

04-260-CD
CLIFFORD J. DROCHAK vs. G.P.G MATTERN, et al.

Clifford Drochak et al vs G.P.G Mattern et al
2004-260-CD

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

CLIFFORD J. DROCHAK, Executor of the :
Estate of JOHN DROCHAK, a/k/a JOHN :
F. DROCHAK, deceased, :
Plaintiff :
vs. : NO. 04-260-CJ
G. P. G. MATTERN, a/k/a GEORGE PERRY :
MATTERN, a/k/a PERRY MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
GEORGE W. MATTERN, deceased, his heirs, :
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs, :
personal representatives and assigns, :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, a/k/a :
LYDIA MATTERN CAMPBELL deceased, her :
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs, personal :
representatives and assigns; :
JACOB A. MILLER, deceased, his heirs, :
personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her :
heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal :
representatives and assigns; :
HAROLD CONRAD MATTERN, his heirs, :
personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal :
representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal :
representatives and assigns; :
J. LAWRENCE MATTERN, his heirs, personal :
representatives and assigns; :
WILLIAM L. MATTERN, his heirs, personal :
:

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FEB 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

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| representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal | : |
| representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, | : |
| and assigns; | : |
| DANIEL J. KLINE, his heirs, personal | : |
| representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee | : |
| Under the Trust, ELLIOT D. STEIN | : |
| Revocable Living Trust, | : |
| and | : |
| All other persons claiming any interest in the | : |
| property described in this action | : |
| 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 other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER
AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO
OR TELEPHONE THE OFFICE SET FORTH BELOW.
THIS OFFICE CAN PROVIDE YOU WITH INFORMATION
ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS
OFFICE MAY BE ABLE TO PROVIDE YOU WITH
INFORMATION ABOUT AGENCIES THAT MAY OFFER
LEGAL SERVICES TO ELIGIBLE PERSONS AT
REDUCED FEE OR NO FEE.**

Court Administrator's Office
CLEARFIELD COUNTY COURTHOUSE
Corner of Second & Market Streets
Clearfield, PA 16830
Telephone: (814) 765-2641 Ext. 5982

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

| | |
|---|---|
| CLIFFORD J. DROCHAK, Executor of the Estate of JOHN DROCHAK, a/k/a JOHN F. DROCHAK, deceased, | : |
| Plaintiff | : |
| vs. | : |
| G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, | : |
| deceased, his heirs, personal representatives and assigns; | : |
| JOHN A. MATTERN, a/k/a J. A. MATTERN, | : |
| deceased, his heirs, personal representatives and assigns; | : |
| GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| MARY B. MILLER, deceased, her heirs, personal representatives and assigns, | : |
| LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a | : |
| LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; | : |
| C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; | : |
| BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| EUGENE G. MATTERN, his heirs, personal representatives and assigns; | : |
| HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns; | : |
| DAVID H. WHITE, JR., his heirs, personal representatives and assigns; | : |
| LUELLA B. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| LUCENDA BUSH, her heirs, personal representatives and assigns; | : |

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|---|---|
| J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

COMPLAINT

COMES NOW the Plaintiff by and through attorney Winifred H. Jones-Wenger and files the following Action to Quiet Title and in support thereof avers the following:

1. The Plaintiff in this action is Clifford J. Drochak, Executor of the Estate of John Drochak, a/k/a John F. Drochak, who died February 9, 2002. Clifford J. Drochak's address is 5277 Cedar Island Road, White Lake, MI 48383.

2. The Defendants are as follows:

- a. The Heirs of G. P. G. Mattern, also known as George Perry Mattern, also known as Perry Mattern, who died June 19, 1912, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- b. The Heirs of John A. Mattern, also known as J. A. Mattern, who died July 24, 1918, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- c. The Heirs of George W. Mattern, who died August 10, 1938, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- d. The Heirs of Mary B. Miller, who died October 23, 1924, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- e. The Heirs of Liddy M. Campbell, also known as Liddy Mattern, also known as Lidie Mattern, also known as Lydia Mattern Campbell, who died December 22, 1943, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- f. The Heirs of C. O. Mattern, also known as Charles O. Mattern, who died November 20, 1950, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- g. The Heirs of Jacob A. Miller, who died April 2, 1926, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- h. The Heirs of Belle M. Mattern, who died March 5, 1939, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- i. Isabelle Gray Mattern, who is believed to be dead, her heirs, executors and assigns, whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;

- j. Eugene G. Mattern, his heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- k. Harold Conrad Mattern, his heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- l. David H. White, Jr., his heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- m. The Heirs of Luella B. Mattern, who died May 6, 1959, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- n. Lucenda Bush, her heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- o. J. Lawrence Mattern, his heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- p. William L. Mattern, his heirs, executors and assigns, whose address and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- q. Angeline Minns, her heirs, executors and assigns, whose address and whereabouts are unknown;
- r. The Heirs of George P. Mattern, who is believed to be dead and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- s. Sara Jane Mattern of 700 Stone Street, Osceola Mills, Clearfield County, Pennsylvania 16666;
- t. John U. Mattern of 604 Southwest 14th Avenue, Fort Lauderdale, Florida 33312;

- u. The Heirs of Pearl S. Mattern, who died January 18, 1983, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- v. The Heirs of Elizabeth L. Mattern, who died August 28, 1981, and whose identities and whereabouts are unknown, except as otherwise set forth in the documents filed in this action;
- w. The Heirs of Mary C. Mattern, who is believed to be dead and whose identities and whereabouts are unknown, except as otherwise specifically set forth in the documents filed in this action;
- x. The Heirs of John S. Mattern, who is believed to be dead and whose identities and whereabouts are unknown, except as otherwise specifically set forth in the documents filed in this action;
- y. The Heirs of Abraham J. Goss, who is believed to be dead and whose identities and whereabouts are unknown, his personal representatives and assigns;
- z. The Heirs of John Goss, who is believed to be dead and whose identities and whereabouts are unknown, his personal representatives and assigns;
- aa. The Heirs of Daniel J. Kline, who is believed to be dead and whose identities and whereabouts are unknown, his personal representatives and assigns;
- bb. County National Bank, Trustee under the Trust, Elliot D. Stein Revocable Living Trust, P.O. Box 42, Clearfield, Pennsylvania 16830

3. Plaintiff's Decedent John F. Drochak was the owner in his lifetime of certain premises situate in Decatur Township, Clearfield County, Pennsylvania, described as follows:

TRACT #1:

BEGINNING at an iron rail corner on line between John Skyron tract and Richard Thomas tract, said iron rail corner being South 86° 02' E a distance of 1361.20 feet from an old iron rail corner on line between John Drinker tract and Reese Bros. Coal Company; thence along line of Richard Thomas tract North 11° 22' East a distance of 1665.15 feet to an iron rail corner; thence by same South 78° 38' East a distance of 2057.55 feet to an iron rail corner; thence along line of Richard Thomas tract and John Skyron tract South 11° 22' West a distance of 2670.90 feet to an iron rail corner; thence along line of John Skyron tract North 78° 38' West a distance of 2057.55 feet to an iron rail corner; thence by same

North 11° 22' East a distance of 1005.75 feet to an iron rail corner, the place of beginning. Containing 126.17 acres and being property formerly of G. P. G. Mattern.

TRACT #2:

BEGINNING at a stone corner on the line of that part of the old John Goss farm which was conveyed to William L. Drane, being one of the corners in said conveyance; thence N 2 ½° E 33 perches to a post at chestnut sprouts at the public road; thence along said road N 6° W 23 perches to a post; thence still along said road N 3° E 31 perches to a quaking asp; thence along said road N 34° W 26 perches to a stone corner; thence still along said road N 54° W 20 perches to a white pine corner; thence S 2 ½° W 120 perches more or less to a post; thence S 87 ½° E 36 perches to the stone corner, the place of beginning. Containing 23 acres, more or less.

4. John F. Drochak and his wife Margie Drochak, acquired title to Tract #1 and Tract #2 by deed of Leslie T. Phillips, et al., dated December 1, 1979, recorded in Clearfield County Deed Book Vol. 806, page 459. The said Margie Drochak predeceased her husband on November 23, 1999, thus vesting sole title in her surviving husband John F. Drochak.

5. Although Tract #2 is described in such deed as 12 ½ acres, it is believed and therefore averred that it was intended to convey the entire parcel consisting of 23 acres owned originally by G. P. G. Mattern as set forth below.

6. Leslie T. Phillips, et al. acquired title to Tract #1 and Tract #2 by deed of Leslie T. Phillips, et al., dated March 20, 1978, recorded in Clearfield County Deed Book Vol. 756, page 429 in which deed Tract #1 is referenced as "THE SECOND THEREOF" and Tract #2 is referenced as "THE THIRD THEREOF". Leslie T. Phillips, et al., were also awarded title to the premises pursuant to an Action to Quiet Title filed to No. 79-63-CD, the Order of Court being recorded in Clearfield County Deed Book Vol. 779, page 26 in which action the plaintiff therein stipulated with a third party, namely Power Land Company, that such action was expressly limited to determining ownership to the surface rights.

7. Leslie T. Phillips, et al., acquired title to Tract #1 and Tract #2 by quit-claim deed of Melvin Reese, et ux., dated January 18, 1964, recorded in Clearfield County Deed Book Vol. 506, page 177.

8. Melvin Reese, et ux., acquired title to the premises by quit-claim deed of John J. Redding and Genevieve Redding, his wife, dated January 11, 1964, recorded in Clearfield County Deed Book Vol. 506, page 171.

9. John A. Redding a/k/a J. A. Redding and Genevieve O. Redding, his wife, acquired title to the property originally owned by G. P. G. Mattern set forth above as Tract #1 and Tract #2 by virtue of a tax sale held August 2, 1948 in which he acquired:

- a. the share of G. W. Mattern Estate, by Treasurer's Deed dated February 24, 1949, recorded in Deed Book Vol. 420, page 89;
- b. a share of Chas O. Mattern, by Treasurer's Deed dated February 24, 1949, recorded in Deed Book Vol. 420, page 91;
- c. another share of Chas O. Mattern, by Treasurer's Deed dated February 24, 1949, recorded in Deed Book Vol. 420, page 93;
- d. the interest of Mrs. Belle Mattern by Treasurer's Deed dated February 24, 1949 recorded in Deed Book Vol. 420, page 95.

10. G. P. G. Mattern acquired the premises described as Tract #1 by deed of George D. Morgan, et al. dated April 6, 1875, recorded in Deed Book Vol. 10, page 22 in which said premises were described as follows:

BEGINNING at a white oak thence North 80° West 112 perches to a post; thence North 2° East 160 perches to post; thence South 80° East 112 perches to a post; thence South 10° West 160 perches to white oak the place of beginning. Containing 112 acres, net measure. Being part of a tract surveyed in the name of Richard Thomas.

11. The said G. P. G. Mattern died January 19, 1912, having first executed a Last Will and Testament dated December 12, 1910, filed of record in Clearfield County Will Book "H", page 451, in which Will he devised the residue of his estate to his five children, John A. Mattern, George W. Mattern, Mary A. Miller, Liddy Mattern, a/k/a Liddy Campbell, and Charles O. Mattern.

12. By Petition dated June 16, 1942, C. O. Mattern, Mrs. Lydia Mattern Campbell and George P. Mattern, the three surviving children of G. P. G. Mattern, filed a Petition for Citation to Show Cause Why Inquest and Partition Should Not be Granted, in which Petition they sought Partition of the Parcel known in this action as Tract #1.

11. As a result of the Partition proceedings filed in the Estate of G. P. G. Mattern, on August 16, 1943, the Orphan's Court entered an Order confirming the sale of the premises in Tract #1 to F. Cortez Bell in the amount of \$100.00.

12. No deed was ever entered for record conveying such premises to F. Cortez Bell in accordance with such Order.

13. The Heirs of F. Cortez Bell, a/k/a F. Cortez Bell, Sr. have released their interest in such premises to Plaintiff herein by quit-claim deed dated February 9, 2004, which has been or will be recorded in the Office for the Recording of Deeds in and for Clearfield County.

14. Subsequent to the Partition action, the premises described as Tract #1 were sold at tax sale together with other interests in the G. P. G. Mattern Estate to J. A. Redding and Genevieve Redding, his wife, as set forth above.

15. The premises described as Tract #2 originally was part of a larger tract described as fifty-six acres and one hundred perches which premises were owned by John Goss and Abraham J. Goss.

16. By deed dated November 5, 1870, recorded in Deed Book Volume 3, page 183, a one-third interest in such fifty-six acres described as follows:

COMMENCING at a stone corner on the line of the old John Goss farm which was conveyed by deed from said John Goss to William L. Drane, being one of the corners in said conveyance; thence along line of said land N 2 ½° E 33 perches to chestnut sprouts at or near the public road; thence along or near said road N 6° W 23 perches to a post; thence still along or near said road N 3° E 31 perches to a quaking asp; thence still along or near said public road N 34° W 6 perches to a stone corner; thence still along or near said road N 55° W 20 perches to a white pine; thence along an old brush fence or where such fence stood S 50° W 48 perches to a post; thence along the fence aforesaid S 23° W 49 perches to a post on the same; thence along the same S 3° E 19 perches to a post on the same; thence still along the same S 22° E 22 perches to a post on the same; thence still along the same S 39° E 15 perches to a post on the same; thence still along the same S 49° E 40 perches to a post on the line of the land conveyed to William L. Drane; thence along said line N 2 ½° E 34 perches to a black oak (gone) a corner of the land conveyed to Drane; thence still by said land S 87 ½° E 36 perches to the place of beginning.

was conveyed by John Goss and Abraham J. Goss to Joseph R. McEnally.

