached hereto as Exhibit "B", the insured on this policy was actually Earl Burlingame.

5. On April 11, 1988, this vehicle was being operated by one Charles A. Schalk, of 423 South Main Street, DuBois, Clearfield County, Pennsylvania. Mr. Schalk was killed in the accident.

6. A Passenger in the vehicle, one Earl E. Burlingame, Jr. of 249 Main Street, Falls Creek, Pennsylvania, was the reputed owner of the vehicle despite the fact that it was technically owned by Miller Leasing, Inc. Said Earl E. Burlingame, Jr., was charged with the criminal offense of permitting violation of title at Clearfield County No. 88-314-CR. Although Earl E. Burlingame, Jr. was acquitted of this offense due to insufficient evidence that said Earl E. Burlingame knew the operator was intoxicated, this criminal action still tends to prove the recognized "ownership" of this vehicle by Earl E. Burlingame, Jr. In addition, a civil suit involving the Estate of the decedent, Charles A. Schalk against Earl E. Burlingame, Jr. was filed in Clearfield County at No. 88-1892-CD. This also serves as proof that said Earl E. Burlingame was the owner of the vehicle in 1988.

7. Petitioner purchased this vehicle on July 7, 1988, four months after the fatal accident, from Chapman Auto Parts & Sales of R. D. #1, DuBois in an "as is" condition, the vehicle having been involved in the accident described previously. A copy of the agreement of sale is attached hereto as Exhibit "C".

8. At the time Petitioner purchased the vehicle, he was given a Title to the vehicle from the State of Michigan duly executed by Miller Leasing and/or Earl E. Burlingame, Jr. Petitioner, however, lost this title.

9. Petitioner later obtained a "lost title" from the Pennsylvania Department of Transportation, but this title was also lost.

10. Since Petitioner acquired title to this vehicle, he has never had it registered with the Pennsylvania Department of Transportation. However, upon Petitioner seeking to have the vehicle registered, Petitioner learned that all records of this vehicle with the Pennsylvania Department of Transportation have been purged due to the fact that the vehicle has not been registered for more than 10 years. Therefore, Petitioner cannot obtain another lost title.

11. Petitioner has also caused a search of the motor vehicle records to be conducted in Michigan, and there is no record of ownership found in Michigan either. A copy of the report from the Michigan Department of Motor Vehicles is attached hereto as Exhibit "D".

12. Earl E. Burlingame died on May 25, 1992. An Estate was opened for this individual in the Court of Common Pleas of Clearfield County at No. 19-92-195 wherein an individual named Carole G. Armstrong was appointed as Administratrix. This is the same individual who executed an affidavit when Petitioner attempted to get a "lost title" on this vehicle. At that time, this individual, on behalf of Earl E. Burlingame, Jr., disavowed any interest in the vehicle knowing that Petitioner, Ronald Young, was the rightful owner.

13. The attorney for the Estate of Earl Burlingame, Gregory Kruk, has advised the attorney for Petitioner that he is unable to locate either the administratrix of the estate or the sole beneficiary, Brian Burlingame. For this reason, the Estate of Earl E. Burlingame, Jr. remains open with little hope of resolution.

14. Petitioner has verified through the Pennsylvania State Police that the VIN # is a valid VIN # for a 1986 Chevrolet Corvette and that this vehicle is not listed as stolen.

15. Petitioner has contacted both the insurer of the vehicle at the time of the accident, who has no records of this vehicle or its owner, and with the car dealership that originally sold the car to "reconstruct" the title but no entity which could be expected to have any documentation about this vehicle continues to have any of this documentation.

16. Petitioner believes, and therefore avers that the only person other than petitioner who ever had an ownership interest in this vehicle would be Miller Leasing and/or Earl E. Burlingame, Jr. and now his estate. The attorney for the Estate of Earl E. Burlingame has been notified of this Petition, and has claimed no ownership interest in this vehicle. Further notice of this action will be given by publication if approved by this Honorable Court.

