

04-443-CD
JUDY ANN PASSMORE vs. RICHARD R. CLINGER, et al.

Judy Passmore vs. Richard Clinger et al
2004-443-CD

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

JUDY ANN PASSMORE,
Plaintiff

vs.

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

No. 04-443-02

ACTION TO QUIET TITLE

Type of Pleading: Complaint

Filed on behalf of: Judy Ann Passmore

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

Supreme Court No. 42519
900 Beaver Drive
DuBois, Pennsylvania 15801

(814) 375-0300

FILED

MAR 31 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No.

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,
Defendants

NOTICE

TO DEFENDANTS:

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 judgement 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641 ext. 5982

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No.

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
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and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,
Defendants

COMPLAINT

NOW COMES, Plaintiff, Judy Ann Passmore, by and through her attorneys, Hopkins Heltzel LLP, and says as follows:

1. Plaintiff, Judy Ann Passmore, is a married individual who resides at R.D. #1, Box 14, Luthersburg, Pennsylvania 15848.

2. The property to be quieted is a 2.3 acre parcel of land and improvements located in Bloom Township, Clearfield County and described in Instrument No. 2003-21187. The complete metes and bounds description is set forth on Exhibit "A".

3. The Defendants are Richard C. Clinger and Annette Clinger, whose address is unknown. The Clingers were married in 1972.

4. Defendants acquired title to the property by Deed dated April 5, 1972 from Boyd Duttry and Cindee Jo Duttry, husband and wife. The Deed was recorded in the Recorder of Deeds Office in Clearfield County in Volume 597 at page 127.

5. The Property was lost to the Clearfield County Tax Claim Bureau for non payment of real estate taxes. By Deed dated January 12, 1983, the Tax Claim Bureau of Clearfield County, Pennsylvania conveyed the Property to Elizabeth Miller and Garnett M. Morgan. The Deed was recorded in the Clearfield County Office of the Recorder of Deeds in Volume 870, at page 56.

6. By Deed dated June 13, 1986 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1088 at page 259, Elizabeth Miller and Garnett M. Morgan conveyed the Property to Lonnie London and Patti London.

7. By Deed dated October 15, 1986 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1132 at page 41, Lonnie London and Patti London conveyed the Property to Elizabeth I. Miller and Garnett M. Morgan.

8. By Deed dated November 9, 1995 and recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 1728 at page 363, Elizabeth I. Miller and Garnett M. Morgan and Fredrick C. Morgan, her husband, conveyed the Property to George W. Kurten and Juanita D. Kurten.

9. By Deed dated November 13, 2003 and recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2003-21167, George W. Kurten and Juanita D. Kurten conveyed the Property to Judy Ann Passmore, the Plaintiff herein.

10. This action is brought to clear the title resulting from the tax claim sale of the Property titled in the name of Richard R. Clinger and Annette Clinger and to forever extinguish and terminate any rights they might hold in said property.

WHEREFORE, the Plaintiff request the Court to decree that title to the premises described herein be granted unto Plaintiff, Judy Ann Passmore, in fee simple absolute; and that the Defendants Richard R. Clinger and Annette Clinger, their heirs, devisees, executors, administrators and assigns, and all other person, persons, partnerships, limited liability companies or corporate entities in interest, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth herein in and to the property set forth on Exhibit "A".

Respectfully submitted,

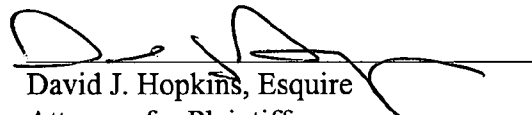

David J. Hopkins, Esquire
Attorney for Plaintiff

EXHIBIT "A" - FILE NO. 127284

~~ALL~~ that certain tract or parcel of land located in Bloom Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the northwest corner of the lot now owned by Dale Kassab; thence along land now or formerly of Clifford Serene and Glenn Hartzfeld North 64° West a distance of 387 feet to a point; thence by land now or formerly of Glenn Hartzfeld North 26° East a distance of 265 feet to a point in the centerline of U. S. Route 219; thence along said centerline of U. S. Route 219 South 64° East a distance of 387 feet to a point in the centerline of said U. S. Route 219; thence South 26° West along the lands now or formerly of Dale Kassab, a distance of 264 feet to a point, being the place of beginning.

