

03-1447-CD
IRVONA MUNICIPAL AUTHORITY vs. JOANNA FORGOTINE, et al.

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

IRVONA MUNICIPAL AUTHORITY, Plaintiff : No. 03-1447 - CD
: Type of Case: Civil
: Type of Pleading:
-vs- : COMPLAINT IN ACTION TO
: QUIET TITLE
: Filed on behalf of:
: Plaintiff
JOANNA FORGOINE, a/k/a JOANN :
FORGOINE, MARY STERGOIN, a/k/a :
MARY STERGION, a/k/a MARY STEIGOIN, :
NICK STERGOIN, a/k/a NICK STERGION, :
a/k/a NICK STEIGOIN, GEORGE :
STERGOIN, a/k/a GEORGE STERGION, :
a/k/a GEORGE STEIGOIN, ANNETTE :
STERGOIN, a/k/a ANNETTE STERGION, :
a/k/a ANNETTE STEIGOIN, if still :
living, their heirs, executors, :
administrators, personal :
representatives, successors and/or :
assigns, :
Defendants :
: Supreme Court No.: 36604
: GATES & SEAMAN
: 2 North Front St.
: P.O. Box 846
: Clearfield, PA 16830
: (814) 765-1766

FILED

SEP 26 2003
0/9:00 AM
William A. Shaw
Prothonotary/Clerk of Courts
NO CERT TO APP

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

IRVONA MUNICIPAL AUTHORITY, Plaintiff	:	No. 03-
	:	- CD
-vs-	:	
	:	
JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a	:	ACTION TO QUIET TITLE
MARY STERGION, a/k/a MARY STEIGOIN,:	:	
NICK STERGOIN, a/k/a NICK STERGION,:	:	
a/k/a NICK STEIGOIN, GEORGE	:	
STERGOIN, a/k/a GEORGE STERGION,	:	
a/k/a GEORGE STEIGOIN, ANNETTE	:	
STERGOIN, a/k/a ANNETTE STERGION,	:	
a/k/a ANNETTE STEIGOIN, if still	:	
living, their heirs, executors,	:	
administrators, personal	:	
representatives, successors and/or	:	
assigns,	:	
Defendants	:	

NOTICE TO DEFEND

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 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 Court House
Clearfield, PA 16830
(814) 765-2641

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03-	- CD
Plaintiff	:		
	:		
-vs-	:		
	:		
JOANNA FORGOINE, a/k/a JOANN	:		
FORGOINE, MARY STERGOIN, a/k/a	:		
MARY STERGION, a/k/a MARY STEIGOIN,:	:		
NICK STERGOIN, a/k/a NICK STERGION,:	:		
a/k/a NICK STEIGOIN, GEORGE	:		
STERGOIN, a/k/a GEORGE STERGION,	:		
a/k/a GEORGE STEIGOIN, ANNIE	:		
STERGOIN, a/k/a ANNIE STERGION,	:		
a/k/a ANNIE STEIGOIN, if still	:		
living, their heirs, executors,	:		
administrators, personal represen-	:		
tatives, successors and/or assigns	:		
Defendants	:		

COMPLAINT

NOW COME, Plaintiff, IRVONA MUNICIPAL AUTHORITY, by its attorney, Andrew P. Gates, Esquire, of Gates & Seaman, Attorneys at law, and sets forth the following cause of action against the named Defendants herein and assert as follows:

1. Plaintiff, IRVONA MUNICIPAL AUTHORITY, is a body politic and corporate, organized and existing under the Municipalities Authorities Act of 2001, as amended, (See 53 P.C.S.A. §5601 et seq.) whose registered office and place of business is situate in the Borough of Irvona, Clearfield County, Pennsylvania, with a mailing address of Berwind Street, P. O. Box 247, Irvona, Pennsylvania 16656.

2. Defendant, JOANNA FORGOINE, a/k/a JOANN FORGOINE, is an adult individual, whose whereabouts are unknown, but upon information and belief said JOANNA FORGOINE, a/k/a JOANN FORGOINE, died between September 12, 1975 and November 17, 1978.

3. Defendant, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, is an adult individual, whose whereabouts are unknown, but upon information and belief said Defendant died prior to July 3, 1975.

4. Defendant, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, is an adult individual, whose whereabouts are unknown.

5. Defendant, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, is an adult individual, whose whereabouts are unknown.

6. Defendant, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, is an adult individual whose whereabouts are unknown, but upon information and belief, said Defendant is deceased.

7. The subject matter of this Action to Quiet Title is a parcel of real estate containing 2.47 acres situate in Irvona Borough, Clearfield County, Pennsylvania, which is more particularly described as set forth on Exhibit "A" which is attached hereto and made a part hereof.

8. Plaintiff became the owner of the premises described in Exhibit "A" by virtue of a Declaration of Taking filed on December 10, 2002 in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD. Said condemnation proceeding are incorporated herein by reference as though set forth at length.

9. Since no Preliminary Objections were filed by the named Condemnees in the aforementioned condemnation action, the premises described in Exhibit "A" vested in Plaintiff, IRVONA MUNICIPAL AUTHORITY, which is now in present possession, and just compensation was paid to the Condemnees as reflected in the AGREEMENT AND RELEASE PURSUANT TO 26 P.S. § 1-501 which appears of record in the aforementioned Condemnation proceedings.

10. By virtue of a deed dated May 28, 1935 and appearing of record in Clearfield County Deed Book 459, Page 146, Ignaz Yarwarski et ux, (whose first name is also referred to therein as Ignus, Ignos, Ingnas and Ignots, and whose surname is also referred to therein as Yarwaski, Yorwoski, Yowarski and Yorworski) conveyed to his wife, Teressa Yarwarski 13 separate parcels situate in Beccaria Township, Clearfield County, Pennsylvania and Irvona Borough, Clearfield County, Pennsylvania, believed to be adjacent to one another and out of which the premises described in Exhibit "A" were at one time a part.

11. It is believed and therefore averred that Teressa Yarwarski held sole title to the premises described in the deed mentioned in the aforementioned paragraph until her death, believed to be on December 19, 1963 which was represented in the Petition for Letters of Administration in the Estate of her husband, Ignaz Yaworski. Said estate appears of record in the Clearfield County Orphans Court records to Estate No. 75-532.

12. It is believed and therefore averred that by operation of law title to the properties described in Clearfield County Deed Book 459, Page 146, (which included the premises described on Exhibit "A") passed to Ignaz Yaworski, surviving spouse of Teressa Yarwarski, deceased, and her six children, who were identified in the Estate of Ignaz Yaworski as James Yaworsky, Alex Yaworsky, Joanna Forgoine (a Defendant herein) Leona Zolnerowich, Catherine Beauanno and the children of a deceased child, i.e. Mary Stergoin, a/k/a Mary Stergion, a/k/a Mary Steigoin, who were identified therein as George Stergoin, a/k/a George Stergion, a/k/a George Steigoin, Nick Stergoin, a/k/a Nick Stergion, a/k/a Nick Steigoin and Annette Stergoin, Annette Stergion, a/k/a Annette Steigoin (all Defendants herein).

13. Thereafter, Ignaz Yaworski died intestate as a resident of Irvona borough, Clearfield County, Pennsylvania on July 3, 1975. In the Petition for Letters of Administration appearing in his estate (namely: in Clearfield County Estate No. 75-532) it states said decedent was survived by as his nearest next of kin by the same five children listed in the preceding paragraph as well as by the three children of Mary Stergion (i.e. Nick Stergion, George Stergion and Annette Stergion).

14. By virtue of six deeds dated late January 1978 and early February 1978, Leona Zolnerowich et vir, Catherine Buomanno et vir, and Joanna Forgoine (Defendant herein) et vir conveyed their individual fractional interest in the real

property inherited by operation of law from their father, Ignaz Yaworski, and from their mother, Teressa Yawarski, to two other children of Ignaz Yaworski and Teressa Yawarski, namely, James Yawarski and Olga Yawarski, his wife, and Alex Yarwarski.

15. The deeds referred to in the preceding paragraph appear of record in the following Clearfield County Deed Books:

- i. Deed Book 773, Page 253;
- ii. Deed Book 773, Page 260;
- iii. Deed Book 773, Page 237;
- iv. Deed Book 773, Page 249;
- v. Deed Book 773, Page 264;
- vi. Deed Book 773, Page 257.

16. It is believed and therefore averred that the premises in question, as described in Exhibit "A", were a portion of the premises described in the aforementioned Clearfield County Deed Book 773, Page 253, which is attached hereto and made a part hereof as Exhibit "B".

17. Although Defendant, Joanna Forgoine, a/k/a Joann Forgoine, was named as a grantor in each of the six deeds referred to in the preceding paragraph, she did not execute any of the deeds. However, said six deeds were executed by her husband, Anthony Forgoine, and in the acknowledgment section, Anthony Forgoine is referred to as a widower.

