

04-823-CD
IN RE: MORNINGSIDE CEMETERY ASSOC..

**In RE: Morningside Cemetery Assoc
2004-823-CD**

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COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

**MORNINGSIDE CEMETERY
ASSOCIATION -- APPOINTMENT
OF AUDITOR**

: Miscellaneous Docket 7, Page 150

04-823-C

: Type of Pleading:

PETITION FOR APPOINTMENT
OF AUDITOR

: Filed on behalf of:

Morningside Cemetery Association

: Counsel of Record for Party:

ERVIN S. FENNELL, JR.
Supreme Ct. No. 05873
P.O. Box 606
DuBois, PA 15801
(814) 371-6900

*Original
to CA*

FILED

JUN 08 2004

William A. Shaw
Prothonotary

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PENNSYLVANIA
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

**MORNINGSIDE CEMETERY
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OF AUDITOR** : Miscellaneous Docket 7
: Page 150

PETITION FOR APPOINTMENT OF AUDITOR

TO THE HONORABLE FREDRIC J. AMMERMAN, PRESIDENT JUDGE OF SAID COURT:

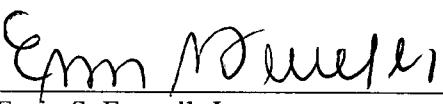
The Petition of Morningside Cemetery Association respectfully represents:

1. It is a corporation organized and existing under the non-profit corporation laws of the Commonwealth of Pennsylvania.

2. By virtue of its By-Laws, a board of three auditors is to be selected annually to audit the accounts of the Association, one of said auditors to be appointed by the Judge of the Court of Common Pleas of Clearfield County, one to be appointed by the Trustees of the Association, and one to be elected by the electors of the Association.

3. Gregory L. Yutzey, of Treasure Lake, Sandy Township, Clearfield County, Pennsylvania, agrees to serve as the third auditor if appointed by the Court.

Your petitioner respectfully prays your Honorable Court to appoint an auditor to serve with the auditor appointed by the Trustees and the one elected by the electors of the Association in making an audit of the accounts of the Association for the period from January 1, 2003, through December 31, 2003, as provided by its By-Laws.



Ervin S. Fennell, Jr.
Attorney for Morningside Cemetery Association

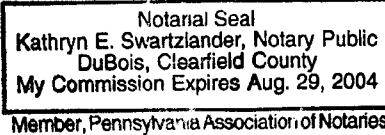
STATE OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :

ERVIN S. FENNELL, JR., being duly sworn according to law, deposes and says that he is President of Morningside Cemetery Association; that as such he is authorized to make this affidavit and that the facts set forth in the foregoing petition are true and correct.

Ervin S. Fennell, Jr.

Subscribed and sworn to before me
this 7TH day of June, 2004.

Kathryn E. Swartzlander
Notary Public



Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

MORNINGSIDE CEMETERY :
ASSOCIATION - APPOINTMENT : Miscellaneous Docket 7
OF AUDITOR : Page 150

O R D E R

NOW, the 9 day of June, 2004, pursuant to the foregoing petition and on motion of Ervin S. Fennell, Jr., attorney for Morningside Cemetery Association, it is hereby ORDERED that GREGORY L. YUTZEY, of Treasure Lake, Sandy Township, Clearfield County, Pennsylvania, is hereby appointed auditor to serve with the auditor appointed by the Trustees of the Association and the one elected by the electors of said Association in making an audit of the accounts of the said Association for the period from January 1, 2003, through December 31, 2003, as provided by its By-Laws.

BY THE COURT,


P.J.

FILED

JUN 10 2004

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of
Clearfield County, Pennsylvania
Civil Action - Law

MORNINGSIDE CEMTERY
ASSOCIATION -- APPOINTMENT
OF AUDITOR

PETITION FOR APPOINTMENT OF
AUDITOR

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JUN 08 2004

Wm. A. Shaw
Shaw & Company

LAW OFFICES

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