17. It is believed and therefore averred that subsequent to the conveyance to Joseph R. McEnally set forth in Paragraph 16, John Goss and Daniel J. Kline succeeded to the interest of

John Goss and Abraham J. Goss in the remaining two-third interest in such fifty six acre parcel, however there is no deed of record.

18. G. P. G. Mattern acquired title to the premises described as Tract #2 initially by Article of Agreement dated January 10, 1876, in which John Goss and Daniel J. Kline agreed to sell to G. P. G. Mattern a certain piece of land known as "Walker Field" said to contain 26 or more acres under the terms set forth therein, which Article of Agreement is recorded in Clearfield County Miscellaneous Book K, page 383 on September 30, 1890, the terms of which are set forth as follows:

Article of Agreement made and concluded this 10th day of January AD 1876 Between John Goss and Daniel J. Kline of [omitted] and GPG Mattern of [omitted] of the other part. Article 1st The said John Goss, Daniel J. Kline agree for to sell to the said G. P. G Mattern that piece of land known as Walkerfield improvement said to contain twenty six or more acres the said Mattern to have the timber, minerals and every other right thereunto belonging for the sum four hundred dollars the said John Goss & Daniel J. Kline further agree to reduct from the acreage price per acre whatsoever the land may fall short of twenty six acres and whatever the land may over such twenty six acres the said Mattern is to have without further charges the said John Goss and Daniel J. Kline further agree have the land regularly surveyed and make a full guarantee deed before the last payment is made. The said G. P. G. Mattern agrees on his part to pay or cause to be paid to the said John Goss & Daniel J. Kline the sum of four hundred dollars to be paid as follows: One hundred in hand, One hundred on the tenth of January 1877 without interest, One hundred on the tenth of January 1878 without interest and One hundred on the tenth of January 1879 without interest at the time the deed is to be made The aforesaid parties further agree for to bind our heirs executors or administrators for the fulfillment of the aforesaid Articles of Agreement. It is agreed and understood that land is to be located according to the draft in possession of each party and signed and witnessed by the parties.

19. By deed dated September 4, 1890, J. B. McEnally conveyed his 1/3 interest to George P. G. Mattern, believed to be the same person as G. P. G. Mattern, for premises described as follows:

BEGINNING at a stone corner on the line of that part of the old John Goss farm which was conveyed to William L. Drane, being one of the corners in said conveyance; thence N 2 ½° E 33 perches to a post at chestnut sprouts at the public road; thence along said road N 6° W 23 perches to a post; thence still along said road N 3° E 31 perches to a quaking asp; thence along said road N 34° W 26 perches to a stone corner; thence still

along said road N 54° W 20 perches to a white pine corner; thence S 2 ½° W 120 perches more or less to a post; thence S 87 ½° E 36 perches to the stone corner, the place of beginning. Containing 23 acres, more or less.

in which deed it is recited that the premises therein conveyed are being part of the same conveyed to J. B. McEnally from John Goss and Abraham J. Goss by deed dated November 5, 1870, recorded July 31, 1872 in Deed Book 31 (sic), page 183.

20. The deed from McEnally to George P. G. Mattern as set forth in Paragraph 19 above further recites as follows:

It is further the same property described in an Article of Agreement dated January 10, 1876 between John Goss and Daniel J. Kline of the one part and said G. P. Mattern of the other part for the sale of the said land to said Mattern and although the said McEnally was not a party to the said Article yet being willing to convey his undivided 1/3 part or interest in said piece of land described in said agreement at the price therein mentioned to said Mattern and having received through John Goss 33 1/3 Dollars out of the money paid to said Goss by said Mattern on that Article and having received directly from said Mattern the remainder of the consideration mentioned in this deed, this deed is therefore made to convey and vest in said Mattern in fee simple the aforesaid 1/3 interest of said McEnally in said piece of land containing about 23 acres more or less.

21. Based on the deed from McEnally to G. P. G. Mattern set forth in Paragraphs 19 and 20 above, which included a detailed description for the premises, it is believed and therefore averred that G. P. G. Mattern fulfilled his obligation under the Articles of Agreement with John Goss and Daniel J. Kline. It is further believed and therefore averred that the interest of John Goss, Abraham J. Goss and Daniel J. Kline was conveyed to G. P. G. Mattern by a deed which was unrecorded. Alternatively the parties intended to execute and record such a deed and it was inadvertently overlooked.

22. Thereafter, the said G. P. G. Mattern died as set forth in greater detail in Paragraph 11 above, and by the terms of his Last Will and Testament he left the residue of his estate to his five children.

23. It is believed and therefore averred that the interest of the G. P. G. Mattern heirs in the premises acquired by G. P. G. Mattern from John Goss, Abraham J. Goss, Daniel J. Kline and Joseph R. McEnally was sold at Tax Sale on August 2, 1948, and purchased by J. A. Redding and Genevieve O. Redding, as set forth above, which Treasurer's Deeds are dated

February 24, 1949 and recorded in Deed Book Volume 420, page 89, page 91, page 93 and page 95, all of which were recoded on March 27, 1952.

24. Subsequent to the tax sale of August 2, 1948, and the resulting Treasurer's deeds dated February 24, 1949 aforesaid, Charles O. Mattern and Luella B. Mattern, his wife, purported to convey the premises described as 23 acres to Lewis Stein and Rosalie M. Stein, which deed is dated April 25, 1950 and recorded in Deed Book Vol. 406, page 501, which premises bear the same description as Tract #2.

25. The said Lewis Stein died June 13, 1958. Subsequently Rosalie M. Stein, a/k/a Rosalie Stein Lack died on May 5, 1991, and by the terms of her Last Will and Testament, devised her real estate to her son Elliot Stein.

26. By deed dated December 31, 1992, County National Bank, Ancillary Administrator of the estate of Rosalie Stein Lack, conveyed, among other things, "an undivided 45% interest in a certain parcel" described by metes and bounds and recited as containing 23 acres, more or less, acquired from Charles O. Mattern and Luella B. Mattern by deed dated April 25, 1950 to Elliot Stein, which deed was recorded in Deed Book Volume 1507, page 197.

27. By deed dated April 20, 1993, Elliot Stein, a/k/a Elliot D. Stein, conveyed, among other things the undivided 45% interest in the 23 acre parcel to County National Bank, Trustee, Elliot D. Stein Revocable Living Trust, under Trust Agreement dated May 31, 1991.

28. It is believed and therefore averred that the deed from Charles O. Mattern and Luella B. Mattern, is a nullity in that the premises and the interest of Charles O. Mattern, a/k/a C. O. Mattern had been sold at the tax sale of August 2, 1948 for unpaid taxes for the year 1946 and therefore at the time of such deed Charles O. Mattern did not own the premises described as 23 acres or any interest in such premises.

29. The defendants set forth above in Paragraph 2 b-x are the known issue and heirs of issue of G. P. G. Mattern all of which were identified through estate records.

30. The Plaintiff avers that the purpose of this action to quiet title is to extinguish any interest in the subject premises that may have remained in any of the Defendants as a result of their acquisition or purported acquisition or inheritance of the property and/or by their use, possession, and control of the subject premises.

31. The Plaintiff avers that the further purpose of this quiet title action is to extinguish any defects in the chain of title resulting from missing deeds of conveyance.

32. The Plaintiff avers that the further purpose of this quiet title action is to extinguish any defects in the chain of title resulting from irregularities in the transference of title to the property by virtue of any of the deeds including, but not limited to, the failure to adequately, accurately or completely describe the premises, irregularities which may have resulted from inadequate notice to the Defendants, incomplete service, lack of notice, failure to advertise and/or post the subject property, to join all indispensable parties to the sale, to provide notice of the sale to the reputed owners, and by the transference of property by the Treasurer of Clearfield pursuant to a tax sale which purportedly occurred as a result of the failure, inability and/or refusal of certain of the above-named Defendants to pay the property taxes as they accrued on the said premises.

33. It is averred that a quiet title action is necessary to determine the validity or discharge of any documents, obligations or deeds affecting any right, title and interest in the said premises.

34. It is believed and therefore averred that the said Plaintiff and Plaintiff's decedent and his predecessors in title purchased and have held the subject premises in good faith and have been for a period in excess of twenty-one years in open, hostile, continuous, notorious and adverse possession of the premises, have held themselves out to be the true and lawful owners of the premises as against all other parties including the Defendants named herein and have expended valuable consideration in maintaining the same so that the title of the Plaintiff to the premises is superior to any claim that any of the Defendants, their heirs, administrators, executors, successors or assigns or any other person making any claim to the same, may assert, all of which is more fully set forth herein.

WHEREFORE, Plaintiff files this action and respectfully requests the following:

- a. That the defendants, their heirs, administrators, executors, successors and assigns and all other persons having claim to the premises described herein be forever barred from asserting any right, title or interest in Tract #1 and Tract #2 as described herein inconsistent with the interest or title of plaintiff, unless the defendants, their heirs, administrators, executors, successors and assigns, or those persons asserting any right, title or interest in said premises, bring an action of ejectment, or other legal or equitable action to establish their claim to the

premises described herein or any portion of the same, within the time set by the court.

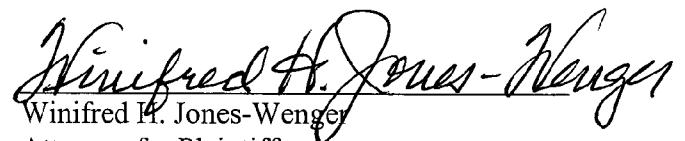
b. That an Order of Court be made declaring the plaintiff to be the sole owner and to have exclusive possession of the premises described herein by virtue of his open, uninterrupted and hostile possession of the premises for a period in excess of twenty-one years.

c. That an Order be made directing any adverse party herein to file or record a document or deed reforming the description of the premises acquired by the plaintiff and his predecessors in title to reflect the actual premises over which those parties acquired possession and to further file or record any document or deed evidencing the transfer of title and record ownership to the premises to plaintiff's predecessor in title.

d. Confirming the regularity of the tax sale by which plaintiff's predecessors in title acquired title to the property including, but not limited to, the notice of delinquent taxes sent, the notice of the sale and the confirmation of the sale and eliminating and discharging any irregularities and/or defects in the notice, description and/or sale, thus confirming the sale in its entirety.

e. Such further order as may be necessary for the granting of additional relief.

Respectfully submitted


Winifred H. Jones-Wenger
Attorney for Plaintiff
333 Laurel St (P. O. Box 469)
Philipsburg, PA 16866
814-342-4330
PA ID No. 23751

VERIFICATION

The undersigned, Clifford J. Drochak, Executor of the Estate of John Drochak, a/k/a John F. Drochak, deceased, Plaintiff verifies that the statements made in the foregoing Complaint are true and correct to the best of his knowledge, information and belief. The undersigned understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: 2/9/04



**Clifford J. Drochak, Executor of the
Estate of John Drochak, a/k/a John F.
Drochak, deceased**

FILED

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cc

11:30 AM
FEB 23 2004

Atty Wenger
cc Giff
Atty pd. 95.00

William A. Shaw
Prothonotary/Clerk of Courts

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

CLIFFORD J. DROCHAK, Executor of the :
Estate of JOHN DROCHAK, a/k/a JOHN :
F. DROCHAK, deceased, :
Plaintiff :
vs. : No. 04-260-CJ
: QUIET TITLE ACTION
G. P. G. MATTERN, a/k/a GEORGE PERRY :
MATTERN, a/k/a PERRY MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
GEORGE W. MATTERN, deceased, his heirs, :
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs, :
personal representatives and assigns, :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, a/k/a :
LYDIA MATTERN CAMPBELL deceased :
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a :
MATTERN, deceased, his heirs, personal representatives and assigns; :
JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal representatives and assigns; :
HAROLD CONRAD MATTERN, deceased, his heirs, personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs, personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal representatives and assigns; :
: *Atty took order up*

FILED

FEB 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased,

Plaintiff

vs.

No. 04-260-CD
QUIET TITLE ACTION

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN,
deceased, his heirs, personal representatives and
assigns;
JOHN A. MATTERN, a/k/a J. A. MATTERN,
deceased, his heirs, personal representatives and
assigns;
GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns;
MARY B. MILLER, deceased, her heirs,
personal representatives and assigns,
LIDDY M. CAMPBELL, a/k/a LIDDY
MATTERN, a/k/a LIDIE MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives and assigns;
C. O. MATTERN, a/k/a CHARLES O.
MATTERN, deceased, his heirs, personal
representatives and assigns;
JACOB A. MILLER, deceased, his heirs,
personal representatives and assigns;
BELLE M. MATTERN, deceased, her heirs,
personal representatives and assigns;
ISABELLE GRAY MATTERN, deceased, her
heirs, personal representatives and assigns;
EUGENE G. MATTERN, his heirs, personal
representatives and assigns;
HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns;
DAVID H. WHITE, JR., his heirs, personal
representatives and assigns;
LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns;
LUCENDA BUSH, her heirs, personal
representatives and assigns;

FILED

FEB 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

MOTION FOR SERVICE BY PUBLICATION

WHEREAS, service of process upon the Defendants G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, deceased, his heirs, personal representatives and assigns, JOHN A. MATTERN, a/k/a J. A. MATTERN, deceased, his heirs, personal representatives and assigns, GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns, MARY B. MILLER, deceased, her heirs, personal representatives and assigns, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns, C.