18. Upon information and belief it is believed that Joanna Forgoine, a/k/a Joann Forgoine, died some time in 1978 prior to her husband, Anthony Forgoine, executing the aforementioned deeds on November 17, 1978.

19. It is believed and therefore averred that any interest in the subject premises previously vesting in Defendant, Joanna Forgoine, a/k/a Joann Forgoine, passed by operation of law to her husband, Anthony Forgoine who executed all of the aforementioned deeds.

20. There is no estate of record or other public record of the death of Defendant, Joanna Forgoine a/k/a Joann Forgoine, in the Clearfield County Orphans Court Records.

21. Defendants George Stergoin, (a/k/a George Stergion, a/k/a George Steigoin) Nick Stergoin (a/k/a Nick Stergion a/k/a Nick Steigoin) and Annette Stergoin, (a/k/a Annette Stergion, a/k/a Annette Steigoin), as the sole heirs of Mary Stergoin, believed deceased, did not join in conveying any of their individual interests in the deeds referred to in paragraph 15 hereof.

22. In the First and Final Account filed in the Estate of Ignaz Yaworski, a/k/a Ignaz Yaworsky, it is stated that all heirs of Ignaz Yaworski transferred their interest to Alex Yaworski and James Yaworsky and therefore there was no real estate to be distributed by said accounting. A true and correct copy of said First and Final Account and the Order approving the same is attached hereto and made a part hereof as Exhibit "C".

23. Thereafter Olga Yaworski, a/k/a Olga Yawarski, widow, transferred all of the undivided interest she received by virtue of the death of her husband, James Yaworski (Date of Death: November 25, 1978) to her three daughters, Jamie Washel, Melanie

J. Hazenstab and Donna G. Covert by deed dated March 20, 1985 and appearing of record in Clearfield County Deeds and Records Book 1003, Page 150. This conveyance would have included the grantors' interest in the property described in Exhibit "A".

24. Thereafter, Jamie Washel et vir, Melanie J. Hazenstab et. vir. and Donna G. Covert et. vir. conveyed the same one-half interest in said same properties, which would have included the premises described in Exhibit "A" back to their mother, Olga Yaworski by deed dated November 27, 1985 and appearing of record in Clearfield County Deeds and Records Book 1087, Page 574.

25. Thereafter, Alex Yaworski, married, but separated, and Olga Yaworski, widow, conveyed 16.774 acres of land situate in Beccaria Township and Irvona Borough, Clearfield County, Pennsylvania, (which would have included the premises described in Exhibit "A") to Alex Yaworski and Olga Yaworski, as tenants in common, by deed dated March 21, 1986 and appearing of record in Clearfield County Deeds and Records Book 1087, Page 527.

26. Thereafter, Olga Yaworski, widow, and Alex Yaworski, married, (but separated for the last fifteen years), by deed dated March 21, 1986 and appearing of record in Clearfield County Deeds and Records Book 1087, Page 543, conveyed the said 16.774 acres to Olga Yaworski, excepting the right to use an existing driveway as it runs to the present garage which rights were granted previously in favor of Alex Yaworski.

27. Thereafter, Olga Yaworski died testate on November 28, 1991 and by her Last Will and Testament (which appear in said

decedent's estate records in the Office of the Clearfield County Orphans Court in file No. 1995-154), she devised and bequeathed the residue of her estate which would include the 16.774 acres of which the premises described in Exhibit "A" were at one time a part to her three daughters, Donna Glory Covert, Melanie Joyce Hazenstab and Jamie Lynn Washel.

28. Thereafter, by deed dated November 30, 1995 and appearing of record in Clearfield County Deeds and Records Book 1726, Page 476, Donna G. Covert, Executrix of the Estate of Olga Yaworski, deceased, also individually, along with Melanie Joyce Hazenstab, individually, and Jamie Lynn Washel, et vir, individually, and James Yaworski, Jr. et ux conveyed unto Donna G. Covert and Harold A. Covert, her husband, a parcel situate primarily in Irvona Borough, but also partially in Beccaria Township, Clearfield County, Pennsylvania, containing 9.43 acres, with said premises being a portion of the premises conveyed to Olga Yaworski by deed dated March 21, 1986 and which appears of record in Clearfield County Deeds and Records Book 1087, Page 543. This 9.43 acres contains the premises described in Exhibit "A".

29. Thereafter, Donna G. Covert and Harold E. Covert, her husband, continued to hold title to the 9.43 acre parcel described in the preceding paragraph, and which contained as a part thereof the premises described on Exhibit "A", until the Condemnation proceedings were filed against them by Plaintiff,

Irvona Municipal Authority, as described in greater detail in Paragraphs 8 and 9 hereof.

30. Due to the conflicting information appearing in the past deeds in the chain of title, with that appearing in the estate records for the Estate of Ignaz Yaworski, Defendants Mary Stergion, a/k/a Mary Stergoin, a/k/a Mary Steigoin, George Stergion, a/k/a George Stergoin, a/k/a George Steigoin, Nick Stergion, a/k/a Nick Stergoin, a/k/a Nick Steigoin, and Annette Stergion, a/k/a Annette Stergoin, a/k/a Annette Steigoin potentially possess a small fractional interest in said premises and it is necessary that this Quiet Title Action clarify that said interest previously passed out of said Defendants as set forth in the First and Final Account of the Estate of Ignaz Yaworski, deceased, and that said Defendants, their heirs, personal representatives, successors and assigns, no longer own or possess any such interest in the parcel described in Exhibit "A".

31. That Defendant, Joanna Forgoine, a/k/a Joann Forgoine, by virtue of her dying before executing the deeds referred in Paragraphs 14 through 16 hereof, potentially still possessed an interest which Plaintiff asserts passed to her husband, Anthony Forgoine, who did in fact execute the deeds in question and that any interest of Defendant, Joanna Forgoine, a/k/a Joann Forgoine, in the premises described in Exhibit "A" is now vested in Plaintiff, Irvona Municipal Authority.

32. Plaintiff desires to clear the aforementioned clouds on the title by virtue of this Court granting the relief requested herein.

WHEREFORE, Plaintiff requests this Honorable Court to:

(a) determine that Plaintiff is seized of an indefeasible title to the premises described in Exhibit "A";

(b) order Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other parties having any claim to the premises described herein, to bring an action in ejectment to establish their claim to said premises within a time set by the Court, or forever be barred from asserting any right, title and interest in said premises as described in Exhibit "A", inconsistent with the title of the Plaintiff;

(c) enter such judgment as may be necessary in establishing an indefeasible title in Plaintiff in the premises described in Exhibit "A";

(d) permanently enjoin the Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other persons or parties acting by, for, or on their behalf from interfering with or obstructing Plaintiff's interest in the premises described in Exhibit "A";

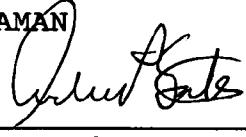
(e) determine that any interest in the premises described in Exhibit "A" passing to Defendant Joanna Forgoine, a/k/a Joann Forgoine from the Estate of Ignaz Yaworski (Estate No. 75-532) or by virtue of the death of her mother, Teressa Yarwarski,

devolved to her husband, Anthony Forgoine, prior to November 17, 1978;

(f) determine that the statement in the First and Final Account of the Estate of Ignaz Yarworski (Estate No. 75-532) that "properties transferred by heirs to Alex Yaworski and James Yaworsky" validly and admittedly transferred any interest of the named Defendants to said individuals; and

(g) grant such other relief as this Court may deem appropriate and just.

