

04-853-CD
DEAN D. LANSBERRY, et al. vs. CHARLES F. PATTON, et al.

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

DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
and wife,

Plaintiffs

vs.

CHARLES E. PATTON and
M.B. PATTON, also known as MARY B.
PATTON, husband and wife, both
deceased, and JOHN W. PATTON,
REBECCA PATTON, and HONORA
JANE WHITE, their heirs, executors,
administrators and assigns, and
all other persons, corporations,
associations, or other entities claiming
title under them,

Defendants

NO. 04 - 853 - C.D.

ACTION TO QUIET TITLE

COMPLAINT

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUN 11 2004

William A. Shaw
Prothonotary

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

DEAN D. LANSBERRY and	:	NO. 04 -	- C.D.
LINDA S. LANSBERRY, husband	:		
and wife,	:	ACTION TO QUIET TITLE	
Plaintiffs	:		
	:		
vs.	:		
	:		
CHARLES E. PATTON and	:		
M.B. PATTON, also known as MARY B.	:		
PATTON, husband and wife, both	:		
deceased, and JOHN W. PATTON,	:		
REBECCA PATTON, and HONORA	:		
JANE WHITE, their heirs, executors,	:		
administrators and assigns, and	:		
all other persons, corporations,	:		
associations, or other entities claiming	:		
title under them,	:		
Defendants	:		

NOTICE

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 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
Market & Second Street
Clearfield, PA 16830
(814) 765-2641, ext. 1300

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

DEAN D. LANSBERRY and	:	NO. 04 -	- C.D.
LINDA S. LANSBERRY, husband	:		
and wife,	:	ACTION TO QUIET TITLE	
Plaintiffs	:		
	:		
vs.	:		
	:		
CHARLES E. PATTON and	:		
M.B. PATTON, also known as MARY B.	:		
PATTON, husband and wife, both	:		
deceased, and JOHN W. PATTON,	:		
REBECCA PATTON, and HONORA	:		
JANE WHITE, their heirs, executors,	:		
administrators and assigns, and	:		
all other persons, corporations,	:		
associations, or other entities claiming	:		
title under them,	:		
Defendants	:		

COMPLAINT

1. Plaintiffs are Dean D. Lansberry and Linda S. Lansberry, husband and wife, adult individuals residing at 205 Michlin Avenue, Curwensville, Clearfield County, Pennsylvania 16833.
2. Defendants are Charles E. Patton and M.B. Patton, also known as Mary B. Patton, husband and wife, both deceased, and John W. Patton, Rebecca Patton, and Honora Jane White, their heirs, executors, administrators and assigns, and all other persons, corporations, associations, or other entities claiming title under them.
3. The property which is the subject of this action is situated in the Borough of Curwensville, Clearfield County, Pennsylvania, and has been erroneously

identified as being Lot No. 92 in Patton's Addition throughout Plaintiff's chain of title. The said property is in fact Lot No. 91 in the said Patton's Addition and is accurately described as follows:

BEGINNING at an iron pin set on the edge of Bailey Road in the Eastern half of the Patton Addition, said pin designating the line between Lot 90 and 91. Said pin is also located South twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16'') seconds West two hundred (200) feet from the Southeast intersection of Bailey Road and West Street; thence along Lot 90 south sixty-two (62°) degrees thirty-six (36') minutes forty-four (44'') seconds East one hundred fifty (150) feet to a twenty (20) foot alley; thence along said alley South twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16'') seconds West fifty (50) feet to another iron pin on said alley at line of Lot 92; thence along said Lot 92 North sixty-two (62°) degrees thirty-six (36') minutes forty-four (44'') seconds West one hundred fifty (150) feet to another iron pin set in the line of Bailey Road; thence along line of Bailey Road North twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16'') seconds East fifty (50) feet to the iron pin and place of beginning.

Said description encompasses seventy-five hundred (7,500) square feet, being Lot No. 91 in the Eastern Section of the Charles Patton Addition to the Second Ward of the Borough of Curwensville. Said description is further illustrated on a plat of survey made by Robert L. Kester, P.L.S., dated September 2, 1986, a copy of which is attached to the deed referenced herein below and filed in the Office of the Recorder of Deeds for Clearfield County. The bearings used are current magnetic bearings, and do not coincide with the bearings of the original Patton Addition, although the lines designated do coincide with the lines as shown on the Patton Addition to the Borough of Curwensville.