O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns, JACOB A. MILLER, deceased, his heirs, personal representatives and assigns, BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns, ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns, EUGENE G. MATTERN, his heirs, personal representatives and assigns, HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns, DAVID H. WHITE, JR., his heirs, personal representatives and assigns, LUCELLA B. MATTERN, deceased, her heirs, personal representatives and assigns, LUCENDA BUSH, her heirs, personal representatives and assigns, J. LAWRENCE MATTERN, his heirs, personal representatives and assigns, WILLIAM L. MATTERN, his heirs, personal representatives and assigns, ANGELINE MINNS, her heirs, personal representatives and assigns, GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns, PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns, ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns, MARY C. MATTERN, deceased, her heirs, personal representatives and assigns, JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns, ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns, JOHN GOSS, his heirs, personal representatives, and assigns, DANIEL J. KLINE, his heirs, personal representatives and assigns, named in the above captioned action cannot be made by any means other than publication because the existence, identity and/or whereabouts of the Defendants are unknown to Plaintiff, many, if not all of them, are believed to be dead; and

WHEREAS, the affidavit required by Pennsylvania Rule of Civil Procedure 430(a) detailing the nature and extent of the search for information concerning the Defendants has been filed contemporaneously herewith.

NOW, THEREFORE, COMES the Plaintiff, Clifford J. Drochak, Executor of the Estate of John Drochack, a/k/a John F. Drochak, by attorney, Winifred H. Jones-Wenger, who moves Your Honorable Court to direct service in this matter by publication pursuant to Pennsylvania Rule of Civil Procedure 430.


Winifred H. Jones-Wenger
Attorney for Plaintiff

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased, :
Plaintiff :
:

vs. :
:

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN, :
deceased, his heirs, personal representatives and
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, :
deceased, his heirs, personal representatives and
assigns; :
GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs,
personal representatives and assigns, :
LIDDY M. CAMPBELL, a/k/a LIDDY
MATTERN, a/k/a LIDIE MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a CHARLES O.
MATTERN, deceased, his heirs, personal
representatives and assigns; :
JACOB A. MILLER, deceased, his heirs,
personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs,
personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her
heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal
representatives and assigns; :
HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal
representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal
representatives and assigns; :
:

NO. 04-260-C
QUIET TITLE ACTION

FILED

FEB 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

AFFIDAVIT

AND NOW, this 23rd day of February, 2004, comes Winifred H. Jones-Wenger, Esquire, Attorney for Plaintiff in the above-captioned matter, duly sworn according to law, who makes the following affidavit concerning the nature and extent of the investigation to determine the whereabouts of the Defendants and the reason why service by publication under Pennsylvania Rule of Civil Procedure 430 is necessary:

1. Plaintiff avers in his Complaint that the premises were previously owned by G.P.G. Mattern who died on June 19, 1912. It is believed that the Defendants set forth in Paragraph 2b-x of the Complaint, namely John A. Mattern, a/k/a J. A. Mattern, George W. Mattern Mary B. Miller, Liddy M. Campbell, a/k/a Liddy Mattern, a/k/a Lidie Mattern, a/k/a Lydia Mattern Campbell, C. O. Mattern, a/k/a Charles O. Mattern, Jacob A. Miller, Belle M. Mattern, Isabelle Gray Mattern, Eugene G. Mattern, Harold Conrad Mattern, David H. White, Jr., Luella B. Mattern, Lucenda Bush, J. Lawrence Mattern, William L. Mattern, Angeline Minns, George P. Mattern, Sara Jane Mattern, John U. Mattern, Pearl S. Mattern, Elizabeth L. Mattern, Mary C. Mattern, and John S. Mattern, are the issue of G. P. G. Mattern or the heirs of such issue.

2. These issue or the heirs of such issue have been identified through various estates of record.

3. Plaintiff has been able to locate several of the living issue of G. P. G. Mattern, whose addresses are set forth in the Complaint, but the remaining issue or heirs of such issue, but the whereabouts of the remaining issue or heirs of such issue is unknown.

4. It is believed that Abraham J. Goss, John Goss and J. Daniel Kline are all dead inasmuch as they would all be over 150 years of age, if living.

5. Affiant checked the Bell of Pennsylvania telephone directory that encompasses Decatur Township, the site of the premises in question, which includes listings for Decatur Township, and nearby communities, including Osceola Mills Borough, Rush Township, Philipsburg Borough, Houtzdale Borough and Woodward Township. No listing could be found for any individual with the names: Isabelle Gray Mattern, Eugene G. Mattern, Harold Conrad Mattern, David H. White, Jr., Lucenda Bush, J. Lawrence Mattern, William L. Mattern, Angeline Minns, Mary C. Mattern, John S. Mattern, Abraham J. Goss, John Goss and Daniel J. Kline.

6. Affiant contacted the tax collector for Osceola Mills Borough and no individual was listed in any of the various tax rolls including real estate or per capita, named Isabelle Gray Mattern, Eugene G. Mattern, Harold Conrad Mattern, David H. White, Jr., Lucenda Bush, J. Lawrence Mattern, William L. Mattern, Angeline Minns, Mary C. Mattern, John S. Mattern, Abraham J. Goss, John Goss and Daniel J. Kline that are the same individuals in this action.

7. Affiant contacted the Postmaster of Osceola Mills, the post office that encompasses the area in which the premises is located, and no one in that office had any

knowledge of Isabelle Gray Mattern, Eugene G. Mattern, Harold Conrad Mattern, David H. White, Jr., Lucenda Bush, J. Lawrence Mattern, William L. Mattern, Angeline Minns, Mary C. Mattern, John S. Mattern, Abraham J. Goss, John Goss and Daniel J. Kline.

8. Affiant concludes that further information concerning the whereabouts of , as applicable, of Isabelle Gray Mattern, Eugene G. Mattern, Harold Conrad Mattern, David H. White, Jr., Lucenda Bush, J. Lawrence Mattern, William L. Mattern, Angeline Minns, Mary C. Mattern, John S. Mattern, Abraham J. Goss, John Goss and Daniel J. Kline and their heirs cannot be determined, except as identified in the Complaint filed in this action.

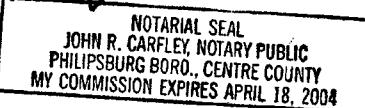
Winifred H. Jones-Wenger
WINIFRED H. JONES-WENGER, ESQUIRE
Attorney for Plaintiff

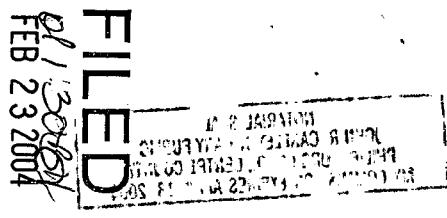
Sworn to and subscribed before me,

this 23rd day of February

2004.

John R. Carfley
Notary Public.
(SEAL)





William A. Shaw
Prothonotary/Clerk of Courts

GA

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

CLIFFORD J. DROCHAK, Executor of the :
Estate of JOHN DROCHAK, a/k/a JOHN :
F. DROCHAK, deceased, :
Plaintiff :
vs. :
: NO. 04-160-C
G. P. G. MATTERN, a/k/a GEORGE PERRY :
MATTERN, a/k/a PERRY MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
GEORGE W. MATTERN, deceased, his heirs, :
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs, :
personal representatives and assigns, :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, a/k/a :
LYDIA MATTERN CAMPBELL deceased, her :
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs, personal :
representatives and assigns; :
JACOB A. MILLER, deceased, his heirs, :
personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her :
heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal :
representatives and assigns; :
HAROLD CONRAD MATTERN, his heirs, :
personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal :
representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal :
representatives and assigns; :
:

FILED

FEB 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

ORDER FOR SERVICE BY PUBLICATION

AND NOW, this 23 day of Feb, 2004, in consideration of the foregoing Motion and accompanying Affidavit, finding that the requirements of Pennsylvania Rule of Civil Procedure 430 are met, Plaintiff is authorized to make service upon all named Defendants and their heirs, personal representatives, successors and assigns, by publication.

Publication of the Notice shall occur one (1) time in the Clearfield County Legal Journal and one (1) time in a newspaper of general circulation in Clearfield County.

BY THE COURT:



A handwritten signature in black ink, appearing to read "Judge Crumme". The signature is fluid and cursive, with a long, sweeping line extending from the left. Below the signature, the initials "J." are handwritten in a smaller, more formal script.

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

| | | |
|---|---|--------------------|
| CLIFFORD J. DROCHAK, Executor of the Estate of JOHN DROCHAK, a/k/a JOHN F. DROCHAK, deceased, | : | |
| | | Plaintiff |
| | | |
| vs. | : | |
| | | NO. 04-260-C0 |
| | | QUIET TITLE ACTION |
| G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, deceased, his heirs, personal representatives and assigns; | : | |
| JOHN A. MATTERN, a/k/a J. A. MATTERN, deceased, his heirs, personal representatives and assigns; | : | |
| GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns; | : | |
| MARY B. MILLER, deceased, her heirs, personal representatives and assigns; | : | |
| LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; | : | |
| C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; | : | |
| JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; | : | |
| BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; | : | |
| ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; | : | |
| EUGENE G. MATTERN, his heirs, personal representatives and assigns; | : | |
| HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns; | : | |
| DAVID H. WHITE, JR., his heirs, personal representatives and assigns; | : | |
| LUELLA B. MATTERN, deceased, her heirs, personal representatives and assigns; | : | |
| LUCENDA BUSH, her heirs, personal representatives and assigns; | : | |
| J. LAWRENCE MATTERN, his heirs, personal | : | |

FILED

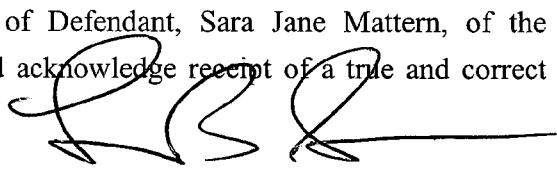
MAR 04 2004

William A. Shaw
Prothonotary

representatives and assigns; :
WILLIAM L. MATTERN, his heirs, personal
representatives and assigns; :
ANGELINE MINNS, her heirs, personal
representatives and assigns; :
GEORGE P. MATTERN, deceased, his heirs,
personal representatives and assigns; :
SARA JANE MATTERN, an individual,
JOHN U. MATTERN, an individual,
PEARL S. MATTERN, deceased, her heirs,
personal representatives and assigns; :
ELIZABETH L. MATTERN, deceased, her heirs,
personal representatives and assigns; :
MARY C. MATTERN, deceased, her heirs,
personal representatives and assigns; :
JOHN S. MATTERN, deceased, his heirs,
personal representatives and assigns; :
ABRAHAM J. GOSS, deceased, his heirs,
personal representatives and assigns; :
JOHN GOSS, his heirs, personal representatives,
and assigns; :
DANIEL J. KLINE, his heirs, personal
representatives and assigns; :
COUNTY NATIONAL BANK, Trustee
Under the Trust, ELLIOT D. STEIN
Revocable Living Trust,
and
All other persons claiming any interest in the
property described in this action
Defendants :
:

ACCEPTANCE OF SERVICE

I hereby accept service on behalf of Defendant, Sara Jane Mattern, of the
Complaint filed to the above term and number and acknowledge receipt of a true and correct
copy thereof.



LAURANCE B. SEAMAN
Attorney at Law
ID # 19620
2 North Front Street
Clearfield, PA 16830

Dated: March 2, 2004

FILED
NO. 04-1000
m 10:27 AM 04 MAR 04 2004
MAR 04 2004

Shaw
William A.
Prothonotary

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :

vs. :

No. 2004-260-CD

G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :

JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :

GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :

MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :

LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :

C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns:

JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :

BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :

EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :

HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :

DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :

LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

LUCENDA BUSH, her heirs, personal :
representatives and assigns, :

J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :

Type of Case: Civil

Type of Pleading:
Praecipe for Entry
of Appearance

Filed on Behalf Of:
Defendant, COUNTY NATIONAL
BANK Trustee Under the
Trust, ELLIOT D. STEIN
Revocable Living Trust
Counsel of Record for
this Party:
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys At Law
Two North Front Street
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED

MAR 12 2004

o 13:15 /a

William A. Shaw
Prothonotary

hoo c/c E

WILLIAM L. MATTERN, his heirs, :
personal representatives and :
assigns, :
ANGELINE MINNS, her heirs, personal: :
representatives and assigns :
GEORGE P. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ELIZABETH L. MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
MARY C. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
JOHN S. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
ABRAHAM J. GOSS, deceased, his :
heirs, personal representatives :
and assigns :
JOHN GOSS, his heirs, personal :
representatives and assigns, :
DANIEL J. KLINE, his heirs, :
personal representatives and :
assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and all other personals claiming :
any interest in the property :
described in this action :
Defendants :
:

PRAECIPE

TO WILLIAM A. SHAW, PROTHONOTARY:

Please enter my appearance on behalf of Defendants, COUNTY
NATIONAL BANK, TRUSTEE, Under the Trust, ELLIOT D. STEIN
Revocable Living Trust, in the aforementioned action.