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

Judy Ann Passmore
Judy Ann Passmore

FILED /cc

0/3:50/24 Amy Hopkins

MAR 31 2004

William A. Shaw

Prothonotary/Clerk of Courts

Amy pd. 95.00

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No. 04-443-CD

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

ACTION TO QUIET TITLE

FILED

MAR 31 2004

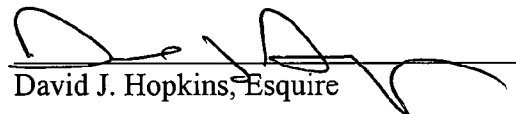
William A. Shaw
Prothonotary/Clerk of Courts

MOTION FOR PUBLICATION

AND NOW, this 31st day of March, 2004, an Affidavit having been executed and filed on behalf of Judy Ann Passmore; and that the whereabouts of the Defendants, Richard R. Clinger and Annette Clinger, their accumulative heirs, devisees, administrators, executors, successors or assigns, and all other person, person, firms, partnerships, or corporate entities in interest are unknown.

The Plaintiff, by her counsel, David J. Hopkins, Esquire, requests the Court for leave to serve the Complaint on the above mentioned Defendants, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entity in interest, or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by Pa. R.C.P. Rule 410, and Pa.R.C.P. Rule 430.

Respectfully submitted,


David J. Hopkins, Esquire

FILED

100

2/3:50 PM
MAR 31 2004

Atty Hopkins

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No. 04-443-02

FILED

MAR 31 2004

William A. Shaw
Prothonotary/Clerk of Courts

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,

ACTION TO QUIET TITLE

Defendants


AFFIDAVIT OF UNKNOWN WHEREABOUTS

I, David J. Hopkins, Esquire, attorney for Judy Ann Passmore, being duly sworn according to law, hereby certifies that he has made a search of the location of the Defendants. Said search consisted of reviewing the records of the Recorder of Deeds, Register of Wills and Prothonotary of Clearfield County. Said search did not review any information concerning Richard R. Clinger or Annette Clinger.

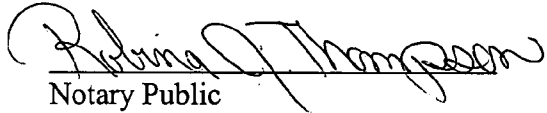
Annette Clinger is listed in the DuBois Area September 2002 telephone book having an address at 6 ½ Overdorf Avenue, DuBois, Pennsylvania 15801. The telephone number was disconnected. I went to 6 ½ Overdorf Avenue and Annette Clinger did not live at that location. The house was vacant.

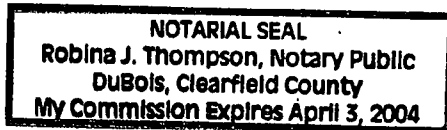
The whereabouts of the Defendants, their accumulative heirs, devisees, administrators, executors, successors or assigns and all other person, persons, firms, partnerships or corporate entities are unknown.

The Plaintiff, by her counsel, David J. Hopkins, Esquire, request the Court for leave to serve the Complaint on the above named Defendants, their heirs, advisees, administrators, executors, successors or assigns and all other person, person, firms, partnerships or corporate entities in interest or their legal representatives, generally, by publication in such manner as the Court shall direct and as provided by Pa.R.C.P. §410 and Pa.R.C.P. §430.


David J. Hopkins, Esquire

Sworn to and subscribed before
me this 21st day of
March, 2004.