GATES & SEAMAN

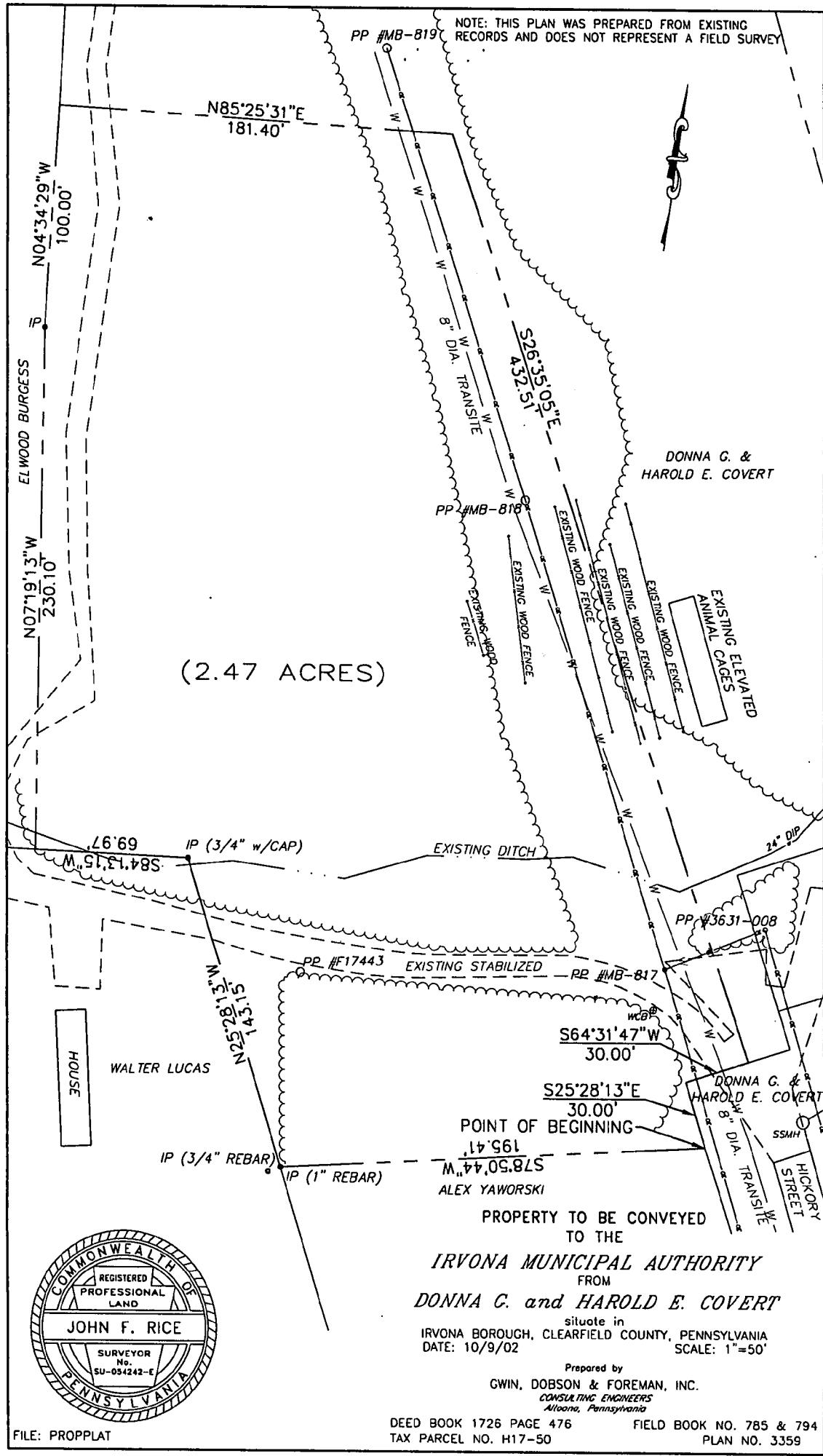
BY: 

Andrew P. Gates, Esquire
Attorneys for Plaintiff

Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S78°50'44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N25°28'13"W a distance of 143.15 feet to a point; thence by the same, S84°13'13"W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N07°19'13"W a distance of 230.10 feet to a point; thence by the same, N04°34'29"W a distance of 100.00 feet to a point; thence through the lands of the Grantors, N85°25'31"E a distance of 181.40 feet to a point; thence by the same, S26°35'05"E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S64°31'47"W a distance of 30.00 feet to a point; thence by the same, S25°28'13"E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres



PA. WARRANTY DEED--II.

PAUL LAW PAPERS
THE PAPERMAKER CO.
WILLIAMSPORT, PA. 17701
ALL RIGHTS RESERVED

VOL 773 PAGE 253

Made the First (1) day of February
Nineteen hundred and seventy-eight (1978)

Signature LEONA ZOLNEROWICH and DANIEL ZOLNEROWICH, her husband, of ANTHONY FORGOINE, her husband, of 57-41 224th Street, Bayside, Long Island, New York; and CATHRINE BUOMANNO and GEORGE BUOMANNO, her husband, of 993 Spring Field Avenue, New Providence, New Jersey, being three of the heirs of Teresa Yawarski, deceased, hereinafter called the grantors, parties of the first part,

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and his wife, Olga Yawarski
JAMES YAWARSKI of the Borough of Irvona, County of Clearfield and State of Pennsylvania, and ALEX YAWARSKI of Long Island in the County of Suffolk, State of New York, being the other two of the five heirs of Teresa Yawarski, hereinafter called the grantees, parties of the second part.

Witnesseth, That in consideration of—Without monetary consideration—

in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant Dollars, and convey to the said grantees, and to the survivor of them, his or her heirs and assigns.

All that certain lot or parcels of ground situate in the Borough of Irvona, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a point on the street or road, also corner of Lot Number Five Hundred Ninety-five (595) as now laid out; thence by line of said lot South sixty degrees (60) West thirteen and three tenths (13.3) rods to an iron pin; thence by an alley, North thirty degrees (30) West twenty rods (20) to an iron pin on lands of Witmer Land and Coal Company; thence by land of Witmer Land and Coal Company, North sixty degrees (60) degrees East, thirteen and three tenths (13.3) rods to an iron pin in the Street or Road; thence by said Street or Road South thirty degrees (30) East twenty (20) rods to the place of beginning. Containing one acre and one hundred and six perches.

THE SECOND THEREOF: BEGINNING at an iron pin at the bank of North Witmer Run; thence by land of Witmer Land and Coal Co. South sixty degrees (60) West ten and seven tenths (10.7) rods to a point on street or road mentioned above; thence by said street or road North thirty degrees (30) West twenty (20) rods to a point on the Witmer Land and Coal Company; thence by land of said Company North sixty degrees (60) East ten and seven tenths (10.7) rods to an iron pin at the Run; thence down said Run South thirty degrees (30) East twenty (20) rods to the place of beginning. Containing one acre and fifty-four perches or containing in both pieces described above, three acres, in all, neat measure, and being part of a larger piece known as the John Witmer tract.

EXCEPTING and RESERVING therefrom all the coal, fire clay and other minerals with the right of removal and all reservations and

limitations on the use thereof as set forth in the Deed from the Elk Tanning Company to the grantors herein.

BEING the same two parcels which Witmer Land and Coal Co. granted, and conveyed to the Elk Tanning Company by deed dated the 17th day of November 1905, recorded in Deed Book No. 152, page 105 and which the Elk Tanning Company by deed dated September 15, 1931, conveyed to L. C. Hegarty and others, recorded in Deed Book , page . The said L. C. Hegarty and wife and Urban Crook and wife granted and conveyed by deed dated October 1, 1931, Deed Book 300, page 220, to Ignaz Yawarski, under the name of Ignaz Yawarski.

BEING the 13th and last parcel in the deed from Ignaz Yawarski to Teresa Yawarski dated the 28th day of May, 1935, recorded at Clearfield in Deed Book 159, page 146. That Teresa Yawarski died intestate November 19, 1963, survived by the said Ignaz Yawarski, her husband, and the five children who are the parties of this deed. Ignaz Yawarski died intestate July 3, 1975, at Bayside, Long Island, New York. Whereby, any interest he inherited in the property of his deceased wife vested in the five children named herein.

VOL 773 PIX 256
STATE OF NEW YORK:

STATE OF NEW YORK : SS.
COUNTY OF QUEENS :

On this, the 17 day of November 1978, before me, Anthony Forgoine,
widower, the undersigned officer, personally appeared Anthony Forgoine,
known to me (or satisfactorily proven) to be the person whose name is
subscribed to the within instrument, and acknowledged that he executed
the same for the purpose therein contained.

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

ANTHONY J. CIRONE
My Commission EXPIRES 3/31/79
No. 41-4521690
Qualified in Queens County
Last Exam. March 30, 1978

STATE OF NEW YORK ^{Expires March 30, 1974}

COUNTY OF QUEENS : SS.

On this, the 17 day of November 1978, before me, Anthony Buemann
Forgoing the undersigned officer, personally appeared Cathrine and George
known to me (or satisfactorily proven) to be the persons whose names are
subscribed to the within instrument, and acknowledged that they executed..
the same for the purpose therein contained.

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

March 30, 1980
My Commission Expires

My Commission Expires

Notary Public, State of California
No. 24 6357-500
Certified in King County
Cert. filed with King Co. Clk's Reg.
Cert. filed with Queen Co. Clk's Reg.
Commission Expires March 20, 1980

Cert. filed with King Co. Ct. of Rec.
Cert. filed with Queen Co. Ct. of Rec.
Commission Expires March 26, 1980

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LEONA ZOLNEROWICH and DANIEL ZOLNEROWICH, her husband; and Joanna Forgoine and ANTHONY FORGOINE, her husband; and GEORGE BUOMANNO and CATHRINE BUOMANNO, husband and wife, and his wife Olga Yawarski JAMES YAWARSKI and ALICE YAWARSKI

Entered of Record Nov 28 1978, 3:43p, Cecil Burns, Recorder

Concordance of Pali-English

County of

934

in the Recorder's Office of said County
in DEED Book Vol. Page

Given under my hand and seal of the said office

the date above written.