BEING the same premises conveyed to Dean D. Lansberry and Linda S. Lansberry, husband and wife, by deed of Marc R. Daniels and Lorraine Daniels, husband and wife, dated October 15, 1986 and recorded at Clearfield County Deed and Record Book 1118, Page 83.

4. The chain of title to the above described property is as follows:
 - a. By deed dated March 11, 1915, recorded at Deed Book 208, Page 301, Charles E. Patton and M. B. Patton, his wife, conveyed what is identified as Lot 92, but was actually Lot 91, of the Patton Addition to the Borough of Curwensville to William J. Bartell and Elizabeth Bartell, his wife;

- b. By deed dated April 20, 1915, recorded at Deed Book 208, Page 303, William J. Bartell and Elizabeth Bartell, his wife, conveyed what is identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to I. Lynn Kester and Lydia S. Kester, his wife;
- c. By deed dated October 26, 1916, recorded at Deed Book 216, Page 574, I. Lynn Kester and Lydia S. Kester, his wife, conveyed what is identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Americo Abrino;
- d. By deed dated November 9, 1928, recorded at Deed Book 297, Page 44, Enos Abrino, guardian of Americo Abrino, an insane person, conveyed what was identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Josephine Abrino;
- e. By deed dated August 6, 1930, recorded at Deed Book 297, Page 46, Josephine Abrino conveyed what was identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Rosa Abrino;
- f. By deed dated September 9, 1963, recorded at Deed Book 504, Page 145, Rosa Abrino, now Rosa Zattoni, conveyed what was identified as Lot 92, but was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Francis E. Abrino and Elda A. Rapp;
- g. By deed dated July 6, 1971, recorded at Deed Book 577, Page 238, Francis E. Abrino and Jayne M. Abrino, his wife, and Elda A. Rapp and

John Rapp, her husband, conveyed what was identified as Lot 92, but was actually Lot 91, of the Patton Addition to the Borough of Curwensville to David A. Collins and Karen F. Collins, his wife;

- h. By deed dated November 30, 1983 and recorded at Deed Book 924, Page 519, David A. Collins and Karen S. Collins, husband and wife, conveyed what was identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Karen S. Collins;
 - i. By deed dated May 15, 1985 and recorded at Deed Book 1013, Page 272, Karen S. Collins conveyed what was identified as Lot 92, but what was actually Lot 91, of the Patton Addition to the Borough of Curwensville to Marc R. Daniels and Lorraine Daniels, husband and wife;
 - j. By deed dated October 15, 1986 and recorded at Deed Book 1118, Page 83, Marc R. Daniels and Lorraine Daniels, husband and wife, conveyed the aforesaid parcel to Dean D. Lansberry and Linda S. Lansberry, Plaintiffs herein.
5. For more than twenty-one (21) years, Plaintiffs and their predecessors in title have been in open, exclusive, hostile, adverse and actual possession of the real property described herein above, said property being the aforesaid Lot 91 of the Patton Addition to the Borough of Curwensville.
6. Due to the error in the identification of the said real property as being Lot 92, when it was actually Lot 91, Plaintiffs believe and therefore aver that said error

which has been perpetuated throughout the chain of title for nearly one hundred (100) years, represents a cloud on their title.

7. Plaintiffs, through their predecessors in title, made adverse entrance on the said real property nearly one hundred (100) years ago and said adverse possession has continued through the present time.
8. Plaintiffs' adverse possession of the said real property, through their predecessors in title, has been adverse to all interest, which the Defendants set forth herein may have in the premises.