WHEREFORE, Petitioner respectfully requests that this Honorable Court order that the filing of this petition be served by Publication and that if no answer is filed thereto, that the Court enter an Order declaring that Petitioner, Ronald Young is the rightful owner of this 1988 Chevrolet Corvette.

Respectfully submitted,

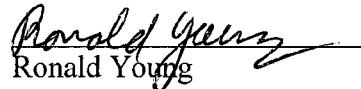


Christopher J. Shaw, Esquire
Attorney for Petitioner, Ronald Young

P.O. Box 392
DuBois, PA 15801
(814) 375 – 9700 ext. 706

Verification

I, Ronald Young, am the Petitioner in the within In Rem action to acquire or prove title. As such, I have read the foregoing Complaint, and I verify that the statements contained therein are true and correct to the best of my personal knowledge, information and belief. I make this verification subject to the penalties of 18 Pa.C.S.A. Section 4904. I understand that this section provides that if I knowingly make false statements, I may be subject to criminal penalties for unsworn falsification to authorities.


Ronald Young

Dated: 3/23/03

PA. DEPT. OF TRANSPORTATION
CENTER FOR HIGHWAY SAFETY
02 T.R.S. BUILDING

LARISBURG, PA 17720

COMMONWEALTH OF PENNSYLVANIA
POLICE ACCIDENT REPORT

REPORTABLE NON-REPORTABLE HAZARDOUS MATERIALS

1306-4-88

DuBois City Police Dept.

7. AGENCY NAME

SARCODE

8. DATE OF REPORT

9. APPROVED BY

10. STATION/PRECINCT

11. DATE APPROVED

1-11-88 MON

10. TIME

11. COUNTY

12. CODE

13. PATROL ZONE

14. NO INJURED

15. CITY

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DEPARTMENT OF
HEALTH OF PENNSYLVANIA
POLICE ACCIDENT
REPORT SUPPLEMENTAL

4. REPORTING		5. INVESTIGATING OFFICER	
DUBOIS CITY		STEVEN C. DAVIS	
S. DATE OF REPORT		E. DATE OF ACCIDENT	
4-12-88		4-11-88	
F. APPROVED BY		G. DATE APPROVED	

1. NAMES OF ALL OPERATORS
 1A. CHARLES A. SCHALK
 1B.
 1C.

SUPPLEMENTAL VEHICLE, OPERATOR, OR PEDESTRIAN INFORMATION - UNIT NUMBER							
12. OPERATOR LICENSING NO.	13. STATE	14. SICK	15. DOD	16. LEGALLY PARKED	17. ILLEGALLY PARKED	18. HIT & RUN	

19. NAME	20. ADDRESS

21. VEHICLE TITLING	22. VEHICLE REGISTRATION NO.	23. STATE

24. INSURANCE COMPANY NAME	25. TOWED TO	26. TRAILER IMB#	27. TRAILER MODEL

28. INSURANCE CO. CODE	29. TOWED BY	30. TRAILER REGISTRATION NO.	31. STATE

32. OWNER OF TRAILER	33. ADDRESS

SUPPLEMENTAL CITATION INFORMATION	34. NAME	CITATION(S)	36. CITATION(S) REPORT NO. 101
	35. NAME	CITATION(S)	37. CITATION(S) REPORT NO. 101

37. USE CODES ON ORIGINAL OVERLAY SHEET TO COMPLETE BLOCKS A THRU N OF THIS SECTION

A	B	C	D	E	F	G	NAME	ADDRESS	H	I	J	K	L	M	N

38. INJURED PERSONS

39. RUMINATIONS
 from point of losing control to where it came to rest,
 the operator (CHARLES A SCHALK) was found approx 101' 10" North West from the point of ejection and approx 75' 2" from where it came to rest. the passenger (CARL E. BURLINGAME) was found on the west side of the roadway approx 84' 11" North West of the point of ejection