Notary Public



FILED ^{10C}
9/3:50/204
MAR 31 2004
Att'y Hopkins

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

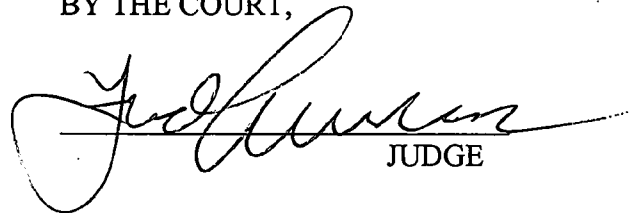
No. 04-443-CD

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,
Defendants

ORDER FOR PUBLICATION

AND NOW, this 1st day of April, 2004, upon the consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on the above named Defendants, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one time in the Courier Express published in the City of DuBois, County of Clearfield and Commonwealth of Pennsylvania and one time in the Clearfield County Legal Journal.

BY THE COURT,


JUDGE

FILED

APR 02 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED
of 9:21 AM
APR 02 2004
Amy Hopkins

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No. 04-443 C.D.

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
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might claim title to the premises herein
described,

Defendants

ACTION TO QUIET TITLE

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for
Judy Ann Passmore, who, being duly sworn according to law, deposes and says that the service
of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon
Defendant, Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators,
executors and assigns, by publication, and than twenty (20) days have elapsed since said service

FILED

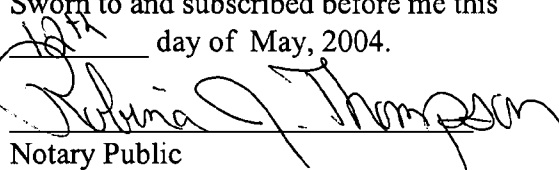
MAY 13 2004

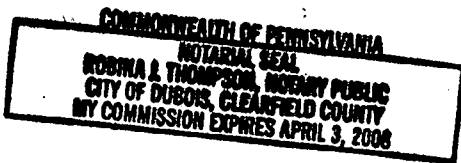
William A. Shaw
Prothonotary/Clerk of Courts

and Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.


David J. Hopkins, Esquire

Sworn to and subscribed before me this
12th day of May, 2004.


Notary Public



SA COMMISSION EXEMPTED FROM 3. SOG
DATA ON RECORDS OF CRIMINALS COUNTY
ROBERT A. THOMPSON, ROBERT A. THOMPSON
MAY 13 2004
COMMISSION OF NEW JERSEY

FILED ^{ice}
05/21/04
MAY 13 2004
William A. Shaw
Prothonotary/Clerk of Courts
W. A. Shaw
W. A. Shaw

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

JUDY ANN PASSMORE,
Plaintiff

vs.

RICHARD R. CLINGER and
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heirs, persons claiming, or who might
claim title under the aforesaid defendants;
and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

No. 04-443 C.D.

ACTION TO QUIET TITLE

Type of Pleading: Motion for Judgment

Filed on behalf of: Judy Ann Passmore,
Plaintiff

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

Supreme Court No. 42519
900 Beaver Drive
DuBois, Pennsylvania 15801

(814) 375-0300

FILED

MAY 13 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No. 04-443 C.D.

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Defendants

ACTION TO QUIET TITLE

MOTION FOR JUDGMENT

AND NOW, this 14th day of May, 2004, an Affidavit having been filed by David J.

Hopkins, Esquire, Attorney for Plaintiff, Judy Ann Passmore; that the Complaint with Notice to Plead was served on the Defendants by publication and the Defendants have not answered. The Plaintiff, Judy Ann Passmore, by and through her attorney, moves the Court to enter judgment in favor of the Plaintiff and against the Defendants in the above named case and to grant to the Plaintiff the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiff further requests that the Honorable Court modify in accordance with Rules of Civil Procedure, Rule 248,

the thirty (30) day period provided Defendant by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

Respectfully submitted,



David J. Hopkins, Esquire

**PROOF OF PUBLICATION OF NOTICE APEARING IN THE
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT
PUBLISHED BY McLEAN PUBLISHING COMPANY,**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)
No. 04-443 C.D.
ACTION TO QUIET TITLE

JUDY ANN PASSMORE, Plaintiff

vs.