WHEREFORE, Plaintiffs pray as follows:

1. That Defendants and all persons claiming under them within twenty (20) days from service of this Complaint, institute an action of ejectment against the Plaintiff and that otherwise the Defendants and all persons claiming under them be perpetually enjoined from setting up any title to the said property; from impeaching, denying or in any way attacking the Plaintiffs' title to said property, from issuing or maintaining an ejectment of said premises or any part thereof;
2. For a Decree of this Court determining all adverse claims of Defendants and all persons claiming under them;
3. For said Decree to declare it adjudged that Plaintiffs own absolutely and are entitled to the quiet and peaceful possession of said property as against Defendants and all other persons claiming under them, that Defendants and all persons claiming under them have no estate, right, title, lien or interest in or to said property or any part thereof, and the title to said property be quieted in Plaintiff against all claims of Defendants and all persons claiming under them;

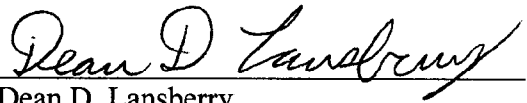
4. For said Decree to permanently enjoin Defendants and all persons claiming under them from asserting any right, title, lien or interest in or to said property or any part thereof adverse to Plaintiffs;
5. For costs of this action;
6. For such other relief as the Court deems just and proper.

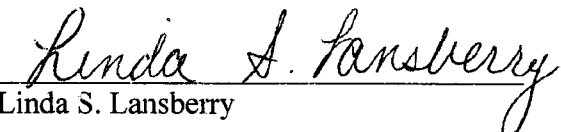
BELIN & KUBISTA

A handwritten signature in black ink, appearing to read 'J. Ryan', is written over a horizontal line.

John R. Ryan
Attorney for Plaintiffs

We verify that the statements made in this Complaint are true and correct. We understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.


Dean D. Lansberry


Linda S. Lansberry

CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1

15 NORTH FRONT STREET

ATTORNEYS AT LAW

BELIN & KUBISTA

FILED

010.52.114 pd 55.00
JUN 11 2004
2002 to 2004

William A. Shaw
Prothonotary

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

DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
and wife,

Plaintiffs

vs.

CHARLES E. PATTON and
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REBECCA PATTON, and HONORA
JANE WHITE, their heirs, executors,
administrators and assigns, and
all other persons, corporations,
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title under them,

Defendants

NO. 04 - 853 - C.D.

ACTION TO QUIET TITLE

AFFIDAVIT

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUN 11 2004

William A. Shaw
Prothonotary

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

DEAN D. LANSBERRY and	:	NO. 04 -	- C.D.
LINDA S. LANSBERRY, husband	:		
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Plaintiffs	:		
	:		
vs.	:		
	:		
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Defendants	:		

AFFIDAVIT

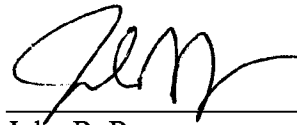
COMMONWEALTH OF PENNSYLVANIA	:	
	:	SS.
COUNTY OF CLEARFIELD	:	

JOHN R. RYAN, being duly sworn according to law, deposes and states that he is the attorney for the Plaintiffs and he believes and therefore avers that Defendant Mary A. Patton is deceased, having died March 18, 1935, with her last known address being West Grove Road, London Grove Township, Chester County, Pennsylvania. She died intestate, leaving to survive her husband, Charles E. Patton, and three children: John W. Patton of West Grove Road, London Grove Township, Chester County, Pennsylvania; Rebecca Patton of San Antonio, Texas and Honora Jane White, of San Antonio, Texas. Further, Defendant Charles E. Patton is deceased, having died December 15, 1937, with his last known residence being London Grove

Township, Chester County, Pennsylvania. The estate records for said Charles E. Patton make no mention that he owned real estate in Clearfield County at the time of his death.

Affiant further avers that he attempted to locate said Defendants, or their heirs, by checking the local telephone directories, voter registration records, and real estate records of Clearfield County. The above information was the only estate information on file in Clearfield County.

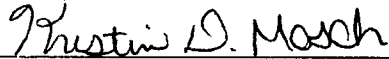
BELIN & KUBISTA



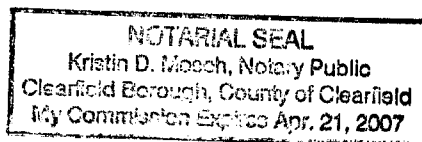
John R. Ryan

Sworn to and subscribed before me

this 11th day of June, 2004.



Notary Public



CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1
15 NORTH FRONT STREET

ATTORNEYS AT LAW
BELIN & KUBISTA

FILED

see entry

JUN 11 2004

W.A. Shaw
William A. Shaw
Prothonotary

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

DEAN D. LANSBERRY and
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vs.