GATES & SEAMAN

BY:

Laurance B. Seaman, Esquire
Two North Front St., P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

Date: March 12, 2004

FILED

MAR 12 2004

William A. Shaw
Prothonotary

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :

vs. :

G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :

JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :

MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :

LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :

BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :

EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :

HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :

DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :

LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

LUCENDA BUSH, her heirs, personal :
representatives and assigns, :

J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :

No. 2004-260-CD

Type of Case: Civil

Type of Pleading:
Certificate of Service

Filed on Behalf Of:
Defendant, COUNTY NATIONAL
BANK Trustee Under the
Trust, ELLIOT D. STEIN
Revocable Living Trust
Counsel of Record for
this Party:
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys At Law
Two North Front Street
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED

MAR 12 2004

6/3:15/04

William A. Shaw
Prothonotary

NO. C/C E/0
102

WILLIAM L. MATTERN, his heirs, personal representatives and assigns, :
ANGELINE MINNS, her heirs, personal representatives and assigns :
GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns :
ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns :
MARY C. MATTERN, deceased, her heirs, personal representatives and assigns :
JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns :
ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns :
JOHN GOSS, his heirs, personal representatives and assigns, :
DANIEL J. KLINE, his heirs, personal representatives and assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and all other personals claiming any interest in the property described in this action :
Defendants :

CERTIFICATE OF SERVICE

I hereby certify that service was made by mailing a true and correct copy of the original Praeclipe for Appearance on March 12, 2004 by regular mail, postage prepaid to:

Winifred H. Jones-Wenger, Esquire
333 Laurel St., P.O. Box 469
Philipsburg, PA 16866

By:


GATES & SEAMAN
Laurence B. Seaman, Esq.
Attorney for Defendant,
County National Bank, Trustee
Under the Trust, ELLIOT D.
STEIN Revocable Living Trust

2

FILED

MAR 12 2004

William A. Shaw
Prothonotary

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :
vs. :
No. 2004-260-CD

G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :
MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :
BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :
HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :
DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :
LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
LUCENDA BUSH, her heirs, personal :
representatives and assigns, :
J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :

Type of Case: Civil

Type of Pleading:
Praecipe for Entry
of Appearance

Filed on Behalf Of:
Defendants, SARA JANE
MATTERN, and JOHN U.
MATTERN

Counsel of Record for
this Party:
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys At Law
Two North Front Street
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED

MAR 12 2004

o/3:15/

William A. Shaw
Prothonotary

vo 9/2
REK

WILLIAM L. MATTERN, his heirs, :
personal representatives and :
assigns, :
ANGELINE MINNS, her heirs, personal: :
representatives and assigns :
GEORGE P. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ELIZABETH L. MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
MARY C. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
JOHN S. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
ABRAHAM J. GOSS, deceased, his :
heirs, personal representatives :
and assigns :
JOHN GOSS, his heirs, personal :
representatives and assigns, :
DANIEL J. KLINE, his heirs, :
personal representatives and :
assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and all other persons claiming :
any interest in the property :
described in this action :
Defendants :
:

PRAECIPE

TO WILLIAM A. SHAW, PROTHONOTARY:

Please enter my appearance on behalf of Defendants, SARA JANE
MATTERN, and individual, and JOHN U. MATTERN, an individual, in
the aforementioned action.

GATES & SEAMAN

BY:

Laurance B. Seaman, Esquire
Two North Front St., P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

Date: March 12, 2004

FILED

MAR 12 2004

William A. Shaw
Prothonotary

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :

vs. :

No. 2004-260-CD

G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :

JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :

MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :

LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :

C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :

JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :

BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :

EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :

HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :

DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :

LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :

LUCENDA BUSH, her heirs, personal :
representatives and assigns, :
J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :

Type of Case: Civil

Type of Pleading:
Certificate of Service

Filed on Behalf Of:
Defendants, SARA JANE
MATTERN, and JOHN U.
MATTERN

Counsel of Record for
this Party:
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys At Law
Two North Front Street
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED

MAR 12 2004
6/3:15/04

William A. Shaw
Prothonotary
G. C. C.

RE

WILLIAM L. MATTERN, his heirs, :
personal representatives and :
assigns, :
ANGELINE MINNS, her heirs, personal :
representatives and assigns :
GEORGE P. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ELIZABETH L. MATTERN, deceased, :
her heirs, personal representatives :
and assigns :
MARY C. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
JOHN S. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
ABRAHAM J. GOSS, deceased, his :
heirs, personal representatives :
and assigns :
JOHN GOSS, his heirs, personal :
representatives and assigns, :
DANIEL J. KLINE, his heirs, :
personal representatives and :
assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and all other persons claiming :
any interest in the property :
described in this action :
Defendants :
:

CERTIFICATE OF SERVICE

I hereby certify that service was made by mailing a true and correct copy of the original Praecepice for Appearance on March 12, 2004 by regular mail, postage prepaid to:

Winifred H. Jones-Wenger, Esquire
333 Laurel St., P.O. Box 469
Philipsburg, PA 16866


GATES & SEAMAN
By: 
Laurence B. Seaman, Esq.
Attorney for Defendants,
Sara Jane Mattern and
John U. Mattern

FILED

MAR 12 2004

William A. Shaw
Prothonotary

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :
vs. :
No. 2004-260-CD
QUIET TITLE ACTION
G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :
Type of Case: Civil
JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :
Type of Pleading:
ANSWER and NEW MATTER
MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :
Filed on Behalf Of:
COUNTY NATIONAL BANK,
TRUSTEE
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :
COUNSEL OF RECORD FOR
this Party:
Laurance B. Seaman, Esq.
MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
Supreme Court No.: 19620
ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :
GATES & SEAMAN
Attorneys At Law
Two North Front Street
P.O. Box 846
Clearfield, PA 16830
(814) 765-1766
HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :
DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :
LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
LUCENDA BUSH, her heirs, personal :
representatives and assigns, :
FILED
APR 06 2004
William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| J. LAWRENCE MATTERN , his heirs, | : |
| personal representatives, and | : |
| assigns, | : |
| WILLIAM L. MATTERN , his heirs, | : |
| personal representatives and | : |
| assigns, | : |
| ANGELINE MINNS , her heirs, personal | : |
| representatives and assigns | : |
| GEORGE P. MATTERN , deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| SARA JANE MATTERN , an individual | : |
| JOHN U. MATTERN , an individual | : |
| PEARL S. MATTERN , deceased, her | : |
| heirs, personal representatives | : |
| and assigns | : |
| ELIZABETH L. MATTERN , deceased, | : |
| her heirs, personal representatives | : |
| and assigns | : |
| MARY C. MATTERN , deceased, her | : |
| heirs, personal representatives | : |
| and assigns | : |
| JOHN S. MATTERN , deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| ABRAHAM J. GOSS , deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| JOHN GOSS , his heirs, personal | : |
| representatives and assigns, | : |
| DANIEL J. KLINE , his heirs, | : |
| personal representatives and | : |
| assigns, | : |
| COUNTY NATIONAL BANK , Trustee | : |
| Under the Trust, ELLIOT D. STEIN | : |
| Revocable Living Trust, | : |
| and | : |
| All other personals claiming | : |
| any interest in the property | : |
| described in this action | : |
| Defendants | : |

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :
:
vs. : No. 2004-260-CD
: QUIET TITLE ACTION
G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :
MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :
BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :
HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :
DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :
LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
LUCENDA BUSH, her heirs, personal :
representatives and assigns, :
:

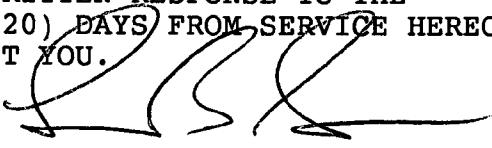
J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :
WILLIAM L. MATTERN, his heirs, :
personal representatives and :
assigns, :
ANGELINE MINNS, her heirs, personal: :
representatives and assigns :
GEORGE P. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ELIZABETH L. MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
MARY C. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
JOHN S. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
ABRAHAM J. GOSS, deceased, his :
heirs, personal representatives :
and assigns :
JOHN GOSS, his heirs, personal :
representatives and assigns, :
DANIEL J. KLINE, his heirs, :
personal representatives and :
assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and :
All other personals claiming :
any interest in the property :
described in this action :
Defendants :
:

N O T I C E

To: Winifred H. Wenger-Jones, Esquire
Attorney for Plaintiff
333 Laurel Street/ P. O. Box 469
Philipsburg, PA 16866

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO THE
ENCLOSED NEW MATTER WITHIN TWENTY (20) DAYS FROM SERVICE HEREOF
OR A JUDGMENT MAY BE ENTERED AGAINST YOU.

Date: April 6, 2004


Laurance B. Seaman, Esquire
Attorney for Defendant CNB

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :
vs. :
No. 2004-260-CD
QUIET TITLE ACTION

G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :
MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :
BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :
HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :
DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :
LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
LUCENDA BUSH, her heirs, personal :
representatives and assigns, :
J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :

| | |
|--------------------------------------|---|
| WILLIAM L. MATTERN, his heirs, | : |
| personal representatives and | : |
| assigns, | : |
| ANGELINE MINNS, her heirs, personal | : |
| representatives and assigns | : |
| GEORGE P. MATTERN, deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| SARA JANE MATTERN, an individual | : |
| JOHN U. MATTERN, an individual | : |
| PEARL S. MATTERN, deceased, her | : |
| heirs, personal representatives | : |
| and assigns | : |
| ELIZABETH L. MATTERN, deceased, | : |
| her heirs, personal representatives: | : |
| and assigns | : |
| MARY C. MATTERN, deceased, her | : |
| heirs, personal representatives | : |
| and assigns | : |
| JOHN S. MATTERN, deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| ABRAHAM J. GOSS, deceased, his | : |
| heirs, personal representatives | : |
| and assigns | : |
| JOHN GOSS, his heirs, personal | : |
| representatives and assigns, | : |
| DANIEL J. KLINE, his heirs, | : |
| personal representatives and | : |
| assigns, | : |
| COUNTY NATIONAL BANK, Trustee | : |
| Under the Trust, ELLIOT D. STEIN | : |
| Revocable Living Trust, | : |
| and | : |
| All other personals claiming | : |
| any interest in the property | : |
| described in this action | : |
| Defendants | : |

ANSWER AND NEW MATTER

AND NOW, comes COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, (hereafter "Defendant CNB"), by and through its attorneys, GATES & SEAMAN, and answers the Complaint as follows:

1. Admitted.
- 2.a. - bb. Admitted.
3. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

4. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

5. Denied. In answer thereto, it is averred that the 12 1/2 acres identified in Deed Book 806, Page 459 are not, in whole or in part, the 23 acres described as Tract #2 in Paragraph 3 of the Complaint. In further answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

6. Denied. In answer thereto, Paragraph 5 hereof is incorporated herein by reference. In further answer thereto, the Action to Quiet Title filed to No. 79-63-CD did not result in Leslie T. Phillips et al owning Tract #2 since all of the owners and/or parties with an interest in Tract #2 were not named as defendants and/or were not given notice of said Action to Quiet Title and said Action to Quiet Title was not duly and properly litigated in accordance with the Rules of Court and laws. In further answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

7. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

8. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

9. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set

forth are incorporated herein by reference.

10. No answer is required to said Paragraph since Defendant CNB makes no claim to Tract #1.

11. (P. 7). Admitted.

12. (P. 7). - 11, 12 (P. 8), 13 and 14. No answer is required to said Paragraphs since Defendant CNB makes no claim to Tract #1.

15. - 22. Admitted.

23. Denied. In answer thereto, it is averred that said tax sales did not divest the ownership interest of Charles O. Mattern, nor any of the other heirs of G.P.G. Mattern, in Tract #2 because of various defects in said tax sale(s), including, but not limited to, errors in or inaccurate assessments and the failure to give the required notices of said sale to Charles O. Mattern and the other said owners. In further answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

24. Denied as stated that said deed "purported" to convey title to Tract #2 as alleged. In answer thereto, it is averred that said deed did in fact convey title to Tract #2 as alleged.

25. - 27. Admitted.

28. Denied. In answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

29. Admitted.

30. - 33. The averments of these Paragraphs merely

constitute Plaintiff's reasons for bringing this Quiet Title Action, and while no answer is required thereto, the Defendant agrees with why Plaintiff had to bring this Quiet Title Action, but denies that Plaintiff can successfully accomplish the same. In further answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

34. Denied. In answer thereto, it is averred that Plaintiff and Plaintiff's decedent and his predecessors in title have not held the subject premises in good faith and have not been for a period in excess of twenty-one (21) years in open, hostile, continuous, notorious and adverse possession of the premises, nor have they held themselves out to be the true and lawful owners of the premises as against all other parties, including Defendant CNB, and they have not expended valuable consideration in maintaining the same and the title of Plaintiff is not superior to the claim of Defendant CNB. In further answer thereto, all other Paragraphs of this Answer and all Paragraphs of New Matter hereinafter set forth are incorporated herein by reference.

WHEREFORE, Defendant CNB respectfully requests that the Plaintiff's claims for relief as to Tract #2 be denied and that judgment be entered in favor of Defendant CNB.

NEW MATTER

In further answer to the Complaint, Defendant, COUNTY NATIONAL BANK, Trustee under the Trust, ELLIOT D. STEIN Revocable Living Trust (hereafter "Defendant CNB"), avers the following new matter:

35. Paragraphs 18 through 21 and Paragraph 11 (the one on Page 7) of the Complaint are incorporated herein by reference.

36. George P. G. Mattern, a/k/a G.P.G. Mattern, through his open, hostile, continuous, notorious and adverse possession of the premises for a period in excess of twenty-one (21) years acquired title to the other undivided two-thirds (2/3rds) interest in Tract #2.