RICHARD R. CLINGER and ANNETTE CLINGER and any heirs, persons claiming, or who might claim title under the aforesaid defendants; and any other person, person, firms partnerships, or corporate entities who might claim title to the premises herein described, Defendants

QUIET TITLE ACTION NOTICE

TO: Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators, executors and assigns and all other person, persons, firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the 2.3 acre parcel of land and improvements situate, lying and being in Bloom Township, Clearfield County, Pennsylvania and described in Instrument No. 2003-21187 has been filed against you. Said premises are more fully described on Exhibit "A" attached to the Complaint which is filed of record with the Prothonotary of the Clearfield County Courthouse, Clearfield, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641

David J. Hopkins
Attorney for Plaintiff
900 Beaver Drive
DuBois, PA 15801
(814) 375-0300

4/12/04

PENNSYLVANIA

d May 16, 1929, P.L. 1784

I, _____, Advertising Supervisor of the Courier-Express/Tri-County State aforesaid, being duly sworn, deposes and says that the _____ day, a weekly newspaper and Jeffersonian Democrat, a _____ day at 500 Jeffers Street, City of DuBois, County and State _____ high date said, the daily publication and the weekly _____ I that a copy of the printed notice of publication is attached _____ the regular editions of the paper on the following dates, viz: the _____ oril _____ A.D., _____ 2004

_____ zed by the Courier-Express, a daily newspaper, Tri-County _____ rat, a weekly newspaper to verify the foregoing statement _____ the subject matter of the aforesaid notice of publication, and _____ lace and character of publication are true.

**G COMPANY Publisher of
SUNDAY/JEFFERSONIAN DEMOCRAT**

_____ day of April, 2004

_____ ARY PUBLIC

_____ dvertising Cost
HING COMPANY
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**/TRI-COUNTY SUNDAY/
N DEMOCRAT**
_____ is, PA

Heltzel LLP

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_____ **\$4.25**
_____ **\$209.14**

_____ ot for Advertising Costs

_____ unday, a weekly newspaper, and/or Jeffersonian Democrat, a _____ foresaid advertising and publication costs, and certifies that the

Beaver Drive, DuBois, PA 15801

Established 1879, Phone 814-371-4200

McLEAN PUBLISHING COMPANY

Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By _____

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

NOTARIAL SEAL
STEVEN W. KRONENWEITER, NOTARY PUBLIC
CITY OF DuBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 16, 2006

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

JUDY ANN PASSMORE, Plaintiff vs.
RICHARD R. CLINGER and ANNETTE
CLINGER and any heirs, persons, claiming
or who might claim title under the aforesaid
defendants; and any other person, persons,
firms, partnerships, or corporate entities who
might claim title to the premises herein
described, Defendants.

No. 2004-443-CD

ACTION TO QUIET TITLE NOTICE

TO: Richard R. Clinger and Annette
Clinger their heirs, devisees, administrators,
executors and assigns and all other person,
persons, firms, partnerships or corporate
entities in interest.

* * You are hereby notified that an action to
quiet title to the 2.3 acre parcel of land and
improvements situate, lying and being in
Bloom Township, Clearfield County,
Pennsylvania, and described in Instrument

KUKLA, JACOB F., Dec'd
Late of Boggs Township
Administratrix: **NORMA J. KUKLA**
Attorney:
WINIFRED H. JONES-WENGER
333 Laurel Street
PO Box 469
Philipsburg, PA 16866

First Publication

SCHMIDT, ALFRED A., Dec'd
Late of Cooper Township
Executrix: **DONNA J. HOFFMANN**
Attorney: **GARY A. DELAFIELD**
300 S. Allen St., Suite 300
State College, PA 16801-4841

RICCIOTTI, SAMUEL, Dec'd
A/k/a SAM RICCIOTTI
Late of Gulich Township
Co-Executors: **WILLIAM RICCIOTTI**
SAMUEL C. RICCIOTTI
Attorney: **LEHMAN & KASUBICK**
611 Brisbin Street
Houtzdale, PA 16651

No 2003-21187 has been filed against you. Said premises are more fully described on Exhibit "A" attached to the Complaint which is filed of record with the Prothonotary of the Clearfield County Courthouse, Clearfield, Pennsylvania.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity, which the Defendants above named and their heirs, administrators, executors, and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and their heirs.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

Court Administrator, Clearfield County Courthouse, 230 East Market Street, Clearfield, PA 16830 (814) 765-2641 Ext. 5982.