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Defendants

NO. 04 - 853 - C.D.

ACTION TO QUIET TITLE

MOTION FOR PUBLICATION

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUN 11 2004

William A. Shaw
Prothonotary

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

DEAN D. LANSBERRY and	:	NO. 04 -	- C.D.
LINDA S. LANSBERRY, husband	:		
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Plaintiffs	:		
	:		
vs.	:		
	:		
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M.B. PATTON, also known as MARY B.	:		
PATTON, husband and wife, both	:		
deceased, and JOHN W. PATTON,	:		
REBECCA PATTON, and HONORA	:		
JANE WHITE, their heirs, executors,	:		
administrators and assigns, and	:		
all other persons, corporations,	:		
associations, or other entities claiming	:		
title under them,	:		
Defendants	:		

MOTION FOR PUBLICATION

NOW COMES, Belin & Kubista, Attorneys for Plaintiffs, and move the Honorable Court as follows:

1. Plaintiffs have filed an Action to Quiet Title to the above term and number.
2. Attached hereto is an Affidavit affirming that the named Defendants are believed to be deceased and that the whereabouts of their heirs and successors are unknown.

WHEREFORE, Plaintiffs request that the Court order service upon the Defendants, their heirs, executors, administrators, successors and assigns by publication in The Progress and the Clearfield County Legal Journal one (1) time in accordance with the Rule of Civil

Procedure.

BELIN & KUBISTA

A handwritten signature in black ink, appearing to read 'J. Ryan', is written over a horizontal line.

John R. Ryan
Attorney for Plaintiffs

BELIN & KUBISTA

ATTORNEYS AT LAW

15 NORTH FRONT STREET

P. O. BOX 11

CLEARFIELD, PENNSYLVANIA 16830

FILED

gates attorney

JUN 11 2004

William A. Shaw
Prothonotary

[Signature]

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
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NO. 04 - 853 - C.D.
ACTION TO QUIET TITLE

ORDER FOR PUBLICATION

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUN 17 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
and wife,

Plaintiffs

vs.

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Defendants

NO. 04 - 853 - C.D.

ACTION TO QUIET TITLE

ORDER FOR PUBLICATION

AND NOW, this 16 day of June, 2004, upon consideration of the foregoing
Motion and Affidavit, Plaintiffs are granted leave to make service of the Complaint on the
Defendants by general publication one (1) time in The Progress of Clearfield, Pennsylvania,
and one (1) time in the Clearfield County Legal Journal, said insertion to appear not less than
thirty (30) days prior to July 29, 2004, the date set forth hearing of said Complaint in
Courtroom 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania, 9:00
o'clock A M..

BY THE COURT:

FS4
[Signature]
Judge

CA

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

WAS
William A. Shaw
Prothonotary/Clerk of Courts

FILED *20c*
09:33 AM
JUN 17 2004
Anty Ryan

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

DEAN D. LANSBERRY and
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ACTION TO QUIET TITLE

AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

JUL 15 2004

William A. Shaw
Prothonotary Clerk of Courts

NOTARIAL SEAL
Kristin D. Mosch, Notary Public
Clearfield Borough, County of Clearfield
My Commission Expires Apr. 21, 2007

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

DEAN D. LANSBERRY
and LINDA S. LANSBERRY,
husband and wife,
Plaintiffs

v.

CHARLESE. PATTON
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also known as
MARY B. PATTON,
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REBECCA PATTON
and HONORA JANE WHITE,
their heirs, executors,
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and all other persons,
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title under them,
Defendants

No. 04-853-CD;

ACTION IN
QUIET TITLE

TO: CHARLES E. PATTON and
M.B. PATTON, also known as
MARY B. PATTON, husband and
wife, both deceased, and JOHN W.
PATTON, REBECCA PATTON,
and HONORA JANE WHITE, their
heirs, executors, administrators
and assigns, and all other persons,
corporations, associations, or
other entities claiming title under
them, Defendants.

NOTICE - If you wish to defend,
you must enter a written appear-
ance personally or by attorney and
file your defenses or objections in
writing with the Court. You are
warned that if you fail to do so, the
case may proceed without you and
a judgment may be entered against
you without further notice for the re-
lief requested by the Plaintiffs. You
may lose money or property or
other rights important to you. 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.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 28th day of June, A.D. 2004,
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
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of June 22, 2004.