37. The undivided 1/5th interest in Tract #2 of Mary A. (Mattern) Miller, a/k/a Mary E. (Mattern) Miller, upon her intestate death, with no issue, survived by her husband, Jacob A. Miller, vested 1/2 in her husband, Jacob A. Miller (such that he then owned an undivided 1/10th interest) and 1/2 in her four (4) siblings, all of whom survived her, such that each sibling inherited from her 1/8th of her 1/5th interest, or a 1/40th interest.

38. Lidie (Mattern) Campbell, a/k/a Lydia (Mattern) Campbell, died December 22, 1943 (Estate File #18480, Clearfield County), leaving a Last Will and Testament, dated December 11, 1943, whereby she devised her entire estate to her brother, C. O. Mattern, a/k/a Charles O. Mattern, thereby vesting in Charles O. Mattern an undivided 18/40ths (45%) interest in Tract #2.

39. Charles O. Mattern and his wife, Luella B. Mattern, conveyed all of his right, title and interest in and to Tract #2 to Lewis and Rosalie M. Stein, co-partners, trading as Elliot Coal Mining Co., by deed dated April 25, 1950 and recorded July 12, 1950 in Deed Book 406, Page 501.

40. Lewis and Rosalie M. Stein, after their

acquisition of Tract #2 as aforesaid, until approximately 1993, were assessed with and paid the real estate taxes on Tract #2.

41. Paragraphs 25 through 27 of the Complaint are incorporated herein by reference.

42. Elliot D. Stein Revocable Living Trust, after its acquisition of Tract #2 as aforesaid, to the present time, has been assessed with and paid the real estate taxes on its undivided interest in Tract #2, an undivided 45% interest, identified by Clearfield County Assessment Map No. 112-12-55.

43. Paragraph 6 of Defendant CNB's Answer is incorporated herein by reference.

44. The various tax sales relied upon by Plaintiff did not actually deal with the 23 acres, Tract #2, in question, and even if said tax sales did, they failed to result in the divesting of the title to Tract #2 of the owners, including Defendant CNB's predecessor in title, Charles O. Mattern.

45. The various tax sales relied upon by Plaintiff failed to meet the requirements of the laws under which they took place, including, but not limited to, the County Return Act of 1931 (the Act of May 29, 1931, P. L. 280, Section 7, as amended, 72 P. S. §5971g).

46. 21 P. S. §283.3 does not provide a cure for serious procedural defects in a tax sale, such as a failure of the county treasurer to effect notice to the true owner or owners of the property, and errors in assessments.

47. The assessments upon which the tax sales relied upon by Plaintiff were based were in error and the purchaser(s) at the said tax sales did not divest the title of the actual

acquisition of Tract #2 as aforesaid, until approximately 1993, were assessed with and paid the real estate taxes on Tract #2.

41. Paragraphs 25 through 27 of the Complaint are incorporated herein by reference.

42. Elliot D. Stein Revocable Living Trust, after its acquisition of Tract #2 as aforesaid, to the present time, has been assessed with and paid the real estate taxes on its undivided interest in Tract #2, an undivided 45% interest, identified by Clearfield County Assessment Map No. 112-12-55.

43. Paragraph 6 of Defendant CNB's Answer is incorporated herein by reference.

44. The various tax sales relied upon by Plaintiff did not actually deal with the 23 acres, Tract #2, in question, and even if said tax sales did, they failed to result in the divesting of the title to Tract #2 of the owners, including Defendant CNB's predecessor in title, Charles O. Mattern.

45. The various tax sales relied upon by Plaintiff failed to meet the requirements of the laws under which they took place, including, but not limited to, the County Return Act of 1931 (the Act of May 29, 1931, P. L. 280, Section 7, as amended, 72 P. S. §5971g).

46. 21 P. S. §283.3 does not provide a cure for serious procedural defects in a tax sale, such as a failure of the county treasurer to effect notice to the true owner or owners of the property, and errors in assessments.

47. The assessments upon which the tax sales relied upon by Plaintiff were based were in error and the purchaser(s) at the said tax sales did not divest the title of the actual

owners of Tract #2.

48. It is believed and therefore averred that Defendant CNB and its predecessors in title have held the Tract #2 in good faith and have been for a period in excess of twenty-one (21) years in open, hostile, continuous, notorious and adverse possession of the same, have held themselves out to be the true and lawful owners of Tract #2 as against all other parties, including Plaintiff, and have expended valuable consideration in maintaining the same so that the title of Defendant CNB to Tract #2 is superior to any claim that Plaintiff or others may assert.

49. It is believed and therefore averred that Defendant CNB and/or its predecessors in title constructed a road across Tract #2 to other adjoining property of Defendant CNB (400 acres surface and mineral rights identified by Clearfield County Assessment Map No. 112-12-17) for access to Tract #2 and said 400 acres.

50. It is believed and therefore averred that Defendant CNB and its predecessors in title used said road for the transportation of natural resources, including, but not limited to, coal and timber, from said 400 acres and Tract #2 across Tract #2 for access to a public road, Legislative Route 17056.

51. It is believed and therefore averred that Defendant CNB, in order to stop or attempt to stop illegal trash dumping on said 400 acres and on Tract #2, erected or caused to

be erected a gate and a pile of dirt to block access on said road to Tract #2 and said 400 acre parcel.

52. It is believed and therefore averred that the aforesaid use of said road by Defendant CNB and its predecessors in title has never been challenged and no wheelage for the transportation of any of said natural resources has ever been paid to any party by Defendant CNB or its predecessors in title.

WHEREFORE, Defendant CNB respectfully requests that the Plaintiff's claims for relief as to Tract #2 be denied and that judgment be entered in favor of Defendant CNB.

Respectfully submitted,

GATES & SEAMAN
By:



Laurance B. Seaman, Esquire
Attorney for Defendant,
County National Bank, Trustee

Two North Front Street
Clearfield, PA 16830
(814) 765-1766

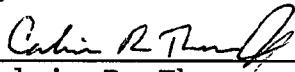
Date: April 6, 2004

VERIFICATION

The undersigned verifies that he is a Vice President and Trust Officer of COUNTY NATIONAL BANK, Trustee under the Trust, ELLIOT D. STEIN Revocable Living Trust, Defendant in the within action, and that the statements made in the foregoing Answer and New Matter are true and correct to the best of his knowledge, information and belief. The undersigned understand that false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

COUNTY NATIONAL BANK

By:



Calvin R. Thomas, Jr.
Vice President and Trust Officer
COUNTY NATIONAL BANK

DATE: April 6, 2004

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

CLIFFORD J. DROCHAK, Executor :
of the Estate of JOHN DROCHAK :
a/k/a JOHN F. DROCHAK, deceased :
Plaintiff :
:
vs. : No. 2004-260-CD
: QUIET TITLE ACTION
G.P.G. MATTERN, a/k/a GEORGE :
PERRY MATTERN, a/k/a PERRY :
MATTERN, deceased, his heirs :
personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J.A. MATTERN: :
deceased, his heirs, personal :
representatives and assigns :
GEORGE W. MATTERN, deceased, :
his heirs, personal representatives: :
and assigns; :
MARY B. MILLER, deceased, her :
heirs, personal representatives :
and assigns; :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, :
a/k/a LYDIA MATTERN CAMPBELL, :
deceased, her heirs, personal :
representatives and assigns :
C.O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs :
personal representatives and assigns: :
JACOB A. MILLER, deceased, his :
heirs, personal representatives :
and assigns :
BELLE M. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ISABELLE GRAY MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
EUGENE G. MATTERN, his heirs, :
personal representatives and :
assigns, :
HAROLD CONRAD MATTERN, his heirs :
personal representatives, and :
assigns, :
DAVID H. WHITE, JR., his heirs, :
personal representatives and :
assigns, :
LUELLA B. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
LUCENDA BUSH, her heirs, personal :
representatives and assigns, :

J. LAWRENCE MATTERN, his heirs, :
personal representatives, and :
assigns, :
WILLIAM L. MATTERN, his heirs, :
personal representatives and :
assigns, :
ANGELINE MINNS, her heirs, personal: :
representatives and assigns :
GEORGE P. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
SARA JANE MATTERN, an individual :
JOHN U. MATTERN, an individual :
PEARL S. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
ELIZABETH L. MATTERN, deceased, :
her heirs, personal representatives: :
and assigns :
MARY C. MATTERN, deceased, her :
heirs, personal representatives :
and assigns :
JOHN S. MATTERN, deceased, his :
heirs, personal representatives :
and assigns :
ABRAHAM J. GOSS, deceased, his :
heirs, personal representatives :
and assigns :
JOHN GOSS, his heirs, personal :
representatives and assigns, :
DANIEL J. KLINE, his heirs, :
personal representatives and :
assigns, :
COUNTY NATIONAL BANK, Trustee :
Under the Trust, ELLIOT D. STEIN :
Revocable Living Trust, :
and :
All other personals claiming :
any interest in the property :
described in this action :
Defendants :
:

CERTIFICATE OF SERVICE

I hereby certify that service was made by mailing a true and correct copy of the original Answer and New Matter of Defendant, County National Bank, Trustee, on April 6, 2004 by regular U. S. mail, postage prepaid, to:

Winifred H. Jones-Wenger, Esquire
333 Laurel Street/P. O. Box 469
Philipsburg, PA 16866

GATES & SEAMAN

By


Laurence B. Seaman, Esquire
Attorney for Defendant CNB

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
NO. 2004-260-CD
QUIET TITLE ACTION
CIVIL ACTION - LAW

CLIFFORD J. DROCHAK
VS
G.P.G. MATTERN, et al

ANSWER AND NEW MATTER

of 2:51-06 NO
D.P. 06/2004 G.G.
F.G.

RECEIVED
CLERK OF COURT

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

DROCHAK, CLIFFORD Executor of the Estate of JOHN DROCHAK a/k/a
VS.
MATTERN, G.P.G. a/k/a GEORGE PERRY MATTERN a/k/a
COMPLAINT QUIET TITLE ACTION

Sheriff Docket # 15222

04-260-CD

SHERIFF RETURNS

NOW FEBRUARY 25, 2004 AT 3:30 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON COUNTY NATIONAL BANK, Trustee, DEFENDANT AT EMPLOYMENT, CORNER OF SECOND & MARKET STS., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CYNTHIA PEARCE, RECPT. A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN

Return Costs

| Cost | Description |
|-------|--|
| 20.37 | SHERIFF HAWKINS PAID BY: ATTY CK# 8576 |
| 10.00 | SURCHARGE PAID BY: ATTY CK# 8581 |

Sworn to Before Me This

4th Day Of *May* 2004
William A. Shaw *AS*

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

So Answers,

Chester A. Hawkins
My Manley Harris
Chester A. Hawkins
Sheriff

FILED
03:40:811 8
MAY 04 2004 9:00 AM
8:00 AM

William A. Shaw
Prothonotary/Clerk of Courts

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased.

Plaintiff

VS.

: NO. 04-260-CD

QUIET TITLE ACTION

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN,
deceased, his heirs, personal representatives and
assigns;

JOHN A. MATTERN, a/k/a J. A. MATTERN,
deceased, his heirs, personal representatives and
assigns:

GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns:

personal representatives and assigns,
MARY B. MILLER, deceased, her heirs,
personal representatives and assigns

personal representatives and assigns,
LIDDY M. CAMPBELL a/k/a **LIDDY**

LIDDEY M. CAMBELL, a/k/a LIDDEY MATTERN, a/k/a LIDDEY MATTERN

MATTERN, a/k/a LYDIA MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives.

heirs, personal representatives
C. O. MATTERN, a/k/a CHARLES
MATTERN, deceased, his heirs,
representatives and assigns.

representatives and assigns,
JACOB A. MILLER, deceased
personal representatives and as
BELLE M. MATTERN, deceased

BELLE M. MATIERN, deceased,
personal representatives and as
ISAELLE GRAU MATIERN

ISABELLE GRAY MATTEN, deceased, her heirs, personal representatives and assigns;

EUGENE G. MATTERN, his heirs, personal
representatives and assigns;

HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns;

DAVID H. WHITE, JR., his heirs, personal
representatives and assigns;

LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns;

LUCENDA BUSH, her heirs, personal
representatives and assigns:

Representatives and assigns,
J. LAWRENCE MATTERN, his heir

FILED ^{No}
cc
01251301
AUG 17 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

CLIFFORD J. DROCHAK, Executor of the :
Estate of JOHN DROCHAK, a/k/a JOHN :
F. DROCHAK, deceased, :
Plaintiff :
vs. : NO. 04-260-CD
: QUIET TITLE ACTION

G. P. G. MATTERN, a/k/a GEORGE PERRY :
MATTERN, a/k/a PERRY MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, :
deceased, his heirs, personal representatives and :
assigns; :
GEORGE W. MATTERN, deceased, his heirs, :
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs, :
personal representatives and assigns, :
LIDDY M. CAMPBELL, a/k/a LIDDY :
MATTERN, a/k/a LIDIE MATTERN, a/k/a :
LYDIA MATTERN CAMPBELL deceased, her :
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a CHARLES O. :
MATTERN, deceased, his heirs, personal :
representatives and assigns; :
JACOB A. MILLER, deceased, his heirs, :
personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her :
heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal :
representatives and assigns; :
HAROLD CONRAD MATTERN, his heirs, :
personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal :
representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs, :
personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal :
representatives and assigns; :
J. LAWRENCE MATTERN, his heirs, personal :
:

②
FILED ^{No} cc
0/25/01
AUG 17 2005

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

CERTIFICATE OF SERVICE

I, Winifred H. Jones-Wenger, Esquire, the undersigned, certify that I did serve the
Complaint with Notice to Defend, in the above-captioned case, on the defendants as follows:

1. G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY
MATTERN, deceased, his heirs, personal representatives and assigns; JOHN
A. MATTERN, a/k/a J. A. MATTERN, deceased, his heirs, personal
representatives and assigns; GEORGE W. MATTERN, deceased, his heirs,

personal representatives and assigns; MARY B. MILLER, deceased, her heirs, personal representatives and assigns, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; EUGENE G. MATTERN, his heirs, personal representatives and assigns; HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns; DAVID H. WHITE, JR., his heirs, personal representatives and assigns; LUILLA B. MATTERN, deceased, her heirs, personal representatives and assigns; LUCENDA BUSH, her heirs, personal representatives and assigns; J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; WILLIAM L. MATTERN, his heirs, personal representatives and assigns; ANGELINE MINNS, her heirs, personal representatives and assigns; GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; JOHN GOSS, his heirs, personal representatives, and assigns; DANIEL J. KLINE, his heirs, personal representatives and all other persons claiming any interest in the property described in this action by publication as authorized by Order of Court dated February 23, 2004, by publication in the *The Progress* on February 27, 2004 and in the *Clearfield County Legal Journal* in the regular issues of Week of March 12, 2004, No. 11, as set forth in the attached Proofs of Publication (Exhibit "A" and Exhibit "B") attached hereto and by this reference incorporated herein;

2. Defendant SARA JANE MATTERN, an individual, by personal acceptance of service by her attorney GATES & SEAMAN, the original of which is filed to the above-referenced caption and Defendant JOHN U. MATTERN, an individual, by certified mail, restricted delivery, which mail was signed for by David A. Harvey on March 2, 2004, a copy of such receipt is attached hereto as Exhibit "C" and by this reference incorporated herein. Subsequently by Praecipe dated March 12, 2004, GATES & SEAMAN, entered an appearance on behalf of Defendant SARA JANE MATTERN and Defendant JOHN U. MATTERN; and
3. COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, by sheriff as evidenced by the Sheriff Returns dated February 25, 2004, the original of which is filed to the above-referenced

caption, a copy of which is attached hereto as Exhibit "D" and by this reference incorporated herein.


WINIFRED H. JONES-WENGER, ESQUIRE
Attorney for Plaintiff

Dated: 8-17-05

EXHIBIT "A"

| | | | | | | | | | | | | | | | | | | | | | |
|------------------------------|--|---|--|--|--|--|--|---|--|---|--|-------------------------|--|-----------------------------------|--|-------------------------------------|--|--|--|-----------------------|--|
| PROOF OF PUBLICATION | | STATE OF PENNSYLVANIA | | COUNTY OF CLEARFIELD | | On this <u>15th</u> day of <u>April</u> , A.D. <u>2004</u> , | | before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice of advertisement published in said publication in Clearfield and State of Pennsylvania, and established April 5, 1913, and that all of the allegations of this statement as to the time, advertising, and character of publication are true. | | Sworn and subscribed to before me the day and year aforesaid. | | <i>John E. Drockach</i> | | Signature | | | | | | | |
| COMMONWEALTH OF PENNSYLVANIA | | Notary Seal | | Notary Public | | My Commission Expires | | October 31, 2007 | | My Commission Expires Oct 31, 2007 | | Notary Public Seal | | Cherry J. Robinson, Notary Public | | Clearfield Corp., Clearfield County | | Member, Pennsylvania Association Of Notaries | | HAROLD CONRAD MATTERN | |
| S. P. G. MATTERN, a/k/a | | GEORGE W. MATTERN, deceased, his assumes, personal representatives and agents; JOHN A. MATTERN, a/k/a J. A. MATTERN, deceased, his heirs, assumes, personal representatives and agents; MARY B. MILLER, deceased, her assumes, personal representatives and agents; LYDIA MATTERN, deceased, her assumes, personal representatives and agents; DYLDE MATTERN, deceased, her assumes, personal representatives and agents; CAMPBELL, deceased, her heirs, assumes, personal representatives and agents; O. MATTERN, deceased, his heirs, assumes, personal representatives and agents; JACOB A. MILLER, deceased, his heirs, personal representatives and agents; BELLE M. MATTERN, deceased, his heirs, personal representatives and agents; and assignts; ISAAC EUGENE G. MATTERN, his heirs, assumes, personal representatives and agents; and assignts; GRAY MATTERN, deceased, his heirs, personal representatives and agents; and assignts; and assignts; | | GEORGE W. MATTERN, deceased, his assumes, personal representatives and agents; JOHN A. MATTERN, deceased, his assumes, personal representatives and agents; MARY B. MILLER, deceased, her assumes, personal representatives and agents; LYDIA MATTERN, deceased, her assumes, personal representatives and agents; DYLDE MATTERN, deceased, her assumes, personal representatives and agents; CAMPBELL, deceased, her heirs, assumes, personal representatives and agents; O. MATTERN, deceased, his heirs, assumes, personal representatives and agents; JACOB A. MILLER, deceased, his heirs, personal representatives and agents; BELLE M. MATTERN, deceased, his heirs, personal representatives and agents; and assignts; ISAAC EUGENE G. MATTERN, his heirs, assumes, personal representatives and agents; and assignts; GRAY MATTERN, deceased, his heirs, personal representatives and agents; and assignts; and assignts; | | HAROLD CONRAD MATTERN | | | | | | | | | | | | | | | |

his heirs, personal representatives and assigns;
DAVID H. WHITE, JR., his heirs, personal representatives and assigns;
LUELLA B. MATTERN, deceased, her heirs, personal representatives and assigns;
LUCENDA BUSH, her heirs, personal representatives and assigns;
J. LAWRENCE MATTERN, his heirs, personal representatives and assigns;
WILLIAM L. MATTERN, his heirs, personal representatives and assigns;
ANGELINE MINNS, her heirs, personal representatives and assigns;
GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns;
SARA JANE MATTERN, an individual,
JOHN U. MATTERN, an individual,
PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns;
ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns;
MARY C. MATTERN, deceased, her heirs, personal representatives and assigns;
JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns;
ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns;
JOHN GOSS, his heirs, personal representatives, and assigns;
DANIEL J. KLINE, his heirs, personal representatives and assigns;
COUNTY NATIONAL BANK, Trustee
Under the Trust, ELLIOT D. STEIN—
Revocable Living Trust,
and
All other persons claiming any interest in the property described in this action,

Defendants

NOTICE TO DEFEND

If you wish to defend, you must enter a written appearance personally or by attorney and filing 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Court Administrator's Office
CLEARFIELD COUNTY COURT-HOUSE
Corner of Second & Market
Streets
Clearfield, PA 16830
Telephone: (814) 765-2641 Ext. 5982

LEGAL NOTICE

TO: G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, JOHN A. MATTERN, a/k/a J. A. MATTERN, GEORGE W. MATTERN, MARY B. MILLER, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL, C. O. MATTERN, a/k/a CHARLES O. MATTERN, JACOB A. MILLER, BELLE M. MATTERN, ISABELLE GRAY MATTERN, EUGENE G. MATTERN, HAROLD CONRAD MATTERN, DAVID H. WHITE, JR., LUELLA B. MATTERN, LUCENDA BUSH, J. LAWRENCE MATTERN, WILLIAM L. MATTERN, ANGELINE MINNS, GEORGE P. MATTERN, PEARL S.

please leave message.

Employment

RECEPTIONIST/ Office Assistant: Fast paced, growing manufacturer, in Philipsburg, is looking for a Professional with excellent telephone and communication skills. Must have a pleasant personality and the ability to handle multiple tasks on a daily basis. Must type a minimum of 50 words/ minute. Must be dependable and work well under pressure. Only applicants who have strong computer skills in MS Word and MS Excel should apply. Position is full-time, (8:00 A.M.- 5:00 P.M., Monday- Friday), \$7.00/ hour with excellent benefits package. Send Resume to: Box 2559, c/o The Progress, 109 North Front Street, Philipsburg, PA 16866.

WE HAVE OPENINGS
in Clearfield, Curwensville, Morrisdale, Sceola Mills, Spring Valley, Bigler and Madera. If you are experienced, caring and reliable with transportation, please apply at Helpmates, 765-2660. E.O.E.



better time to switch over 60 GREAT CHANNELS

house! It's easy and simple.



ST ALL-DIGITAL PRICE IN

1. Your first bill requires Social Security Number, valid major credit agreement must be returned to DISH Network. A monthly \$5.00 equipment and Professional Installation of one dual-tuner receiver per household will be charged for each dual-tuner (DISH 322 or DISH Player-DVR) line each month.

2. Must be a new, fast-time DISH Network residential customer. All fees, taxes and programming are paid separately. All DISH Network programming Agreement, available at www.dishnetwork.com upon request. Local channels may require an additional dish antenna from DISH Network. Installation option to all channels. Local channels normally priced at \$5.99/mo. \$10.00/mo. credit stands and will not be released to third parties except for via www.dishnetwork.com for complete details and restrictions. All service may

Market St.
wn, Clearfield
765-7027

VERS INC. 1-800-427-9591

**Property
Improvements**

MATTERN, ELIZABETH L. MATTERN, MARY C. MATTERN, JOHN S. MATTERN, ABRAHAM J. GOSS, JOHN GOSS, DANIEL J. KLINE, their heirs, personal representatives and assigns, and all other persons claiming any interest in the property described in this action.

You are hereby notified that an Action to Quiet Title to TWO PARCELS situate in the Decatur Township, Clearfield County, Pennsylvania has been filed against you. Said premises are bounded and described as follows:

TRACT #1:

BEGINNING at an iron rail corner on line between John Skyrone tract and Richard Thomas tract, said iron rail corner being South 86° 02' E. a distance of 1361.20 feet from an old iron rail corner on line between John Drinker tract and Reese Bros. Coal Company; thence along line of Richard Thomas tract North 11° 22' East a distance of 1665.15 feet to an iron rail corner; thence by same South 78° 38' East a distance of 2057.55 feet to an iron rail corner; thence along line of Richard Thomas tract and John Skyrone tract South 11° 22' West a distance of 2670.90 feet to an iron rail corner; thence along line of John Skyrone tract North 78° 38' West a distance of 2057.55 feet to an iron rail corner; thence by same North 11° 22' East a distance of 1005.75 feet to an iron rail corner, the place of beginning. Containing 126.17 acres and being property formerly of G. P. G. Mattern.

TRACT #2:

BEGINNING at a stone corner on the line of that part of the old John Goss farm which was conveyed to William L. Drane, being one of the corners in said conveyance; thence N. 2½° E. 33 perches to a post at chestnut sprouts at the public road; thence along said road N. 6° W. 23 perches to a post; thence still along said road N. 3° E. 31 perches to a quaking asp; thence along said road N. 34° W. 26 perches to a stone corner; thence still along said road N. 54° W. 20 perches to a white pine corner; thence S. 2 ½° W. 120 perches more or less to a post; thence S. 87 ½° E. 36 perches to the stone corner, the place of beginning. Containing 23 acres, more or less.

That the purpose of this Quiet Title Action is to extinguish any claim or interest which the Defendants above named, their heirs, successors and assigns may have in the property which is set forth in this action.

WHEREUPON, said Court ordered that notice of the said action and the facts thereto be served on the Defendants by advertisement requiring Defendants above named and their heirs, successors and assigns, and all other persons claiming any interest in the property described in this action, to answer the said Complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff presented to the Court upon the expiration of the said twenty day period.

WINIFRED H. JONES-WENGER
Attorney for Plaintiff
ID #23751
333 Laurel St.
(P.O. Box 469)
Philipsburg, PA 16866
(814)342-4330

CALL Preston's Complete Home Remodeling. Free Estimates Pole garage, roofing siding, windows, painting, pressure washing, drywall hung and finished. Fully insured. Philipsburg 342-7579 or 342-7577.

DEMKO'S MASONRY: Free Estimates. Flues, Flue Caps, Brick/ Block Flues, Concrete Floors, Sidewalks, Foundations. Phone Ken Osceola Mills 339-7466.

DUPREZ CONSTRUCTION: Roofing, Siding Windows, Pole Buildings, Additions Garages, Decks, All Interior. Fully Insured Competitive Prices Fast Service. Morrisdale 345-6055.

ECKLEY'S EXPERIENCED cleaning of 4 standard rooms. Ceilings, walls, windows, carpet, \$145. Additional rooms, \$36 each. Upholstery and/ or draperies optional. We also paint. Insured. Morrisdale 345-6088 or 345-6080.

FRANK'S Refacing and Custom Cabinets. Windows, doors, decks, pole buildings, siding. Free estimates. Clearfield 765-2299.

GARAGE DOORS PLUS. Residential/ Commercial. Sales/ Service. Clearfield 768-9585.

HESS PAINTING AND DRYWALL. Professional work. Swirled ceilings and walls. References, insured. Phone Doug, Clearfield 765-8735.

JAY LUCAS CONSTRUCTION: Roofing. Siding. Garages. Pole buildings. Experienced. Insured. Free estimates. Curwensville 583-7366, 236-2183.

JOE HILL PAINTING & PAPERING: Meticulous craftsmanship since 1978 including faux finish, plaster repair, wallpapering. Clearfield 765-4429.

