

04-70-CD

CHARTERED MUNICIPAL AUTHORITY

v. JAMES R. LEZIER, et al

Clfd. Municipal Auth. vs. James Luzier et al
2004-70-CD

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

CLEARFIELD MUNICIPAL
AUTHORITY

VS.

NO. 04-70-CD

JAMES R. LUZIER, RANDALL LUZIER, :
DONALD B. LUZIER and MARLIN :
LUZIER, Tenant in Possession of Property :
located at Mann Road, R.R. 1, Box 229, :
Clearfield, Pennsylvania, 16830 :
:

MUNICIPAL CLAIM

Under and by virtue of the Act of Assembly relating to municipal claims and tax liens, Act of May 16, 1923, P.L. 207, as amended, 53 P.S. Section 7101, et seq., the Clearfield Municipal Authority files this claim for \$300.00, and such other penalties as provided by law, against the hereinafter described property with improvements thereon, if any, and sets forth the following:

1. The name of the claimant is Clearfield Municipal Authority, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania, with its registered office located at 107 East Market Street, Clearfield, Pennsylvania.
2. The name of the persons in possession or apparent owners or reputed owners of the property against which this claim is filed are presently James R. Luzier, Randall Luzier, Donald B. Luzier and Marlin Luzier, RR 1, Box 299, Clearfield, Pennsylvania 16830.
3. The property against which this claim is filed is known as RR 1, Box 299, Clearfield, Pennsylvania, more fully described in Exhibit "A" attached hereto and incorporated herein by reference.

William A. Shaw
Prothonotary

JAN 16 2003

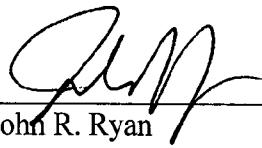
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4. The water and sewer rates for which this claim is filed were imposed pursuant to Section 4.B (h) of the Municipality Authorities Act of 1945, as amended, 53 P.S. Section 306B(h), and the rates established by the Clearfield Municipal Authority.
5. Notices concerning the water and sewer charges for which this claim is filed were sent to the owner or occupier of the property against which this claim is filed.
6. The total amount claimed herein is \$300.00 representing water and sewer charges calculated from 7/1/01 to 10/1/01.
7. The water and sewer rates for which this claim is filed are based upon a classification system concerning usage as more fully described in the rates established by the Clearfield Municipal Authority and this claim is for services rendered from 7/1/01 to 10/1/01.
8. The amount for which this claim is filed has been certified as unpaid by the Clearfield Municipal Authority to the Solicitor of said Authority.
9. The sum above set forth and herein claimed is due, has been legally demanded, and remains unpaid.

WHEREFORE, Claimant files this lien against the above-described premises in the amount of \$300.00, together with statutory collection fees, costs and interest as allowed by law from the date hereof.

Respectfully submitted,

BELIN & KUBISTA



John R. Ryan
Solicitor for Clearfield Municipal Authority

EXHIBIT "A"

All those certain premises situate in the Township of Lawrence, County of Clearfield and State of Pennsylvania, bounded and described as follows:

All those certain premises known as the Vance G. Welch farm or homestead, bounded on the North by lands of William Butler and Harry Orr; on the East by lands of John Thompson, Grant Gingery and Frank Williams; on the South by lands of Belle Smeal and on the West by lands of John Kline, David Mann, William Beaumont and Jefferson Kramer.

This conveyance is made under and subject to all reservations and exceptions contained in the deed from Vance G. Welch, prior Grantor herein.

BEING the residue of the premises which vested in Claude Dean Luzier and Mildred Luzier, his wife, by deed of William E. Keith, et ux, dated October 7, 1996 and recorded in the Clearfield County Recorder's Office in Deed Book 525 at page 214. Said Mildred Luzier departed this life on June 30, 1980, thereby vesting the entire interest in Dean C. Luzier, also known as Claude Dean Luzier, her surviving spouse by operation of law. Charles Elwood Luzier departed this life on July 18, 1983 and was not survived by any descendants; therefore, pursuant to "Article Five" of the aforesaid will of Claude Dean Luzier, his share vested equally in each of his five children named as grantees above.

EXCEPTING AND RESERVING those prior outsales of record believed to be as follows:

1. Conveyance to Donald B. Luzier and Bonnie J. Luzier, husband and wife, by deed dated November 27, 1981 and recorded in the Clearfield County Recorder's Office in Deed Book 823 at page 333 on December 7, 1981.
2. Conveyance to Charles E. Luzier and Dixie L. Luzier, husband and wife, by deed dated January 2, 1982 and recorded in the Clearfield County Recorder's Office in Deed Book 824 at page 546 on January 8, 1982.
3. Conveyance to James Rodney Luzier and Kathy M. Luzier, husband and wife, by deed dated January 2, 1982 and recorded in the Clearfield County Recorder's Office in Deed Book 824 at page 550 on January 8, 1982.
4. Conveyance to Marlin D. Luzier and Melva J. Luzier, husband and wife, by deed dated January 2, 1982 and recorded in the Clearfield County Recorder's Office in Deed Book 824 at page 554 on January 8, 1982.
5. Conveyance to Randall L. Luzier and Mary L. Luzier, husband and wife, by deed dated January 2, 1982 and recorded in the Clearfield County Recorder's Office in Deed Book 824 at page 558 on January 8, 1982.

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

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William A. Shaw
Prothonotary

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CIVIL DIVISION

CLEARFIELD MUNICIPAL :
AUTHORITY :
VS. : NO. 04-70-C0
JAMES R. LUZIER, RANDALL LUZIER, :
DONALD B. LUZIER and MARLIN :
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Clearfield, Pennsylvania, 16830 :
:

TO THE PROTHONOTARY:

The Prothonotary is requested to enter the above claim in the Municipal Claim Docket.

Respectfully submitted,

BELIN & KUBISTA



John R. Ryan
Solicitor for Clearfield Municipal
Authority