RECORDED.

IN THE OFFICE OF THE REGISTER OF WILLS OF CLEARFIELD COUNTY, PENNA.

IN RE: ESTATE OF IGNAZ
YAWORSKI, LATE OF IRVONA
BOROUGH, COUNTY OF CLEAR-
FIELD AND STATE OF PENNSYL-
VANIA, DECEASED. : FILE NO.

NOTICE TO HEIRS:

TO: Alex Yaworsky, Long Island, New York
Joann Forgoine, Long Island, New York
Leona Zolnerowich, South River, New Jersey
Catherine Beauanno, New Jersey
George Steigoin
Nick Steigoin
Annette Steigoin

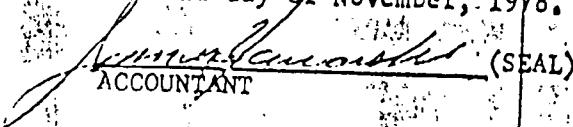
YOU are hereby notified:

1. That the Fiduciary in the above estate will file in the Office of the Register of Wills his First and Final Account on or about the 3rd day of November, 1978.

2. That the said Account will come before the Court for confirmation on Monday, the 4th day of December, 1978, at 10:00 o'clock A. M. at the Court House, Clearfield, Pennsylvania, in the Main Courtroom of said Court House and that exceptions may be filed at any time until December 4, 1978, and will be confirmed absolutely if not objected to, on December 8, 1978.

3. A copy of the proposed distribution appears in the First and Final Account, a copy of which is sent to you in conjunction with this notice.

WITNESS my hand and seal this 3rd day of November, 1978.


ACCOUNTANT

(SEAL)

IN THE OFFICE OF THE REGISTER OF WILLS OF CLEARFIELD COUNTY, PENNA.

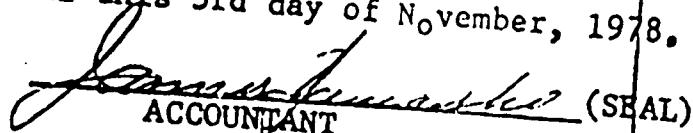
IN RE: ESTATE OF IGNAZ
YAWORSKI, LATE OF IRGONA
BOROUGH, COUNTY OF CLEAR-
FIELD AND STATE OF PENNSYL-
VANIA, DECEASED. : FILE NO. :
: :
:

CERTIFICATE OF SERVICE
OF NOTICE TO HEIRS

1. That the First and Final Account of the Fiduciary in the above estate will be filed on or about November 3, 1978.
2. That written notice of the filing of the account was given and statement of proposed distribution given more than twenty-one days prior to the First Monday of December, 1978, to every unpaid creditor who had given notice of their claim and to every other person of whom the accountant has notice or knowledge, who claims an interest in the estate as beneficiary of decedent or next of kin.
3. That such notice was given to the following parties:

Alex Yaworsky, Long Island, New York
Joann Fergoline, Long Island, New York
Leona Zolnarowich, South River, New Jersey
Catherine Beauanno, New Jersey
George Steigoin
Nick Steigoin
Annette Steigoin

WITNESS my hand and seal this 3rd day of November, 1978.


JAMES J. FARNWORTH (SEAL)
ACCOUNTANT

IN THE OFFICE OF THE REGISTER OF WILLS OF CLEARFIELD COUNTY

IN RE: ESTATE OF IGNACIUS YAWORSKI, LATE OF IRVONA BOROUGH, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA, DECEASED.

: FILE NO.
: DATE OF DEATH: 10-10-1975
: DATE LETTERS OF ADMINISTRATION ISSUED: Sept 1, 1975

FIRST AND FINAL ACCOUNT
OF JAMES YAWORSKI,
ADMINISTRATOR

I.

PERSONAL PROPERTY

The accountant charges himself with the following item of personal property:

1975-
1978 By amount of inventory and appraisement:

None
Total inventory and appraisement:

1975-
1978 Advanced by heirs toward payment of debts
Total personal property with which the accountant charges himself:

II.

CR.

The accountant claims credit with the following disbursements from personal property:

1975-
1978 funeral expenses
Alex Yaworski, family exemption
Clarence R. Kramer, counsel fees
Helmbold & Stewart, bond premiums - 1975-
1978
Cecil A. Burns, Register, issuing letters
Cecil A. Burns, Register, filing deduction
Cecil A. Burns, Register, filing final
account
Cecil A. Burns, Register, filing petition
to discharge surety

Total disbursements from personal property and total personal property with which the accountant claims credit:

III.

REAL ESTATE

DR.

1975-
1978

The accountant charges himself with the following items of real estate:

By amount of inventory and appraisement:

One-third interest in following properties in Irvona Borough received from Theressa Yaworski, upon her death in 1963:
 Shanty & 3 acres assessed at \$260.00;
 1 acre assessed at \$30.00;
 7 2/3 acres assessed at \$64.00;
 2 lots 593 and 594 assessed at \$40.00;
 4 acres 75 porches assessed at \$32.00;
 4 acres 56 porches assessed at \$32.00;
 2 lots 588 & 589 assessed at \$40.00;
 H, B, G & 5 acres assessed at \$2,786.00;
 3/4 acres assessed at \$30.00;
 3/4 acres assessed at \$24.00;
 Bldg., lot 595 assessed at \$180.00;
 1.25 acres assessed at \$40.00, total market value of all properties being \$9,325.00, the one-third of which is:
 Total real estate with which the accountant charges himself: \$ 3,108.34
\$ 3,108.34

IV.

CR.

1978

The accountant claims credit with the following disbursements from real estate:

Properties transferred by heirs to Alex Yaworski and James Yaworsky at a value of \$3,108.34
 Total disbursements and total real estate with which the accountant claims credit: \$3,108.34


 ACCOUNTANT (SEAL)

VOL 102 NO 300

SCHEDULE OF DISTRIBUTION

I.

PERSONAL PROPERTY

1978 None remaining for distribution: None

II.

REAL ESTATE

1978 None remaining for distribution: None

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

Before me, Kathleen M. Conklin, Notary
Public, personally appeared James Yaworsky, accountant, who,
according to law, deposes and says that the sum of
foregoing Account are true and correct.

Kathleen M. Conklin
Sworn to and subscribed before me
this 7 day of November, 1978.

Kathleen M. Conklin
NOTARY PUBLIC

Kathleen M. Conklin, Notary Public
Clearfield Borough, Clearfield County
My Commission Expires July 22, 1982
Member, Pennsylvania Association of Notaries

IN THE OFFICE OF THE REGISTER OF WILLS OF CLEARFIELD COUNTY, PENNA.

IN RE: ESTATE OF IGNAZ YAWORSKI, LATE OF IRVONA BOROUGH, COUNTY OF CLEARFIELD AND STATE OF PENNSYLVANIA, DECEASED. : FILE NO. :

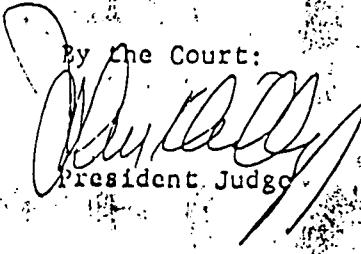
DECREE CONFIRMING ACCOUNT
AND AWARDING DISTRIBUTION

NOW, December 4, 1978, the foregoing account having been filed with Schedule of Distribution attached showing that there is nothing to be distributed,

THEREFORE, the account as filed is confirmed in, si, as of the 4th day of December, 1978, and to be confirmed absolutely by the Court four (4) days thereafter, to wit: On December 8, 1978.

THIS DECREE is entered pursuant to the relevant provisions of the Fiduciary's Act of 1949, P. L. 512, Purdon's Statutes, Vol. 20.

By the Court:


President Judge

FILED Nov 7 1978

VERIFICATION

The undersigned verifies that he is the Chairman of Irvona Municipal Authority, Plaintiff, and that the statements made in the foregoing document are true and correct to the best of her knowledge, information and belief; and as such Chairman he has been authorized to make this Verification on behalf of Plaintiff, Irvona Municipal Authority. The undersigned understands that false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.