David J. Hopkins, Esquire, Attorney for Plaintiff, 900 Beaver Drive, DuBois, PA 15801 (814) 375-0300.

DEPOSIT BANK. JUDGMENT NO. 03-865-
CD.

Chester A. Hawkins, Sheriff.
ADV: April 16th, 23rd, 30th, 2004.

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

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, MAY 7, 2004 at 10:00 A.M.

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

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

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

ALL that certain piece or parcel or tract of land, together with the improvements thereon situate in the First Ward of the Borough of Curwensville, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

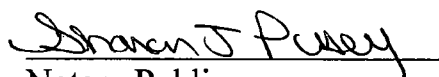
COUNTY OF CLEARFIELD :

On this 19th day of April 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 this notice or advertisement published in said publication in the regular issues of Week of April 16, 2004, No. 16. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

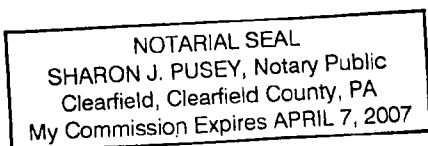


Gary A. Knaresboro, Esquire
Editor

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



Notary Public
My Commission Expires



David J Hopkins
900 Beaver Drive
DuBois PA 15801

FILED ¹⁰⁰
012:22 204
MAY 13 2004
Krs
Atty Hopkins

William A. Shaw
Prothonotary/Clerk of Courts

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

JUDY ANN PASSMORE,
Plaintiff

vs.

No. 04-443 C.D.

FILED

MAY 20 2004

RICHARD R. CLINGER and
ANNETTE CLINGER and any
heirs, persons claiming, or who might
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and any other person, persons, firms
partnerships, or corporate entities who
might claim title to the premises herein
described,

Defendants

William A. Shaw
Prothonotary

ACTION TO QUIET TITLE

ORDER

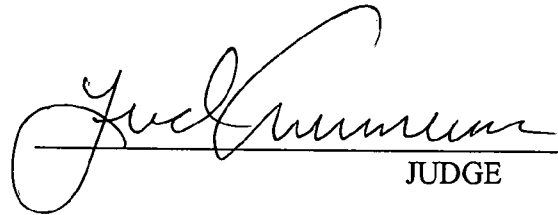
AND NOW, this 19 day of May, 2004, it appearing that service of the Complaint to Quiet Title in the above stated action was served upon Defendants, Richard R. Clinger and Annette Clinger, pursuant to the Rules of Civil Procedure; and by Affidavit of David J. Hopkins, Attorney for Plaintiff, that no answer or appearance has been filed to said action, and on Motion of David J. Hopkins, Esquire, it is hereby ORDERED and DECREED:

1. That the Defendants, Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators, executors and assigns are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff as set forth in her Complaint in and to a 2.3 acre parcel of land and improvements located in Bloom Township, Clearfield County and described in Instrument No. 2003-21187. The complete metes and bounds description is set forth on Exhibit "A".

2. That title to the property is now vested in Plaintiff, Judy Ann Passmore, as prayed.
3. That the rights of the Plaintiff are superior to the rights of the Defendants, Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators, executors and assigns who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.
4. That the Plaintiff has title in fee simple to said premises as described in the Complaint as against the Defendants, Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators, executors and assigns as set forth in paragraph 1 of this Order.
5. That the Defendants, Richard R. Clinger and Annette Clinger, their heirs, devisees, administrators, executors and assigns are forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiff as set forth in her Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiff to the premises.
6. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.
7. That these proceedings or any authenticated copy thereof, shall at all times hereinafter be taken as evidence of the facts declared and established thereby.

8. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deed of Clearfield County, Pennsylvania.

BY THE COURT,


JUDGE

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[Signature]

William A. Shaw
Prothonotary