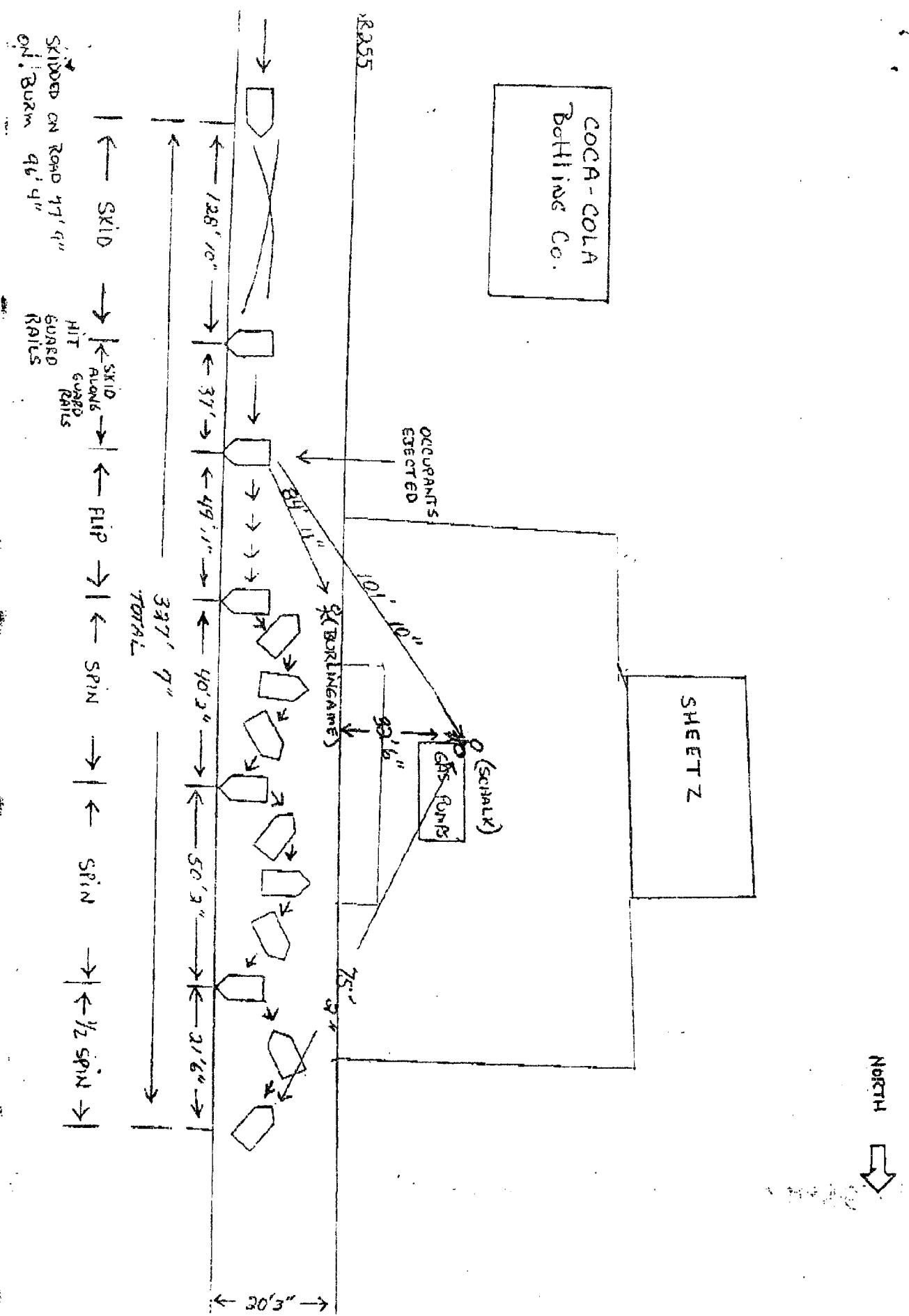
SEE Block #58

#69 SEC 3361 3731 (a)(1)(4)
 #70 CHARGING PASSENGER & OWNER OF VEHICLE (CARL E. BURLINGAME)
 with SEC 1575 FOR PERMITTING SEC 3361 & 3731(a)(1)(4)