Donald K. Marson
CHAIRMAN

Date: 9/15/03

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

03- -CD

IRVONA MUNICIPAL AUTHORITY, Plaintiff

-vs-

JOANNA FORGOIN, a/k/a JOANN FORGOINE,
MARY STERGOIN, a/k/a MARY STERGION,
a/k/a MARY STEIGOIN, NICK STERGOIN,
a/k/a NICK STERGION, a/k/a NICK
STERGOIN, GEORGE STERGOIN, a/k/a
GEORGE STERGION, a/k/a GEORGE STEIGOIN,
ANNETTE STERGOIN, a/k/a ANNETTE
STERGION, a/k/a ANNETTE STEIGOIN,
if still living, their heirs,
executors, administrators, personal
representatives, successors and/or
assigns, Defendants

COMPLAINT IN ACTION TO QUIET TITLE

FILED

SEP 26 2003

•(a!w)

William A. S. Prothonotary Clerk of Courts

NO CERT.

LAW OFFICES
GATES & SEAMAN
2 NORTH FRONT STREET
P.O. BOX 846
CLEARFIELD, PA. 16830

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

IRVONA MUNICIPAL AUTHORITY, : No. 03-1447 - CD
Plaintiff :
: :
-vs- : :
: :
JOANNA FORGOINE, a/k/a JOANN :
FORGOINE, MARY STERGOIN, a/k/a :
MARY STERGION, a/k/a MARY STEIGOIN, :
NICK STERGOIN, a/k/a NICK STERGION, :
a/k/a NICK STEIGOIN, GEORGE :
STERGOIN, a/k/a GEORGE STERGION, :
a/k/a GEORGE STEIGOIN, ANNETTE :
STERGOIN, a/k/a ANNETTE STERGION, :
a/k/a ANNETTE STEIGOIN, if still :
living, their heirs, executors, :
administrators, personal :
representatives, successors and/or :
assigns, :
Defendants :
:

FILED

09:00 No
SEP 26 2003 cc

William A. Shaw
Prothonotary/Clerk of Courts

MOTION

AND NOW, this 25th day of September, 2003, an Affidavit
(attached hereto and made a part hereof as Exhibit "A") having
been executed and verified on behalf of Plaintiff, that despite
an extensive investigation therein specifically detailed, the
identity and whereabouts of Defendants, JOANNA FORGOINE, a/k/a
JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY
STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK
STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE
STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a
ANNETTE STEIGOIN, their heirs, executors, administrators,
personal representatives, successors and assigns, are unknown to
Plaintiff. Since the whereabouts of the named Defendants, if

still living, are unknown to Plaintiff, it is unable to effectuate service as provided by Pa. R.C.P. 400 et seq.

Therefore, Plaintiff by its attorneys, Gates & Seaman, move this Honorable Court for an Order directing that service of process be effectuated upon named Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, and ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, their heirs, executors, administrators, personal representatives, successors and assigns, by publication as provided by Pa. R.C.P. 430 (b).

GATES & SEAMAN



Andrew P. Gates, Esquire
2 North Front St.
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03-	- CD
Plaintiff	:		
	:		
-vs-	:		
	:		
JOANNA FORGOINE, a/k/a JOANN	:		
FORGOINE, MARY STERGOIN, a/k/a	:		
MARY STERGION, a/k/a MARY STEIGOIN,	:		
NICK STERGOIN, a/k/a NICK STERGION,	:		
a/k/a NICK STEIGOIN, GEORGE	:		
STERGOIN, a/k/a GEORGE STERGION,	:		
a/k/a GEORGE STEIGOIN, ANNIE	:		
STERGOIN, a/k/a ANNIE STERGION,	:		
a/k/a ANNIE STEIGOIN, if still	:		
living, their heirs, executors,	:		
administrators, personal	:		
representatives, successors and/or	:		
assigns,	:		
Defendants	:		

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA	:	
	:	SS:
COUNTY OF CLEARFIELD	:	

Andrew P. Gates, Esquire, being duly sworn according to law, deposes and states that he makes this Affidavit on behalf of Plaintiff, Irvona Municipal Authority, as to the nature and extent of the investigation made to ascertain the existence and whereabouts of Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNIE STERGOIN, a/k/a ANNIE STERGION, a/k/a ANNIE STEIGOIN:

1. Other than as set forth in the Complaint, the undersigned, by and through his staff and abstractors, examined the current Clearfield County Assessment records for any assessments titled in the name of Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, and, there are no current assessments for said Defendants.

2. Furthermore, a review was also made of the 1942 Miscellaneous Docket in the Prothonotary's Office for any other Quiet Title Actions filed versus Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, and other than set forth in Paragraph 8 hereof, nothing of record appears which would inform counsel of said Defendants' address, existence or whereabouts.

3. Furthermore, a review was made of the Clearfield County Estate Records, and no estate or other public record of the death of Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE

STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, is of record.

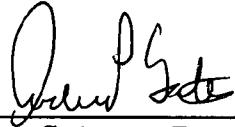
4. A check was also made of the local telephone directory in regard to Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, and there is no record of these Defendants.

5. A check was made from 1975 to present of the Clearfield County Deed, Mortgage, Miscellaneous, Deeds and Records indices and on the Landex Computer System in the Recorder of Deeds Office, and nothing could be located establishing the whereabouts and/or last mailing address of the named Defendants, their heirs, personal representatives, successors and/or assigns.

6. A telephone conversation was held with Jamie Washel, granddaughter of Ignaz Yaworski on August 12, 2003 and other than knowing that Defendant JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, and ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN were deceased, said individual could provide no other information about the whereabouts of the other named Defendants, or the heirs, successors, and/or assigns of the Defendants known to be deceased.

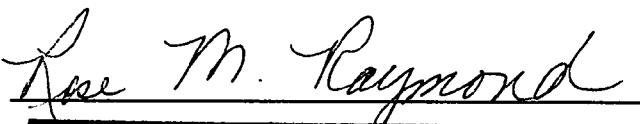
7. The Clearfield County Election Office was contacted to see if it had a voter registration and/or address for any of the above identified four Defendants and none was available.

8. The same four Defendants in the within action, were also named as Defendants in an earlier Quiet Title Action filed in this Court to Case No. 99-1289-CD, and said Defendants in that action were served by publication since their whereabouts were unknown and the search made by Plaintiff's attorney in that case could not locate said Defendants whereabouts or last known addresses. Attached hereto as Exhibit "1" is the Motion For Service By Publication and Order entered in that prior Quiet Title Action.


Andrew P. Gates

Andrew P. Gates, Esquire

Sworn to and subscribed before me
this 15th day of September, 2003.



NOTARIAL SEAL
ROSE M. RAYMOND, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Oct. 28, 2005

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

TODD M. HAMILTON and
JOANNA M. HAMILTON, husband and wife,

No. 99-1289-CD

PLAINTIFFS,

v.

IGNAZ YARWARSKI, TERESSA YARWARSKI,
JOANNA FORGOINE, MARY STERGION,
GEORGE STERGION, NICK STERGION,
and ANNETTE STERGION, their heirs,
administrators, executors, successors, and/or
assigns,

DEFENDANTS.

TYPE OF CASE: Action to Quiet
Title

TYPE OF PLEADING: Motion to
Serve by Publication

FILED ON BEHALF OF :
Plaintiffs

COUNSEL OF RECORD FOR
THIS PARTY:
Timothy A. Schoonover
MASON LAW OFFICE
P. O. Box 28
Philipsburg, PA 16866
(814) 342-2240

FILED

JAN 03 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

TODD M. HAMILTON and
JOANNA M. HAMILTON, husband and wife,

No. 99-1289-CD

PLAINTIFFS,

v.

IGNAZ YARWARSKI, TERESSA YARWARSKI,
JOANNA FORGOINE, MARY STERGION,
GEORGE STERGION, NICK STERGION,
and ANNETTE STERGION, their heirs,
administrators, executors, successors, and/or
assigns,

DEFENDANTS.

MOTION FOR SERVICE BY PUBLICATION

AND NOW, come the Plaintiffs, Todd M. Hamilton and Joanna M. Hamilton, by and through their attorney, Timothy A. Schoonover, Esquire, and pursuant to Pa. R.C.P. 430(b) move this Court for a special order directing service of Plaintiffs' Complaint by publication. In support of this motion, Plaintiffs aver the following:

1. On June 18, 1999, Plaintiffs purchased a parcel of real property located in Irvinia Borough, Clearfield County, Pennsylvania from John Yaworski and Nicholas Yaworski.
2. Certain title defects were noted in the abstract of title performed prior to the purchase of the above-referenced parcel.
3. Plaintiffs, Todd M. Hamilton and Joanna M. Hamilton, have filed a Complaint to Quiet Title to resolve the noted title defects.
4. Plaintiffs have attempted to locate the Defendants, their heirs, devisees,

administrators, executors, or assigns in this matter through Ronald Archer, counsel for John Yaworski and Nicholas Yaworski.

5. John Yaworski and Nicholas Yaworski are relatives of the above-named Defendants.

6. Ronald Archer has executed an Affidavit stating that John Yaworski and Nicholas Yaworski were contacted by him and unable to ascertain the whereabouts of the Defendants. Said Affidavit is attached hereto as "Exhibit A".