And that the affiant is not interested in the subject matter of the notice or
advertising, and that all of the allegations of this statement as to the time,
place, and character of publication are true.

Margaret E. Krebs
Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison
Notary Public Clearfield, Pa.

My Commission Expires
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Cheryl J. Robison, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires Oct. 31, 2007
Member, Pennsylvania Association Of Notaries

Court Administrator,
Clearfield County Courthouse,
Clearfield, Pennsylvania
(814) 765-2641,
Ext. 1300.

You are hereby notified that an Action in Quiet Title to the following premises situate in the Borough of Curwensville, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly described as follows:

BEGINNING at an iron pin set on the edge of Bailey Road in the Eastern half of the Patton Addition, said pin designating the line between Lot 90 and 91. Said pin is also located South twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16") seconds West two hundred (200) feet from the Southeast intersection of Bailey Road and West Street; thence along Lot 90 south sixty-two (62°) degrees thirty-six (36') minutes forty-four (44") seconds East one hundred fifty (150) feet to a twenty (20) foot alley; thence along said alley South twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16") seconds West fifty (50) feet to another iron pin on said alley at line of Lot 92; thence along said Lot 92 North sixty-two (62°) degrees thirty-six (36') minutes forty-four (44") seconds West one hundred fifty (150) feet to another iron pin set in the line of Bailey Road; thence along line of Bailey Road North twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16") seconds East fifty (50) feet to the iron pin and place of beginning.

Said description encompasses seventy-five hundred (7,500) square feet, being Lot No. 91 in the Eastern Section of the Charles Patton Addition to the Second Ward of the Borough of Curwensville. Said description is further illustrated on a plat of survey made by Robert L. Kester, P.L.S., dated September 2, 1986, a copy of which is attached to the deed referenced herein below and filed in the Office of the Recorder of Deeds for Clearfield County. The bearings used are current magnetic bearings, and do not coincide with the bearings of the original Patton Addition, although the lines designated do coincide with the lines as shown on the Patton Addition to the Borough of Curwensville.

BEING the same premises conveyed to Dean D. Lansberry and Linda S. Lansberry, husband and wife, by deed of Marc R. Daniels and Lorraine Daniels, husband and wife, dated October 15, 1986 and recorded at Clearfield County Deed and Record Book 1118, Page 83.

That the purpose of this quiet title action is to extinguish any interest in the above described premises which Defendants may have retained by virtue of the misidentification of the said premises throughout the chain of title.

That the further purpose of this quiet title action is to confirm title in the above described premises acquired by the Plaintiffs by virtue of their possession of the above described premises, through their predecessors in title, for a period in excess of twenty-one (21) years as provided by law.

WHEREUPON said Court ordered that notice of said action and the facts thereto be served on Defendants CHARLES E. PATTON and M.B. PATTON, also known as MARY B. PATTON, husband and wife, both deceased, and JOHN W. PATTON, REBECCA PATTON, and HONORA JANE WHITE, their heirs, executors, administrators and assigns, and all other persons, corporations, associations, or other entities claiming title under them, by the Plaintiffs by advertisement requiring Defendants above named, their heirs, executors and assigns, 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 Plaintiffs before the Court at a hearing to be held on July 29, 2004, at 9:00 a.m. at the Clearfield County Courthouse, Courtroom No. 2, Clearfield, Pennsylvania.

BELIN & KUBISTA
Attorneys at Law
15 North Front Street
Clearfield, Pennsylvania
Attorneys for Plaintiffs

need professionals to fill full-time 2nd shift and variable/ part-time positions in the DuBois/ Brockway area. Duties include assisting and/or instructing individuals in activities of daily living, self-care/ personal hygiene, and safety skills in their home. Additionally, will assist individuals in scheduling, attending and participating in community activities. Full-time starting wage is \$7.55 per hour with full benefit package or \$8.55 per hour with minimal benefit package. Experience working with MH/MR individuals, children and youth or elderly or CNA/ Nurses aid a plus. Send resume and letter of interest to JLB, Lakeshore Community Services, Inc., 90 Beaver Drive, Building D, Suite 212D, Box 10, DuBois, PA 15801. Resumes will be accepted until June 30th, 2004.