#71 CITATION # K38219

FOR ALCOHOL TEST TYPES - BLOCKS 41 AND 44 USE THE FOLLOWING CODES:				1 - BLOOD	3 - URINE	5 - OTHER CHEMICAL	46. IS THE INVESTIGATION COMPLETE?
40. NAME	41. TYPE	42. RESULT	43. NAME	44. TYPE	45. RESULT		

INVESTIGATING AGENCY USE



Auto-Owners

INSURANCE COMPANY

AGENT 01-495 OAKES AGENCY, INC.
1 P.O. BOX 729
GRAND HAVEN MI 49417

INSURED EARL BURLINGAME

ADDRESS 17265 SHELDON DUNES
WEST OLIVE MI 49460

PAGE 1

AUTOMOBILE POLICY DECLARATION

RENEWAL EFFECTIVE 04-25-88

DB

(616) 842-3400
POLICY NUMBER
840101 06831911

POLICY TERM
FROM 12:01 A.M. 04-25-88
TO 12:01 A.M. 10-25-88

THIS POLICY IS HEREBY RENEWED IN CONSIDERATION OF THE PREMIUM SHOWN BELOW.

DESCRIPTION OF ITEM INSURED	AGE	SYMBOL/COST	TERRITORY	CLASS	STA:
1. 73 PORSCHE ROADSTER	05	30-070		605	
		VIN: 4732908363			

COVERAGE	LIMITS	PREMIUMS
RESIDUAL BODILY INJ LIABILITY	\$100,000 EACH PERSON/\$300,000 EACH OCC	\$26.40
RESIDUAL PROP DAMAGE LIABILITY	\$100,000 EACH OCC	2.40
SPECIAL TORT LIABILITY		3.20
PERSONAL INJURY PROTECTION	NO DED, EXCESS OF OTHER INSURANCE	64.30
PROPERTY PROTECTION INSURANCE	\$1,000,000 EACH OCC	4.00
RESIDUAL UNINSURED MOTORIST	\$100,000 EACH PERSON/\$300,000 EACH OCC	4.80
COMPREHENSIVE	ACTUAL CASH VALUE	17.60

170 TERM PREMIUM \$122.70 TOTAL \$122.70

ENDORSEMENTS: 59048, 1968, 1984, 19650, 1975

PREMIUM IS BASED ON THE AUTO BEING DRIVEN BY A PRINCIPAL OPERATOR AGE 45 THROUGH 54 YEARS OF AGE.

2. 86 CHEV CORVETTE	16-53	30-070	605	1951
		VIN: 1G1YY0783G5111784		

COVERAGE	LIMITS	PREMIUMS
RESIDUAL BODILY INJ LIABILITY	\$100,000 EACH PERSON/\$300,000 EACH OCC	\$26.40
RESIDUAL PROP DAMAGE LIABILITY	\$100,000 EACH OCC	2.40
SPECIAL TORT LIABILITY		3.20
PERSONAL INJURY PROTECTION	NO DED, EXCESS OF OTHER INSURANCE	64.30
PROPERTY PROTECTION INSURANCE	\$1,000,000 EACH OCC	4.00
RESIDUAL UNINSURED MOTORIST	\$100,000 EACH PERSON/\$300,000 EACH OCC	4.80
COMPREHENSIVE	A.C.V. NOT TO EXCEED \$18,000 \$100 DED	226.80
COLLISION - BROAD	A.C.V. NOT TO EXCEED \$18,000 \$250 DED	408.00

170 TERM PREMIUM \$739.90 TOTAL \$739.90

ENDORSEMENTS: 59048, 1968, 1984, 19650, 1975, 1976

PREMIUM IS BASED ON THE AUTO BEING DRIVEN BY A PRINCIPAL OPERATOR AGE 45 THROUGH 54 YEARS OF AGE.