7. Plaintiffs have exhausted all reasonable means of attempting to locate the Defendants, their heirs, devisees, administrators, executors, or assigns.

8. Counsel for Plaintiffs believes that the best means of service is by publication in the Clearfield Progress and the Clearfield County Legal Journal, in a form as shown in "Exhibit B".

WHEREFORE, Plaintiffs request this Honorable Court enter an order directing service of Plaintiff's Complaint by publication in the Clearfield Progress and the Clearfield County Legal Journal pursuant to Pa. R.C.P. 430 b(1).

Respectfully submitted,

MASON LAW OFFICE



Timothy A. Schoonover
Attorney for Plaintiffs
409 N. Front Street
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

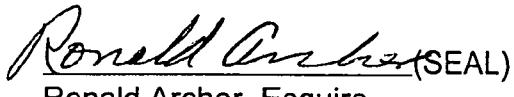
AFFIDAVIT

Before me, a Notary Public, personally appeared **Ronald Archer, Esquire**, who being duly sworn according to law deposes and states as follows:

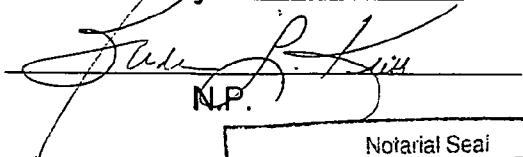
1. Deponent represented John Yaworski and Nicholas Yaworski as sellers of certain parcels of real property located in Irvinia Borough, Clearfield County, Pennsylvania to Todd and Joanne Hamilton.
2. Said conveyance took place on June 18, 1999.
3. A Complaint to Quiet Title has been filed to Docket Number 99-1289-CD in the Clearfield County Court of Common Pleas by Todd and Joanne Hamilton to quiet title to the parcels of property purchased from John Yaworski and Nicholas Yaworski on June 18, 1999.
4. Todd and Joanne Hamilton through their counsel, Timothy A. Schoonover, Esquire, have requested information from the sellers, John Yaworski and Nicholas Yaworski, on the whereabouts of the Defendants listed in the Quiet Title Action as they are relatives of John Yaworski and Nicholas Yaworski.
5. Deponent has contacted sellers, John Yaworski and Nicholas Yaworski, at the request of Timothy A. Schoonover, Esquire, and inquired into the whereabouts of the Defendants named in the Action filed to Docket Number 99-1289-CD.
6. Deponent was informed that it is the belief of John Yaworski and Nicholas Yaworski that Defendants Joanna Forgoine, George Stergion and Nick Stergion are living. However, John Yaworski and Nicholas Yaworski have no knowledge of the whereabouts of any of the named Defendants or their heirs.

FURTHER Affiant saith not.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal on the 16th day of December, 1999.


(SEAL)
Ronald Archer, Esquire

SWORN to and subscribed before me
this 16th day of December, 1999.


N.P.

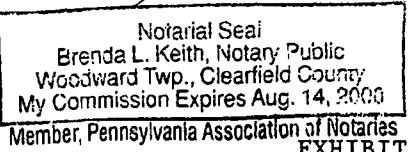


EXHIBIT A

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

TODD M. HAMILTON and
JOANNA M. HAMILTON, husband and wife, : No. 99-1289-CD

PLAINTIFFS,

v.

IGNAZ YARWASKI, TERESSA YARWASKI,
JOANNA FORGOINE, MARY STERGION,
GEORGE STERGION, NICK STERGION,
and ANNETTE STERGION, their heirs,
administrators, executors, successors, and/or
assigns,

DEFENDANTS.

ORDER

AND NOW, this 5th day of January, 2000, upon
consideration of Plaintiffs' Motion for Service by Publication, including the Exhibits and
Affidavits attached thereto, Plaintiffs are ORDERED and directed to serve Notice of the
Action to Quiet Title by publication in the Clearfield Progress and the Clearfield County
Legal Journal in a form similar to that contained in Exhibit B of Plaintiffs' Motion for
Service by Publication. Said notice advertisements shall be run in each publication one
time only.

FILED

BY THE COURT,

JAN 05 2000

/s/JOHN K. REILLY, JR.

William A. Shaw
Prothonotary

President Judge

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03- 1447 - CD
Plaintiff	:	
	:	
-vs-	:	
	:	
JOANNA FORGOINE, a/k/a JOANN	:	
FORGOINE, MARY STERGOIN, a/k/a	:	
MARY STERGION, a/k/a MARY STEIGOIN,	:	
NICK STERGOIN, a/k/a NICK STERGION,	:	
a/k/a NICK STEIGOIN, GEORGE	:	
STERGOIN, a/k/a GEORGE STERGION,	:	
a/k/a GEORGE STEIGOIN, ANNETTE	:	
STERGOIN, a/k/a ANNETTE STERGION,	:	
a/k/a ANNETTE STEIGOIN, if still	:	
living, their heirs, executors,	:	
administrators, personal	:	
representatives, successors and/or	:	
assigns,	:	
Defendants	:	

FILED

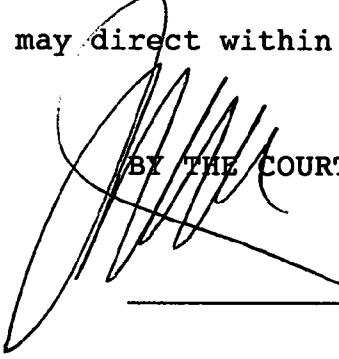
SEP 29 2003

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 26th day of September, 2003, the
within action being an Action to Quiet Title and Plaintiff,
having satisfied the Court by virtue of an Affidavit stating
that sufficient investigation had been conducted to determine
the whereabouts and identity of Defendants, JOANNA FORGOINE,
a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a
MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK
STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE
STEIGOIN, and ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a
ANNETTE STEIGOIN, their heirs, executors, administrators,
personal representatives, successors and/or assigns, but they
remain unknown to Plaintiff, on Motion of Gates & Seaman,

Attorneys for Plaintiff, IT IS ORDERED AND DECREED that service of process in the above captioned proceeding be made by publication by giving notice in The Progress, a newspaper of general circulation in the County of Clearfield on one occasion and also in the Clearfield County Legal Journal on one occasion, to said Defendants, their heirs, personal representatives, successors and assigns, and to anyone claiming any interest in said premises, stating in said publication that an Action to Quiet Title has been filed and the same must be plead to within twenty (20) days after publication of the last notice as provided herein, and further upon granting relief to Plaintiff by the Court, the said Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, or anyone claiming an interest, lien, right or title in said premises shall be forever barred if they fail to take such action as the Order of Court may direct within thirty (30) days thereafter.


BY THE COURT:

FILED

1cc

CC BY Amy Gates

Sept 29 2003

William A. Stratton

Prothonotary/Clerk of Courts

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

IRVONA MUNICIPAL AUTHORITY, : NO. 03- 1447 - CD
Plaintiff : :

-VS-

JOANNA FORGOINE, a/k/a JOANN
FORGOINE, MARY STERGOIN, a/k/a :
MARY STERGION, a/k/a MARY STEIGOIN, :
NICK STERGOIN, a/k/a NICK STERGION, :
a/k/a NICK STEIGOIN, GEORGE :
STERGOIN, a/k/a GEORGE STERGION, :
a/k/a GEORGE STEIGOIN, ANNIE :
STERGOIN, a/k/a ANNIE STERGION, :
a/k/a ANNIE STEIGOIN, if still :
living, their heirs, executors, :
administrators, personal :
representatives, successors and/or :
assigns, :
Defendants :

FILED

NOV 04 2003

William A. Shaw
Prothonotary/Clerk of Courts

PETITION FOR JUDGMENT

TO THE HONORABLE JOHN K. REILLY, JR., PRESIDENT JUDGE OF SAID COURT:

The Petition of Gates & Seaman, attorneys for Plaintiff
in the above captioned matter, respectfully represents:

1. That your Petitioners are the attorneys of record for Plaintiff, IRVONA MUNICIPAL AUTHORITY, in the above captioned proceedings.

2. That by Order of Court of John K. Reilly, Jr.,
President Judge, dated September 26, 2003, service of the
Complaint in the above captioned proceedings by publication was
authorized by giving notice in The Progress and Clearfield County
Legal Journal to Defendants, JOANNA FORGOINE, a/k/a JOANN

FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, and ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, their heirs, personal representatives, successors and assigns, and any other parties claiming any right, title and interest in the premises, on one (1) occasion and further ordering that said action must be plead to within twenty (20) days after the last publication of said Notice.

3. That publication in accordance with the Order referred to in Paragraph 2 hereof was made in The Progress on October 4, 2003, and in the Clearfield County Legal Journal in issue dated October 10, 2003. Copies of the said Notices as advertised and proofs of publication thereof are attached hereto as Exhibits "A" and "B" and made a part hereof.