ROADHOUSE RESTAURANT, at Kyler-town Truck Stop, is hiring 2nd and 3rd shift Grill Cooks. Please Apply in Person.

THE MOSHANNON Valley School District is accepting applications for the following posi-

DEPENDABLE, caring home care aides needed for various A.M. and P.M. shifts in Clearfield, Curwensville, Gram-pian, Houtzdale and Osceola. Apply Help-mates, Inc., 765-2660. E.O.E.

DO YOU HAVE a special place in your heart for young people? FCCY is a foster care agency looking for giving families. Full reimbursement and training is provided. Interested? Call 1-800-747-3807. E.O.E.

DRIVER NEEDED. Larry Kitchen Trucking. 1 year experience. Good driving record. Tri-axle. Must have mine safety. Westover 814-341-5030.

EXPERIENCED CUTTER and log skidder operator. Call between 7:00 P.M. and 9:00 P.M. Clearfield 765-4662.

Experienced People Wanted to do **ROOFING** and **GENERAL CONTRACTING** for local company. Must have hand tools, PA driver's license and vehicle. Call **Port M atilda** 814-692-2214.

FIRST AMERICUS Enterprises, based out of Luthersburg, is looking for company drivers and owner operators. New equipment arriving daily. Home week-ends and most week-

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

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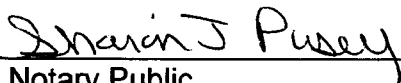
COUNTY OF CLEARFIELD :

On this 6th day of July AD 2003, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of June 25, 2004, No. 26. 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

Belin & Kubista
PO Box 1
Clearfield PA 16830

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

DEAN D. LANSBERRY and LINDA S. LANSBERRY, husband and wife, Plaintiffs
vs. CHARLES E. PATTON and M.B. PATTON, also known as MARY B. PATTON, husband and wife, both deceased, and JOHN W. PATTON, REBECCA PATTON, and HONORA JANE WHITE, their heirs, executors, administrators and assigns, and all persons, corporations, associations, or other entities claiming title under them, Defendants

No. 04-853-CD

ACTION TO QUIET TITLE

TO: CHARLES E. PATTON and M.B. PATTON, also known as MARY B. PATTON, husband and wife, both deceased, and JOHN W. PATTON, REBECCA PATTON, and HONORA JANE WHITE, their heirs, executors, administrators and assigns, and all persons, corporations, associations, or other entities claiming title under them, Defendants

NOTICE - 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. 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, 1 North Second Street, Clearfield, PA 16830 (814) 765-2641 Ex. 5982.

You are hereby notified that an Action to Quiet Title to the following premises situate in Borough of Curwensville, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly described as follows:

BEGINNING at an iron set on the edge of Bailey Road in the Eastern half of the Patton Addition, said pin designating the line between Lot 90 and 91. Said pin is also located South twenty-seven (27) degrees twenty-three (23') minutes sixteen (16'') seconds West two hundred (200) feet from the Southeast intersection of Bailey Road and West Street; thence along Lot 90 South

sixty-two (62) degrees thirty-six (36') minutes forty-four (44'') seconds East one hundred fifty (150) feet to a twenty (20) foot alley; thence along said alley South twenty-seven (27) degrees twenty-three (23') minutes sixteen (16'') seconds West fifty (50) feet to another iron pin on said alley at line of Lot 92; thence along said Lot 92 North sixty-two (62) degrees thirty-six (36') minutes forty-four (44'') seconds West one hundred fifty (150) feet to another iron pin set in the line of Bailey Road; thence along lien of Bailey Road North twenty-seven (27) degrees twenty-three (23') minutes sixteen (16'') seconds East fifty (50) feet to the iron pin and place of beginning.

Said description encompasses seventy-five hundred (7,500) square feet, being Lot No. 91 in the Eastern Section of the Charles Patton Addition to the Second Ward of the Borough of Curwensville. Said description is further illustrated on a plat of survey made by Robert L. Kester, P.L.S., dated September 2, 1986, a copy of which is attached to the deed referenced herein below and filed in the Office of the Recorder of Deeds for Clearfield County. The bearing used are current magnetic bearings and do not coincide with the bearings of the original Patton Addition, although the lines designated do coincide with the lines as shown on the Patton Addition to the Borough of Curwensville.