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PROOF OF PUBLICATION

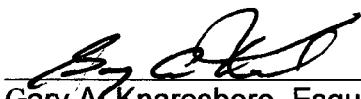
STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

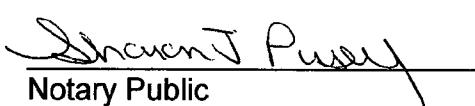
:

On this 12th day of March AD 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of March 12, 2004, No. 11. 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

Winifred H Jones-Wenger
Po Box 469
Philipsburg PA 16866

EXHIBIT "B"

RECEIVED MAR - 8 2004

| | |
|---|--|
| SENDER: COMPLETE THIS SECTION | |
| ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. | |
| ■ Print your name and Address on the reverse so that we can return the card to you. | |
| ■ Attach this card to the back of the mailpiece, or on the front if space permits. | |
| 1. Article Addressed to: | |
| Mr. John U. Mattern 604 Southwest 14th. Avenue Fort Lauderdale, FL 33312 | |
| COMPLETE THIS SECTION ON DELIVERY | |
| A. Signature <i>J. U. Mattern</i> | |
| <input checked="" type="checkbox"/> Agent | |
| <input type="checkbox"/> Addressee | |
| B. Received by (Printed Name) <i>DAVID J. Mattern</i> | |
| C. Date of Delivery <i>3/21/04</i> | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If YES, enter delivery address below: | |
| | |
| 3. Service Type | |
| <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail | |
| <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise | |
| <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |

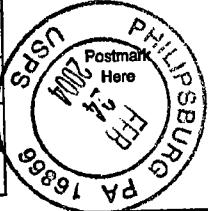
| | |
|--|---------|
| U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ 1.06 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | 3.50 |
| Total Postage & Fees | \$ 8.61 |
|  PA 16866 MARCH 21 2004 PHILLIPSBURG PA Postmark Here | |
| Sent To Mr. John U. Mattern Street, Apt. No.: 604 Southwest 14th. Avenue or PO Box No. City, State, ZIP+4 Fort Lauderdale, FL 33312 | |
| PS Form 3800, June 2002 See Reverse for Instructions | |

EXHIBIT C

2. Article Number **7003 1010 0002 3613 1301**
(Transfer from service label)

הזהר משלוח מכתב זה בטעות

In The Court of Common Pleas of Clearfield County, Pennsylvania

DROCHAK, CLIFFORD Executor of the Estate of JOHN DROCHAK a/k/a
VS.
MATTERN, G.P.G. a/k/a GEORGE PERRY MATTERN a/k/a
COMPLAINT QUIET TITLE ACTION

Sheriff Docket # 15222

04-260-CD

COPY

SHERIFF RETURNS

NOW FEBRUARY 25, 2004 AT 3:30 PM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON COUNTY NATIONAL BANK, Trustee, DEFENDANT AT EMPLOYMENT, CORNER OF SECOND & MARKET STS., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CYNTHIA PEARCE, RECPT. A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

Return Costs

| Cost | Description |
|-------|--|
| 20.37 | SHERIFF HAWKINS PAID BY: ATTY CK# 8576 |
| 10.00 | SURCHARGE PAID BY: ATTY CK# 8581 |

Sworn to Before Me This

So Answers,

____ Day Of _____ 2004



Chester A. Hawkins
Sheriff

RECEIVED MAY 11 2004
EXHIBIT "D"

DURANDETTA, WAYNE, Dec'd
Late of Curwensville
Executor: **DONALD W. DURANDETTA**
Attorney: **MICHAEL P. YEAGER**
PO Box 752
Clearfield, PA 16830

ARTICLES OF INCORPORATION

Notice is given that Articles of Incorporation were filed with the Pennsylvania Department of State on or about March 2, 2004, for C.M.T. ENERGY, INC. The corporation has been organized under Pennsylvania Business Corporation Law of 1988, as amended. The Corporation is authorized to engage in all forms of business lawful in the Commonwealth.

DWIGHT L. KOERBER, JR., ATTORNEY AT LAW, P.O. Box 1320, Clearfield, PA 16830.

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

CLIFFORD J. DROCHAK, Executor of the Estate of JOHN DROCHAK, a/k/a JOHN F. DROCHAK, deceased, Plaintiff vs. G.P.G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, deceased, his heirs, personal representatives and assigns; JOHN A. MATTERN, a/k/a J.A. MATTERN, deceased, his heirs, personal representatives and assigns; GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns; MARY B. MILLER, deceased, her heirs, personal representatives and assigns, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; EUGENE G. MATTERN, his heirs, personal representatives and assigns; HAROLD

CONRAD MATTERN, his heirs, personal representatives and assigns; DAVID H. WHITE, JR., his heirs, personal representatives and assigns; LUELLA B. MATTERN, deceased, her heirs, personal representatives and assigns; LUCENDA BUSH, her heirs, personal representatives and assigns; J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; WILLIAM L. MATTER, his heirs, personal representatives and assigns; ANGELIE MINNS, her heirs, personal representatives and assigns; GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; SARA JANE MATTERN, an individual, JOHN U. MATTERN, an individual, PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; JOHN GOSS, his heirs, personal representatives, and assigns; DANIEL J. KLINE, his heirs, personal representatives and assigns; COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and All other persons claiming any interest in the property described in this action, Defendants.

No. 04-260-CD QUIET TITLE ACTION

If you wish to defend, you must enter a written appearance personally or by attorney and filing 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 any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Court Administrator, Clearfield County Court House, Second and Market Streets,

Clearfield, PA 16830 (814) 765-2641. Ext. 5982.

LEGAL NOTICE

TO: G.P.G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, JOHN A. MATTERN, a/k/a J.A. MATTERN, GEORGE W. MATTERN, MARY B. MILLER, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL; C. O. MATTERN, a/k/a CHARLES O. MATTERN; JACOB A. MILLER, BELLE M. MATTERN, ISABELLE GRAY MATTERN, EUGENE G. MATTERN, HAROLD CONRAD MATTERN, DAVID H. WHITE, JR., LUILLA B. MATTERN, LUCENDA BUSH, J. LAWRENCE MATTERN, WILLIAM L. MATTER, ANGELIE MINNS, GEORGE P. MATTERN, PEARL S. MATTERN, ELIZABETH L. MATTERN, MARY C. MATTERN; JOHN S. MATTERN, ABRAHAM J. GOSS, JOHN GOSS, DANIEL J. KLINE, their heirs, personal representatives and assigns; and all other persons claiming any interest in the property described in this action,

You are hereby notified that an Action to Quiet Title to TWO PARCELS situate in the Decatur Township, Clearfield County, Pennsylvania has been filed against you. Said premises are bounded and described as follows:

TRACT #1: BEGINNING at an iron rail corner on line between John Skylon tract and Richard Thomas tract, said iron rail corner being South 86 degrees 02' E a distance of 1361.20 feet from an old iron rail corner on line between John Drinker tract and Reese Bros. Coal Company; thence along line of Richard Thomas tract North 11 degrees 22' East a distance of 1665.15 feet to an iron rail corner; thence by same South 78 degrees 38' East a distance of 2057.55 feet to an iron rail corner; thence along line of Richard Thomas tract and John Skylon tract South 11 degrees 22' West a distance of 2670.90 feet to an iron rail corner; thence along line of John Skylon tract North 78 degrees 38' West a distance of 2,057.55 feet to an iron rail corner; thence by same North 11 degrees 22' East a distance of 1005.75 feet to an iron rail corner, the place of beginning. Containing 126.17 acres and being property formerly of G.P.G. Mattern.

TRACT #2: BEGINNING at a stone corner on the line of that part of the old John Goss farm which was conveyed to William L. Drane, being one of the corners in said conveyance; thence N 2 1/2 degrees E 33 perches to a post at chestnut sprouts at the public road; thence along said road N 6 degrees W 23 perches to a post; thence still along said road N 3 degrees E 31 perches to a quaking asp; thence along said road N 34

degrees W 26 perches to a stone corner; thence still along said road N 54 degrees W 20 perches to a white pine corner; thence S 2 1/2 degrees W 120 perches more or less to a post; thence S 87 1/2 degrees E 36 perches to the stone corner, the place of beginning. Containing 23 acres, more or less.

That the purpose of this Quiet Title Action is to extinguish any claim or interest which the Defendants above named, their heirs, successors and assigns may have in the property which is set forth in this action.

WHEREUPON, said Court ordered that notice of the said action and the facts thereto be served on the Defendants by advertisement requiring Defendants above named and their heirs, successors and assigns, and all other persons claiming any interest in the property described in this action, to answer the said Complaint within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff presented to the Court upon the expiration of the said twenty day period.

WINIFRED H. JONES-WENGER,
Attorney for Plaintiff, ID#23751, 333 Laurel
St., PO Box 469, Philipsburg, PA 16866
(814) 342-4330.

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

AL LANDER, Plaintiff vs. DEBBIE McGIVERN, KOVA R. DICKINSON, MICHAEL H. ROBISON, P. P. SANTINI, JOHN L. CULLEY, AND WAYNE M. CULLEY, BURGETTSTOWN ROD & GUN CLUB, an unincorporated association, Their Heirs, Successors and Assigns And All Other Persons Claiming Any Interest In The Property Described In This Action, Defendants.

No. 04-283-CD
NOTICE

TO: P. P. SANTINI, JOHN L. CULLEY, AND WAYNE M. CULLEY, BURGETTSTOWN ROD & GUN CLUB, an unincorporated association, Their Heirs, Successors and Assigns And All Other Persons Claiming Any Interest In The Property Described In This Action

You are hereby notified that the Plaintiff, Al Lander, has commenced an Action to Quiet Title against you, which you are required to defend.

You are notified to plead to the Complaint within twenty (20) days after the

②

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased,

Plaintiff

vs.

: NO. 04-260-CD
: QUIET TITLE ACTION

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN,
deceased, his heirs, personal representatives and
assigns;

JOHN A. MATTERN, a/k/a J. A. MATTERN,
deceased, his heirs, personal representatives and
assigns;

GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns;

MARY B. MILLER, deceased, her heirs,
personal representatives and assigns,

LIDDY M. CAMPBELL, a/k/a LIDDY
MATTERN, a/k/a LIDIE MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives and assigns;

C. O. MATTERN, a/k/a CHARLES O.
MATTERN, deceased, his heirs, personal
representatives and assigns;

JACOB A. MILLER, deceased, his heirs,
personal representatives and assigns;

BELLE M. MATTERN, deceased, her heirs,
personal representatives and assigns;

ISABELLE GRAY MATTERN, deceased, her
heirs, personal representatives and assigns;

EUGENE G. MATTERN, his heirs, personal
representatives and assigns;

HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns;

DAVID H. WHITE, JR., his heirs, personal
representatives and assigns;

LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns;

LUCENDA BUSH, her heirs, personal
representatives and assigns;

J. LAWRENCE MATTERN, his heirs, personal

82
FILED
01/25/05
AUG 17 2005
No
cc

William A. Shaw
Prothonotary/Clerk of Courts

| | |
|---|---|
| representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

MOTION FOR PARTIAL JUDGMENT

AND NOW, this 17th day of August, 2005, the Plaintiff, by his attorney
Winifred H. Jones-Wenger, moves the Court to enter partial judgment in favor of the Plaintiff
and against certain Defendants in accordance with Pa. Rules of Civil Procedure No. 1066 and in
support thereof submits as follows:

1. Plaintiff through his counsel Winifred H. Jones-Wenger, Esq., has served the
following Defendants:

G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN, a/k/a PERRY MATTERN, deceased, his heirs, personal representatives and assigns; JOHN A. MATTERN, a/k/a J. A. MATTERN, deceased, his heirs, personal representatives and assigns; GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns; MARY B. MILLER, deceased, her heirs, personal representatives and assigns, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; EUGENE G. MATTERN, his heirs, personal representatives and assigns; HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns; DAVID H. WHITE, JR., his heirs, personal representatives and assigns; LUILLA B. MATTERN, deceased, her heirs, personal representatives and assigns; LUCENDA BUSH, her heirs, personal representatives and assigns; J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; WILLIAM L. MATTERN, his heirs, personal representatives and assigns; ANGELINE MINNS, her heirs, personal representatives and assigns; GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; JOHN GOSS, his heirs, personal representatives, and assigns; DANIEL J. KLINE, his heirs, personal representatives and assigns and all other persons claiming any interest in the property described in this action

with the Complaint with Notice to Defend all of which is further set forth in the Certificate of Service filed herewith.

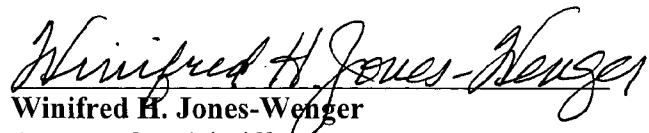
2. The Defendants named in Paragraph 1 of this Motion have failed to answer the Complaint or enter an appearance to the Complaint filed by Plaintiff.

3. Defendants SARA JANE MATTERN and JOHN U. MATTERN, entered an appearance by GATES & SEAMAN, Laurance B. Seaman, Esquire, dated March 12, 2004 and filed with the papers in this matter.

4. Attorney Laurance B. Seaman on behalf of Defendants SARA JANE MATTERN and JOHN U. MATTERN has indicated that those defendants are making no claim to the premises as are the subject of the Quiet Title Action as indicated in his correspondence to Plaintiff's counsel dated April 27, 2004, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference.

5. Attorney Laurance B. Seaman, on behalf of Defendants SARA JANE MATTERN and JOHN U. MATTERN concurs in the filing of this Motion as indicated by correspondence dated June 28, 2005, a copy of which is attached hereto as Exhibit "B" and incorporated herein by this reference.