4. That no appearance or pleading has been entered or filed by any of the named Defendants or otherwise and more than twenty (20) days have elapsed since the last date of publication.

WHEREFORE, Plaintiff, IRVONA MUNICIPAL AUTHORITY, by its attorneys, Gates & Seaman, move your Honorable Court to enter judgment in favor of Plaintiff, Irvona Municipal Authority, and against Defendants, JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, and

ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, their heirs, personal representatives, successors and assigns, and any other parties claiming any right, title or interest in the premises described herein in accordance with the prayer of Plaintiffs' Complaint and Pa. R.C.P. §1066.

GATES & SEAMAN



Andrew P. Gates, Esquire
Attorney for Plaintiffs

NOTICE

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03- 1447 - CD
Plaintiff	:	
-vs-		:
JOANNA FORGOINE, a/k/a JOANN FORGOINE,	:	
MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY	:	
STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION,	:	
a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a	:	
GEORGE STERGION, a/k/a GEORGE STEIGOIN,	:	
ANNETTE STERGOIN, a/k/a ANNETTE STERGION,	:	
a/k/a ANNETTE STEIGOIN, if still living, their heirs,	:	
executors, administrators, personal representatives,	:	
successors and/or assigns,	:	
Defendants	:	

LEGAL NOTICE

TO: JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, their heirs, executors, administrators, personal representatives, successors and/or assigns,

You are hereby notified that the Plaintiff listed above has filed a Complaint in an Action to Quiet Title regarding title to certain premises situate in Irvona Borough, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S78°50'44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N25°28'13"W a distance of 143.15 feet to a point; thence by the same, S84°13'13"W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N07°19'13"W a distance of 230.10 feet to a point; thence by the same, N04°34'29"W a distance of 100.00 feet to a point; thence through the lands of the Grantors, N85°25'31"E a distance of 181.40 feet to a point; thence by the same, S26°35'05"E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S64°31'47"W a distance of

30.00 feet to a point; thence by the same, S25°28'13"E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres. Being the same premises described in the Declaration of Taking filed in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that it has requested in its Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in it, free and clear of the claims of the Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other person or persons claiming or who might claim title under them, and all other persons claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, or any other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described fail to plead to the Plaintiff's Complaint within twenty (20) days from the last publication of this Notice, their Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiff, its successors or assigns.

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. 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

GATES & SEAMAN
2 North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766
Attorneys for Plaintiff

NOTICE

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03- 1447 - CD
Plaintiff	:	
-vs-		
JOANNA FORGOINE, a/k/a JÓANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, if still living, their heirs, executors, administrators, personal representatives, successors and/or assigns,	:	
Defendants	:	

LEGAL NOTICE

TO: JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY
STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a
NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE
STERGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE
STEIGOIN, their heirs, executors, administrators, personal representatives, successors
and/or assigns,

You are hereby notified that the Plaintiff listed above has filed a Complaint in an Action to Quiet Title regarding title to certain premises situate in Irvona Borough, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S78°50'44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N25°28'13"W a distance of 143.15 feet to a point; thence by the same, S84°13'13"W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N07°19'13"W a distance of 230.10 feet to a point; thence by the same, N04°34'29"W a distance of 100.00 feet to a point; thence through the lands of the Grantors, N85°25'31"E a distance of 181.40 feet to a point; thence by the same, S26°35'05"E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S64°31'47"W a distance of

30.00 feet to a point; thence by the same, S25°28'13"E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres. Being the same premises described in the Declaration of Taking filed in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that it has requested in its Complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, that the Court decree that the title to the same is in it, free and clear of the claims of the Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other person or persons claiming or who might claim title under them, and all other persons claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above named Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, or any other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described fail to plead to the Plaintiff's Complaint within twenty (20) days from the last publication of this Notice, their Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiff, its successors or assigns.

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. 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.

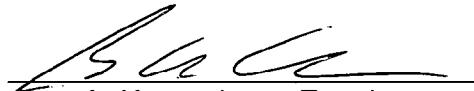
Court Administrator
Clearfield County Court House
Second and Market Streets
Clearfield, Pennsylvania 16830
Telephone: (814) 765-2641

GATES & SEAMAN
2 North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766
Attorneys for Plaintiff

PROOF OF PUBLICATION

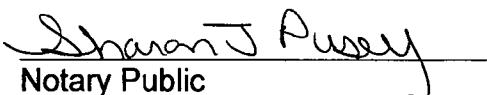
STATE OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD :

On this 10th day of October 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 October 10, 2003, No. 41. 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
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

Gates & Seaman
PO Box 846
Clearfield PA 16830

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY;
PENNSYLVANIA
CIVIL ACTION

IRVONA MUNICIPAL AUTHORITY, Plaintiff vs. JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, if still living, their heirs, executors, administrators, personal representatives, successors and/or assigns, Defendants.

LEGAL NOTICE

TO: JOANNA FORGOINE, a/k/a JOANN FORGOINE, MARY STERGOIN, a/k/a MARY STERGION, a/k/a MARY STEIGOIN, NICK STERGOIN, a/k/a NICK STERGION, a/k/a NICK STEIGOIN, GEORGE STERGOIN, a/k/a GEORGE STERGION, a/k/a GEORGE STEIGOIN, ANNETTE STERGOIN, a/k/a ANNETTE STERGION, a/k/a ANNETTE STEIGOIN, if still living, their heirs, executors, administrators, personal representatives, successors and/or assigns.

You are hereby notified that the Plaintiff listed above has filed a Complaint in an Action to Quiet Title regarding title to certain premises situate in Irvona Borough, Clearfield County, Pennsylvania, said land being more particularly bounded and described as follows:

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S 78 degrees 50' 44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N 25 degrees 28' 13" W a distance of 143.15 feet to a point; thence along the line of lands of Walter Lucas, N 25 degrees 28' 13" W a distance of 143.15 feet to a point; thence by the same, S 84 degrees 13' 13" W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N 07 degrees 19' 13" W a distance of 230.10 feet to a point; thence by the same, N 04 degrees 34' 29" W a distance of 100.00 feet to a point; thence through the lands of the

Grantors, N 85 degrees 25' 31" E a distance of 181.40 feet to a point; thence by the same, S 26 degrees 35' 05" E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S 64 degrees 31' 47" W a distance of 30.00 feet to a point; thence by the same, S 25 degrees 28' 13" E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres. Being the same premises described in the Declaration of Taking filed in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD.

TAKE NOTICE that the Plaintiff is the owner of the land described hereinabove and that they have requested in their complaint which is on file in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, 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, personal representatives, successors and/or assigns, and any other person or persons claiming any right, title or interest in the land described, or anyone claiming by, through or under them.

Should the above-named Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and all other person or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described fail to plead to the Plaintiffs' Complaint within twenty (20) days from the last publication of this Notice, their Defendants, their heirs, executors, administrators, personal representatives, successors and/or assigns, and any other persons or persons claiming or who might claim title under them, or all other persons claiming any right, title or interest in the land described, except the Plaintiff, will be forever barred from asserting any interest, lien, right or title to the said land, inconsistent with the Plaintiffs, their successors or assigns.

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. 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 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.

Court Administrator, Clearfield County
Court House, Second and Market Streets,
Clearfield, PA 16830 (814) 765-2641.

GATES & SEAMAN, 2 North Front
Street, P.O. Box 846, Clearfield, PA 16830
(814) 765-1766, Attorneys for Plaintiff.

**SHERIFF'S SALE
OF VALUABLE REAL ESTATE**

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, NOVEMBER 7, 2003 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

ALL that certain house and piece of parcel of land situate in the Borough of Clearfield, County of Clearfield and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on Barrett Street (now known as Eleventh Street) and being the southeast corner of lot now or late of David B. Lucas and the northeast corner of this lot; thence in a southerly direction along the line of said Barrett Street (now known as Eleventh Street) forty (40) feet to lot now or late of George W. Dewalt; thence in a westerly direction on a line parallel with line of Dorey Street Fifty (50) feet to line of Lot #9; thence in a northerly direction along line of Lot #9 forty (40) feet to line of lot now or late of David B. Lucas; thence in an easterly direction along line of said Lucas lot fifty (50) feet to the place of beginning.

Said premises also being identified as house and lot with Clearfield County

Assessment Map No. 4.4-K8-248-90 . . .

BEING the same premises which vest in Robert M. Brion and Catherine E. Brion, his wife, Mortgagors, by deed dated February 6, 1995 and appearing of record in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania in Deeds and Records Book 1659, Page 53.

SEIZED, taken in execution to be sold as the property of ROBERT M. BRION AND CATHERINE E. BRION, at the suit of CSB BANK JUDGMENT NO. 03-957-CD.

Chester A. Hawkins, Sheriff.