BEING the same premises conveyed to Dean D. Lansberry and Linda S. Lansberry, husband and wife, by deed of Marc R. Daniels and Lorraine Daniels, husband and wife, dated October 15, 1986 and recorded at Clearfield County Deed and Record Book 1118, Page 83.

That the purposes of this Quiet Title Action is to extinguish any interest in the above described premises which Defendants may have retained by virtue of the misidentification of the said premises throughout the chain of title.

That the further purpose of this quiet title action is to confirm title in the above described premises acquired by the Plaintiffs by virtue of their possession of the above described premises, through their predecessors in title, for a period in excess of twenty-one (21) years as provided by law.

WHEREUPON the Court ordered that notice of said action and the facts thereto be served on the Defendants CHARLES E. PATTON and M. B. PATTON, also known as MARY B. PATTON, husband and wife, both deceased, and JOHN W. PATTON, REBECCA PATTON, and HONORA JANE WHITE, their heirs, executors, administrators and assigns, and all other persons, corporations, associations, or other entities claiming title under them, by the Plaintiffs by

advertisement requiring Defendants above named, their heirs, executors and assigns, to answer the said Complaint 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 Plaintiffs before the Court at a hearing to be held on July 29, 2004, at 9:00 A.M., at the Clearfield County Courthouse, Courtroom No. 2, Clearfield, Pennsylvania.

BELIN & KUBISTA, Attorneys at Law,
15 North Front Street, Clearfield, PA 16830
Attorneys for Plaintiff.

CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1

15 NORTH FRONT STREET

ATTORNEYS AT LAW

BELIN & KUBISTA

FILED

010-59-167
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Wm A Shaw

William A. Shaw

Prothonotary/Clerk of Courts

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

DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
and wife,

Plaintiffs

vs.

CHARLES E. PATTON and
M.B. PATTON, also known as MARY B.
PATTON, husband and wife, both
deceased, and JOHN W. PATTON,
REBECCA PATTON, and HONORA
JANE WHITE, their heirs, executors,
administrators and assigns, and
all other persons, corporations,
associations, or other entities claiming
title under them,

Defendants

NO. 04 - 853 - C.D.

ACTION TO QUIET TITLE

ORDER

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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William A. Snow
Prothonotary Clerk of Courts

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

DEAN D. LANSBERRY and	:	NO. 04 – 853 - C.D.
LINDA S. LANSBERRY, husband	:	
and wife,	:	ACTION TO QUIET TITLE
Plaintiffs	:	
	:	
vs.	:	
	:	
CHARLES E. PATTON and	:	
M.B. PATTON, also known as MARY B.	:	
PATTON, husband and wife, both	:	
deceased, and JOHN W. PATTON,	:	
REBECCA PATTON, and HONORA	:	
JANE WHITE, their heirs, executors,	:	
administrators and assigns, and	:	
all other persons, corporations,	:	
associations, or other entities claiming	:	
title under them,	:	
Defendants	:	

ORDER

AND NOW, this 29th day of July, 2004, service of the Complaint in the above captioned matter having been made by publication in accordance with prior Order of this Court, as set forth in the Affidavit filed by Belin & Kubista, Attorneys for Plaintiffs, and no answer having been filed by any of the above named Defendants, it is the ORDER of this Court that title to the premises which are the subject of this action is vested absolutely in Plaintiffs. Said property is situated in the Borough of Curwensville, Clearfield County, Pennsylvania and is more particularly described as follows:

BEGINNING at an iron pin set on the edge of Bailey Road in the Eastern half of the Patton Addition, said pin designating the line between Lot 90 and 91. Said pin is also located South twenty-seven (27°) degrees twenty-three (23') minutes sixteen (16'') seconds West two hundred (200) feet from the Southeast intersection of Bailey Road and West Street; thence along Lot 90 south sixty-two (62°) degrees thirty-six (36') minutes forty-four (44'') seconds East one