6. Plaintiff moves the Court to enter judgment in favor of the Plaintiff and against the Defendants named in Paragraph 1 and 3, and to grant Plaintiff the relief prayed for in accordance with Pa. Rules of Civil Procedure No. 1066.


Winifred H. Jones-Wenger
Attorney for Plaintiff

RECEIVED APR 28 2004

LAURANCE B. SEAMAN
ANDREW P. GATES

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

(814) 765-1766
FAX (814) 765-1488

JOHN B. GATES
(1917-1984)

April 27, 2004

SENT BY FAXSIMILE
HARD COPY BY U. S. MAIL

Winifred H. Jones-Wenger, Esquire
333 Laurel Street
P. O. Box 469
Philipsburg, PA 16866

Re: Drochak versus Mattern et al
Quiet Title Action No. 04-260-CD

Dear Winnie:

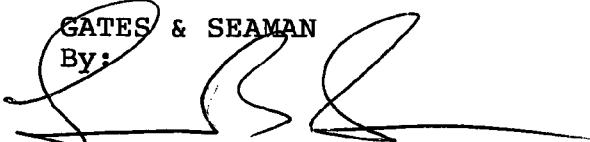
I received your letter of April 23, 2004 and you have correctly stated the contents of our phone conversation on April 22, 2004.

My review of the Quiet Title Action has not resulted in any cognizable claim on behalf of Sara Jane Mattern or John U. Mattern, and rather than incur any further legal expense for them, I am advising you that we do not intend to contest your claim against them.

You may use this letter when you obtain a partial judgment in this Quiet Title Action.

Thank you for your consideration.

Very truly yours,

GATES & SEAMAN
By:


Laurance B. Seaman

LBS/sjb

xc: County National Bank,
Power of Attorney for Sara Jane Mattern, w/enc.
David Harvey, POA for John U. Mattern

EXHIBIT "A"

RECEIVED JUN 29 2005

LAURANCE B. SEAMAN
ANDREW P. GATES

LAW OFFICES
GATES & SEAMAN
TWO NORTH FRONT STREET
P. O. BOX 846
CLEARFIELD, PA. 16830
—
(814) 765-1766
FAX (814) 765-1488

JOHN B. GATES
(1917-1984)

June 28, 2005

Sent by Fax and Mail

Winifred H. Jones-Wenger, Esquire
P. O. Box 469
Philipsburg, PA 16866

Re: Drochak vs. G.P.G. Mattern, et al
Quiet Title Action
No. 2004-260-CD

Dear Wini:

This will acknowledge receipt from you of a proposed Motion for Partial Judgment in the above-captioned matter and my concurrence in the filing of the same.

Very truly yours,


GATES & SEAMAN
By:

Laurance B. Seaman

LBS/sjb

xc: Calvin R. Thomas, Jr., Vice President and Trust Officer,
County National Bank, Guardian

EXHIBIT "B"

3

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased, Plaintiff

vs. : NO. 04-260-CD
: QUIET TITLE ACTION

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN,
deceased, his heirs, personal representatives and
assigns; :
JOHN A. MATTERN, a/k/a J. A. MATTERN, deceased,
his heirs, personal representatives and
assigns; :
GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns; :
MARY B. MILLER, deceased, her heirs,
personal representatives and assigns; :
LIDDY M. CAMPBELL, a/k/a LIDDY
MATTERN, a/k/a LIDIE MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives and assigns; :
C. O. MATTERN, a/k/a CHARLES O.
MATTERN, deceased, his heirs, personal
representatives and assigns; :
JACOB A. MILLER, deceased, his heirs,
personal representatives and assigns; :
BELLE M. MATTERN, deceased, her heirs,
personal representatives and assigns; :
ISABELLE GRAY MATTERN, deceased, her
heirs, personal representatives and assigns; :
EUGENE G. MATTERN, his heirs, personal
representatives and assigns; :
HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns; :
DAVID H. WHITE, JR., his heirs, personal
representatives and assigns; :
LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns; :
LUCENDA BUSH, her heirs, personal
representatives and assigns; :
J. LAWRENCE MATTERN, his heirs, personal

William A. Shaw
Prothonotary/Clerk of Courts

AUG 17 2005

VOLUME 4, 21

William A. Shaw
Honorary Clerk of Courts

| | |
|---|---|
| representatives and assigns; | : |
| WILLIAM L. MATTERN, his heirs, personal | : |
| representatives and assigns; | : |
| ANGELINE MINNS, her heirs, personal | : |
| representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, | : |
| personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, | : |
| personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, | : |
| and assigns; | : |
| DANIEL J. KLINE, his heirs, personal | : |
| representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee | : |
| Under the Trust, ELLIOT D. STEIN | : |
| Revocable Living Trust, | : |
| and | : |
| All other persons claiming any interest in the | : |
| property described in this action | : |
| Defendants | : |

ORDER

AND NOW, this 17th day of August, 2005, in consideration of the Certificate of Service that the Complaint containing a Notice to Defend has been served upon certain defendants by publication and personal service and that the defendants have not filed an answer, and upon Motion for Judgment it is hereby ORDERED and DECREED:

a) That the Defendants, namely

G. P. G. MATTERN, a/k/a GEORGE PERRY MATTERN,
a/k/a PERRY MATTERN, deceased, his heirs, personal
representatives and assigns; JOHN A. MATTERN, a/k/a J.

A. MATTERN, deceased, his heirs, personal representatives and assigns; GEORGE W. MATTERN, deceased, his heirs, personal representatives and assigns; MARY B. MILLER, deceased, her heirs, personal representatives and assigns, LIDDY M. CAMPBELL, a/k/a LIDDY MATTERN, a/k/a LIDIE MATTERN, a/k/a LYDIA MATTERN CAMPBELL deceased, her heirs, personal representatives and assigns; C. O. MATTERN, a/k/a CHARLES O. MATTERN, deceased, his heirs, personal representatives and assigns; JACOB A. MILLER, deceased, his heirs, personal representatives and assigns; BELLE M. MATTERN, deceased, her heirs, personal representatives and assigns; ISABELLE GRAY MATTERN, deceased, her heirs, personal representatives and assigns; EUGENE G. MATTERN, his heirs, personal representatives and assigns; HAROLD CONRAD MATTERN, his heirs, personal representatives and assigns; DAVID H. WHITE, JR., his heirs, personal representatives and assigns; LUILLA B. MATTERN, deceased, her heirs, personal representatives and assigns; LUCENDA BUSH, her heirs, personal representatives and assigns; J. LAWRENCE MATTERN, his heirs, personal representatives and assigns; WILLIAM L. MATTERN, his heirs, personal representatives and assigns; ANGELINE MINNS, her heirs, personal representatives and assigns; GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; SARA JANE MATTERN; JOHN U. MATTERN; PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; JOHN GOSS, his heirs, personal representatives, and assigns; DANIEL J. KLINE, his heirs, personal representatives and assigns and all other persons claiming any interest in the property described in this action

asserting claim to certain premises situate in Decatur Township, Clearfield County, Pennsylvania, described as follows:

TRACT #1:

BEGINNING at an iron rail corner on line between John Skyron tract and Richard Thomas tract, said iron rail corner

being South 86° 02' E a distance of 1361.20 feet from an old iron rail corner on line between John Drinker tract and Reese Bros. Coal Company; thence along line of Richard Thomas tract North 11° 22' East a distance of 1665.15 feet to an iron rail corner; thence by same South 78° 38' East a distance of 2057.55 feet to an iron rail corner; thence along line of Richard Thomas tract and John Skyron tract South 11° 22' West a distance of 2670.90 feet to an iron rail corner; thence along line of John Skyron tract North 78° 38' West a distance of 2057.55 feet to an iron rail corner; thence by same North 11° 22' East a distance of 1005.75 feet to an iron rail corner, the place of beginning. Containing 126.17 acres and being property formerly of G. P. G. Mattern.

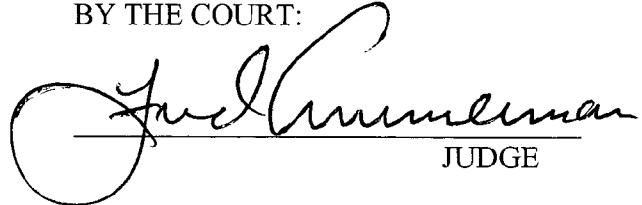
TRACT #2:

BEGINNING at a stone corner on the line of that part of the old John Goss farm which was conveyed to William L. Drane, being one of the corners in said conveyance; thence N 2 ½° E 33 perches to a post at chestnut sprouts at the public road; thence along said road N 6° W 23 perches to a post; thence still along said road N 3° E 31 perches to a quaking asp; thence along said road N 34° W 26 perches to a stone corner; thence still along said road N 54° W 20 perches to a white pine corner; thence S 2 ½° W 120 perches more or less to a post; thence S 87 ½° E 36 perches to the stone corner, the place of beginning. Containing 23 acres, more or less.

be forever barred from asserting such right, title or interest in the premises inconsistent with the interest or title of Plaintiff unless said Defendants, their heirs, successors or assigns or any other person asserting a claim to said premises brings an action of ejectment or other legal or equitable action within thirty (30) days of the date of this Order. If such action is not taken within thirty (30) days, the Prothonotary, on Praecept of the Plaintiff shall enter judgment.

b) That Plaintiff is hereby declared to be the sole owner of the premises above described and shall have and enjoy exclusive possession thereof as the sole owner and shall have exclusive possession of the premises described herein.

BY THE COURT:



Judge Fred K. Klemmer

JUDGE

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

CLIFFORD J. DROCHAK, Executor of the
Estate of JOHN DROCHAK, a/k/a JOHN
F. DROCHAK, deceased,

Plaintiff

vs.

G. P. G. MATTERN, a/k/a GEORGE PERRY
MATTERN, a/k/a PERRY MATTERN,
deceased, his heirs, personal representatives and
assigns;

JOHN A. MATTERN, a/k/a J. A. MATTERN,
deceased, his heirs, personal representatives and
assigns;

GEORGE W. MATTERN, deceased, his heirs,
personal representatives and assigns;

MARY B. MILLER, deceased, her heirs,
personal representatives and assigns;

LIDDY M. CAMPBELL, a/k/a LIDDY
MATTERN, a/k/a LIDIE MATTERN, a/k/a
LYDIA MATTERN CAMPBELL deceased, her
heirs, personal representatives and assigns;

C. O. MATTERN, a/k/a CHARLES O.
MATTERN, deceased, his heirs, personal
representatives and assigns;

JACOB A. MILLER, deceased, his heirs,
personal representatives and assigns;

BELLE M. MATTERN, deceased, her heirs,
personal representatives and assigns;

ISABELLE GRAY MATTERN, deceased, her
heirs, personal representatives and assigns;
EUGENE G. MATTERN, his heirs, personal
representatives and assigns;

HAROLD CONRAD MATTERN, his heirs,
personal representatives and assigns;

DAVID H. WHITE, JR., his heirs, personal
representatives and assigns;

LUELLA B. MATTERN, deceased, her heirs,
personal representatives and assigns;

LUCENDA BUSH, her heirs, personal
representatives and assigns;

J. LAWRENCE MATTERN, his heirs, personal
representatives and assigns;

WILLIAM L. MATTERN, his heirs, personal
representatives and assigns;

(4)

NO. 04-260-CD
QUIET TITLE ACTION

FILED
08/17/05
AUG 17 2005

William A. Shaw
Prothonotary/Clerk of Courts

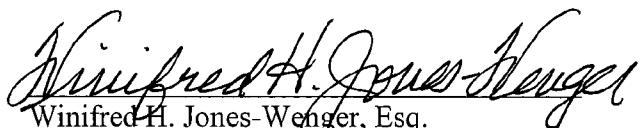
| | |
|---|---|
| ANGELINE MINNS, her heirs, personal representatives and assigns; | : |
| GEORGE P. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| SARA JANE MATTERN, an individual, | : |
| JOHN U. MATTERN, an individual, | : |
| PEARL S. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| ELIZABETH L. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| MARY C. MATTERN, deceased, her heirs, personal representatives and assigns; | : |
| JOHN S. MATTERN, deceased, his heirs, personal representatives and assigns; | : |
| ABRAHAM J. GOSS, deceased, his heirs, personal representatives and assigns; | : |
| JOHN GOSS, his heirs, personal representatives, and assigns; | : |
| DANIEL J. KLINE, his heirs, personal representatives and assigns; | : |
| COUNTY NATIONAL BANK, Trustee Under the Trust, ELLIOT D. STEIN Revocable Living Trust, and | : |
| All other persons claiming any interest in the property described in this action | : |
| Defendants | : |

PRAECIPE

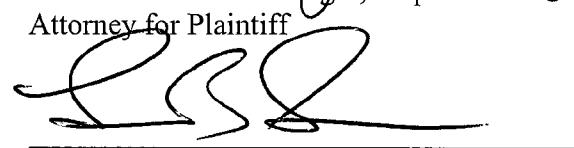
TO THE PROTHONOTARY OF SAID COURT:

Please mark the above-referenced case settled and discontinued with respect to the claim
of Plaintiff against Defendant, County National Bank, Trustee under the Trust, Elliot D. Stein,
Revocable Living Trust.

Date: 8-17-05


Winifred H. Jones-Wenger, Esq.
Attorney for Plaintiff

Date: 8/17/2005


Laurance B. Seaman, Esq.
Attorney for Defendant,
County National Bank, Trustee