ADV: October 10th, 17th, 24th, 2003.

**SHERIFF'S SALE
OF VALUABLE REAL ESTATE**

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, NOVEMBER 7, 2003 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will be immediately put up and sold again at the expense and risk of the person to whom it was struck off and who in case of deficiency of such resale shall make good for the same and in no instance will the deed be presented for confirmation unless the money is actually paid to the Sheriff.

TO all parties in interest and claimants: A schedule of distribution will be filed by the Sheriff in his office the first Monday following the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

ALL those certain plots of ground situate in the Borough of Mahaffey, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a corner of Railroad Street; thence along said Street sixty (60) feet to Lot No. 21; thence along Lot No. 21 one hundred eighty (180) feet to Walnut Street; thence along said Walnut Street to a point, a distance of sixty (60) feet; thence along the line near the Mahaffey Estate line one hundred eighty (180) feet to Railroad Street and the place of beginning.

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:
:

ANDREW P. GATES, ESQUIRE, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition for Judgment are true and correct to the best of his knowledge, information and belief.



Sworn to and subscribed before me
this 4th day of November, 2003.



NOTARIAL SEAL
ROSE M. RAYMOND, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Oct. 28, 2005

FILED
D 2:51 PM
NOV 04 2003
cc Attn: Gates
William A. Shaw
Prothonotary/Clerk of Courts

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03- 1447 - CD
Plaintiff	:	
	:	
-vs-	:	
	:	
JOANNA FORGOINE, a/k/a JOANN	:	
FORGOINE, MARY STERGOIN, a/k/a	:	
MARY STERGION, a/k/a MARY STEIGOIN,:	:	
NICK STERGOIN, a/k/a NICK STERGION,:	:	
a/k/a NICK STEIGOIN, GEORGE	:	
STERGOIN, a/k/a GEORGE STERGION,	:	
a/k/a GEORGE STEIGOIN, ANNIE	:	
STERGOIN, a/k/a ANNIE STERGION,	:	
a/k/a ANNIE STEIGOIN, if still	:	
living, their heirs, executors,	:	
administrators, personal	:	
representatives, successors and/or	:	
assigns,	:	
Defendants	:	

FILED

NOV 07 2003

William A. Shaw
Prothonotary/Clerk of Court

ORDER

AND NOW, this 7th day of November, 2003, a Petition having been considered and the Court being advised that no pleadings or appearances have been filed by or on behalf of Defendants, their heirs, personal representatives, successors and assigns, and/or by any other parties claiming any right, title or interest in the premises described herein, in accordance with Order of Court dated September 26, 2003, except Plaintiff, claiming an interest, lien, right or title to all that certain piece or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, as more fully described in Exhibit "A", which is attached hereto and made a part hereof.

IT IS ORDERED AND DECREED that Defendants, their heirs, personal representatives, successors, assigns, and anyone claiming an interest, lien, right or title in the said premises inconsistent with the interest or claim of Plaintiff as set forth in its Complaint, shall be forever barred, unless appropriate action is taken by said Defendants, their heirs, personal representatives, successors or assigns, or anyone claiming an adverse interest, lien, right or title inconsistent with the interest title or claim of Plaintiff, within thirty (30) days from the date of this Order. Upon failure of said Defendants, their heirs, personal representatives, successors or assigns, or anyone claiming an adverse interest, lien right or title in said premises to take appropriate action as provided by this Order, the Prothonotary of Clearfield County is directed to enter final judgment for Plaintiffs, as to the premises described in Exhibit "A", upon the expiration of the thirty (30) day period, upon Praecept by Plaintiff's counsel, and upon Final Judgment, Plaintiff shall be seized of an indefeasible title to said premises as aforesaid. Furthermore, upon entry of final Judgment, it is also ORDERED and DECREED that:

- (a) Defendants, their heirs, personal representatives, successors, and assigns and any other person or party are permanently enjoined from interfering with or obstructing Plaintiff's interest in the premises described in Exhibit "A";
- (b) Any interest in the premises described in Exhibit "A"

previously vesting in Defendant, Joanna Forgoine a/k/a Joann Forgoine devolved to her husband, Anthony Forgoine, prior to November 17, 1978, and

(c) Any interest of Defendants, Mary Stergoin, a/k/a Mary Stergion, a/k/a Mary Steigoin, Nick Stergoin, a/k/a Nick Stergion, a/k/a Nick Steigoin, George Stergoin, a/k/a George Stergion, a/k/a George Steigoin, and Annette Stergoin, a/k/a Annette Stergion, a/k/a Annette Steigoin admittedly and validly passed to Alex Yaworski and James Yaworsky as referenced in the First and Final Account of the Estate of Ignaz Yaworwsky (Estate No. 75-532) which was confirmed by this Honorable Court by Order of December 4, 1978 (Nisi) and absolutely on December 8, 1978.

BY THE COURT:

President Judge

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S78°50'44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N25°28'13"W a distance of 143.15 feet to a point; thence by the same, S84°13'13"W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N07°19'13"W a distance of 230.10 feet to a point; thence by the same, N04°34'29"W a distance of 100.00 feet to a point; thence through the lands of the Grantors, N85°25'31"E a distance of 181.40 feet to a point; thence by the same, S26°35'05"E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S64°31'47"W a distance of 30.00 feet to a point; thence by the same, S25°28'13"E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres. Being the same premises described in the Declaration of Taking filed in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD

EXHIBIT "A"

FILED

cc
Attn: Gates
Nov 07 2003

Recd
Nov 10 2003
William A. Shaw
Prothonotary/Clerk of Courts

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

IRVONA MUNICIPAL AUTHORITY,	:	No. 03- 1447 - CD
Plaintiff	:	
:		
-vs-		:
:		
JOANNA FORGOINE, a/k/a JOANN	:	
FORGOINE, MARY STERGOIN, a/k/a	:	
MARY STERGION, a/k/a MARY STEIGOIN,:	:	
NICK STERGOIN, a/k/a NICK STERGION,:	:	
a/k/a NICK STEIGOIN, GEORGE	:	
STERGOIN, a/k/a GEORGE STERGION,	:	
a/k/a GEORGE STEIGOIN, ANNETTE	:	
STERGOIN, a/k/a ANNETTE STERGION,	:	
a/k/a ANNETTE STEIGOIN, if still	:	
living, their heirs, executors,	:	
administrators, personal	:	
representatives, successors and/or	:	
assigns,	:	
Defendants	:	

FILED

DEC 09 2003

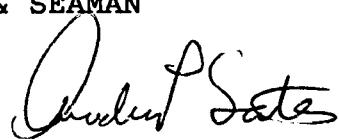
William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR JUDGMENT

TO WILLIAM A. SHAW, PROTHONOTARY:

Enter final judgment for the Plaintiff and against the Defendants, their heirs, personal representatives and assigns, and any other parties claiming any right, title or interest in the premises in question in the above captioned matter for failure of Defendants to comply with the Order of Court dated November 7, 2003, in the above captioned proceedings, which ordered and decreed that final judgment be entered for Plaintiff, Irvona Municipal Authority, to the premises as described in Exhibit "A" to said Order and that Plaintiff is seized of an indefeasible title to said premises as aforesaid.

GATES & SEAMAN
By:



Attorneys for Plaintiff

Date: December 9, 2003

ALL that certain tract or parcel of land situate in Irvona Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on a line of other lands of Donna G. Covert and Harold E. Covert (hereafter called "Grantors"), said point being at the division line of lands the Grantors and lands of Alex Yaworski, thence from the point of beginning along the line of lands of Alex Yaworski, S78°50'44" W a distance of 195.41 feet to a point on the line of lands of Walter Lucas; thence along the line of lands of Walter Lucas, N25°28'13"W a distance of 143.15 feet to a point; thence by the same, S84°13'13"W a distance of 69.97 feet to a point on the line of lands of Elwood Burgess; thence along the line of lands of Elwood Burgess, N07°19'13"W a distance of 230.10 feet to a point; thence by the same, N04°34'29"W a distance of 100.00 feet to a point; thence through the lands of the Grantors, N85°25'31"E a distance of 181.40 feet to a point; thence by the same, S26°35'05"E a distance of 432.51 feet to a point on the line of other lands of the Grantors; thence along the line of other lands of the Grantors, S64°31'47"W a distance of 30.00 feet to a point; thence by the same, S25°28'13"E a distance of 30.00 feet to the point and place of beginning. CONTAINING 2.47 Acres. Being the same premises described in the Declaration of Taking filed in the Court of Common Pleas of Clearfield County, Pennsylvania to Case No. 02-1922-CD

EXHIBIT "A"

FILED No cc
3:18-CV-04454-AHG Gates pd. 20.00
DEC 09 2003

William A. Straw
Prothonotary/Clerk of Courts

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