POLICY RATE CODE 10002	TOTAL PREMIUM FOR TERM \$862.60	TOTAL PREMIUM ALL ITEMS \$862.60
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IF APPLICABLE, A 20% SEAT BELT CREDIT HAS BEEN APPLIED TO THE PIP PREMIUM ON EACH VEHICLE RATED AS PRIVATE PASSENGER.

CHAPMAN AUTO PARTS & SALES, INC.

INVOICE



RICHARD T. CHERICO - OWNER
(LATE MODEL CAR & TRUCK PARTS)
RD 1 BOX 94 DUBOIS, PENNSYLVANIA 15801
(814) 563-5128 (800) 543-4396



Date 7-7-88
Salesman _____

Sold to:

Ronald Young 1218 Presidents Park Philadelphia

QTY	PART NUMBER	DESCRIPTION	AMOUNT
1	1986	Cherry Consettite Clutch (Wrecked) (MS-15)	\$131.00

20% HANDLING CHARGE ON ALL RETURNED PARTS
TERMS: NET CASH - NO DISCOUNT
ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL

SUB TOTAL

TAX

\$131.00

TOTAL

\$131.00

IMPORTANT - PLEASE READ BELOW:
BUYER AGREES THAT these parts are sold by Seller and, excepted by Buyer in "AS IS" condition without any warranty either expressed or implied. The Buyer shall have the right to return the DEFECTIVE MOTOR, TRANSMISSION, and REAR END parts up to the thirtieth (30th) business day and ALL OTHER DEFECTIVE PARTS on the fourth (4th) business day following the date of this sale for a refund/exchange. After such time, the Buyer shall assume and be responsible for the entire expense of repairing or correcting any defects that may presently exist or hereafter occur with respect to these parts and shall forfeit the right to refund for or exchange of these parts.
There are NO OTHER WARRANTIES, either expressed or implied, and no implied warranty of merchantability or of fitness for a particular purpose. The company will not be responsible for nor reimburse the cost of any labor for installation of these parts nor for any expenses incurred by Buyer with respect to those parts.

Michigan Department of State
BUREAU OF DRIVER AND VEHICLE RECORDS
RECORD LOOKUP
7064 Crowner Drive
Lansing, MI 48918

Report of Services Provided

(Please note that this is for your information only and is not a billing statement)

Christopher Shaw Esq
41 East Main Street
Sykesville PA 15801

Account Number:

Report Number: 734192
Request Number: 342849
Date of Request: 06/11/2002

Type	Description	Qty	Cost	Total Fee
VEHICLE	1G1YY0783G5111784	1	\$6.55	\$6.55
Total:				\$6.55

***** DO NOT PAY FROM THIS REPORT *****

Page 1 of 1

Michigan Department of State
BUREAU OF DRIVER AND VEHICLE RECORDS
RECORD LOOKUP
7064 Crowsner Drive
Lansing, MI 48918

Request Report

Request Number: 342849

Request Date: June 11, 2002

External Reference:

Results:

A SOS 1 06/26/2002 07:47:06 IP204_23_225_109/RPS_RLU.

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MANUAL FILE

June 26, 2002

FILED

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Aug 24 2003
Amy C. Shaw
Pd. 85.00

RECEIVED
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William A. Shaw
Prothonotary

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

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FILED

IN THE INTEREST OF ONE 1986 :
CHEVROLET CORVETTE BEARING : No. 03 - 404 - CD
VIN# 1G1YY0783G5111784 :
:

MAY 07 2003

William A. Shaw
Prothonotary

ORDER FOR SERVICE BY PUBLICATION

AND NOW, this 7th day of May, 2003, the Court having previously reviewed Petitioner's In Rem Action to establish title to One 1986 Chevrolet Corvette bearing VIN# 1G1YY0783G5111784, and the Court being satisfied that all reasonable efforts have been made to effectuate actual notice on any party having an interest in this vehicle, the Court hereby establishes the 9th day of June, 2003, at 9:00 o'clock a.m. in Court Room No. 1 of the Clearfield County Courthouse, Clearfield Pennsylvania, as the day, date and time for any party claiming an interest in this vehicle to appear and prove their claim of title to the vehicle. In default of anyone appearing at that time and offering sufficient proof of ownership, the Court will establish good and actual title in this vehicle in the Petitioner.