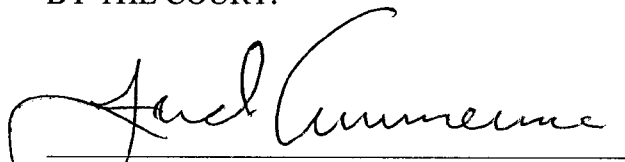
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Said description encompasses seventy-five hundred (7,500) square feet, being Lot No. 91 in the Eastern Section of the Charles Patton Addition to the Second Ward of the Borough of Curwensville. Said description is further illustrated on a plat of survey made by Robert L. Kester, P.L.S., dated September 2, 1986, a copy of which is attached to the deed referenced herein below and filed in the Office of the Recorder of Deeds for Clearfield County. The bearings used are current magnetic bearings, and do not coincide with the bearings of the original Patton Addition, although the lines designated do coincide with the lines as shown on the Patton Addition to the Borough of Curwensville.

BEING the same premises conveyed to Dean D. Lansberry and Linda S. Lansberry, husband and wife, by deed of Marc R. Daniels and Lorraine Daniels, husband and wife, dated October 15, 1986 and recorded at Clearfield County Deed and Record Book 1118, Page 83.

It is further ORDERED that the Defendants, their heirs, executors, administrators, successors and assigns, are forever barred from asserting any right, title, lien or interest in the said premises inconsistent with the interest of Plaintiffs as set forth in their Complaint, unless the Defendants take such action as this Order directs within thirty (30) days thereafter. If such action is not taken within thirty days, the Prothonotary on Praecipe of the Plaintiffs shall enter final judgment. Defendants shall file an Answer within thirty (30) days of date hereof or judgment shall be entered in accordance with this Order.

BY THE COURT:



Judge

FILED

JUL 29 2004

**William A. Shaw
Prothonotary/Clerk of Courts**

CLEARFIELD, PENNSYLVANIA 16830

P. O. BOX 1

15 NORTH FRONT STREET

ATTORNEYS AT LAW

BELIN & KUBISTA

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

DEAN D. LANSBERRY and
LINDA S. LANSBERRY, husband
and wife,

Plaintiffs

vs.

CHARLES E. PATTON and
M.B. PATTON, also known as MARY B.
PATTON, husband and wife, both
deceased, and JOHN W. PATTON,
REBECCA PATTON, and HONORA
JANE WHITE, their heirs, executors,
administrators and assigns, and
all other persons, corporations,
associations, or other entities claiming
title under them,

Defendants

NO. 04 – 853 - C.D.

ACTION TO QUIET TITLE

PRAECIPE FOR FINAL JUDGMENT

Filed on behalf of
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED
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William A. Shaw
Prothonotary/Clerk of Courts

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

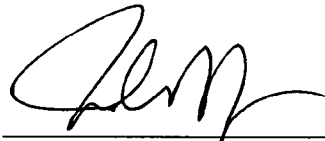
DEAN D. LANSBERRY and	:	NO. 04 – 853 - C.D.
LINDA S. LANSBERRY, husband	:	
and wife,	:	ACTION TO QUIET TITLE
Plaintiffs	:	
	:	
vs.	:	
	:	
CHARLES E. PATTON and	:	
M.B. PATTON, also known as MARY B.	:	
PATTON, husband and wife, both	:	
deceased, and JOHN W. PATTON,	:	
REBECCA PATTON, and HONORA	:	
JANE WHITE, their heirs, executors,	:	
administrators and assigns, and	:	
all other persons, corporations,	:	
associations, or other entities claiming	:	
title under them,	:	
Defendants	:	

PRAECIPE FOR FINAL JUDGMENT

TO: PROTHONOTARY, CLEARFIELD COUNTY

Please enter final judgment against the Defendants in the above-captioned case for failure to comply with the Order of Court directing Defendants to file a responsive pleading within thirty (30) days from the entry of Order of Judgment in favor of Plaintiffs.

BELIN & KUBISTA



By: John R. Ryan
Attorney for Plaintiffs

BELIN & KUBISTA

ATTORNEYS AT LAW

15 NORTH FRONT STREET

P. O. BOX 11

CLEARFIELD, PENNSYLVANIA 16830

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SEP 01 2004

William A. Shaw

Prothonotary/Clerk of Courts