The Court further directs that Petitioner shall give notice by publication of the said hearing date in one or more newspapers of general circulation published within the DuBois area, and in the legal newspaper for said county, if any, once a week for three

consecutive weeks before the date fixed for the hearing. This notice shall be in the form as follows:

Legal Notice

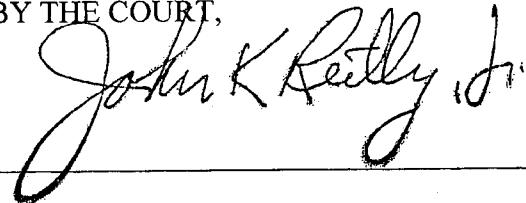
To all parties who may claim an ownership interest in a certain 1986 Chevrolet Corvette that was involved in a fatal accident on April 11, 1988, along Route 255 in DuBois, near the Sheetz:

You are hereby notified that Ronald Young has filed a Petition seeking to establish his ownership and right to title to this vehicle. Unless you appear and prove a superior claim to title at the hearing established, the Court will award title to Ronald Young to the exclusion of all other possible claims of ownership.

The hearing will be held on the 9th day of June, 2003 at 9:00 o'clock a.m. in the Courtroom No. 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania.

More information about this vehicle and Petitioner's claim of title can be found in the Office of the Prothonotary of Clearfield County in case No. 03 - 406 - C.D.

BY THE COURT,



FILED

✓ MAY 07 2003
0/11:35 AM
William A. Shaw
Prothonotary

lc6nt to Atty

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

FILED

JUN 09 2003

IN THE INTEREST OF ONE 1986 :
CHEVROLET CORVETTE BEARING : No. 03 - 406 - CD
VIN# 1G1YY0783G5111784 :
:

William A. Shaw
Prothonotary

ORDER

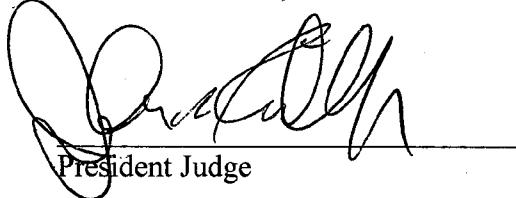
AND NOW, this 9th day of June, 2003, the Court having considered the In Rem Action to Establish Title to a certain 1986 Chevrolet Corvette bearing VIN# 1G1YY0783G5111784, and further that notice of the opportunity for anyone to present a claim of superior title having been duly provided to all interested parties by publication pursuant to the Court's Order, and the Court having been satisfied that Petitioner Ronald Young has a superior claim of title,

IT IS THE ORDER OF THIS COURT that Ronald Young of 1218 Treasure Lake, DuBois, Pennsylvania be and is hereby declared the owner of this certain 1986 Chevrolet Corvette bearing VIN# 1G1YY0783G5111784 to the exclusion of all others, and that the right title and interest of all other parties in and to this vehicle are hereby extinguished.

IT IS THE FURTHER ORDER OF THIS COURT that this Order shall be sufficient authority for the Commonwealth of Pennsylvania, Department of Transportation to accept this order in lieu of a Certificate of Title and to issue a title to this certain 1986 Chevrolet Corvette bearing VIN# 1G1YY0783G5111784 to Ronald Young.

The Petitioner shall submit the appropriate forms, taxes and fees and comply with any other procedures of the Commonwealth of Pennsylvania, Department of Transportation in order to receive appropriate Certificate of Title for said vehicle and to and to permit registration and/or licensing of this vehicle.

BY THE COURT,



A handwritten signature in black ink, appearing to read "John D. O'Hearn", is written over a horizontal line. Below the signature, the title "President Judge" is printed in a smaller, sans-serif font.

FILED

019:0181
JUN 09 2003

2 cc
Atty C. Shaw
FBI

William A. Shaw
Prothonotary