

04-858-CD  
DENNIS J. FYF, et al.

vs.

MARY F. WYATT

**Dennis Fye et al vs Mary Wyatt  
2004-858-CD**

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

**DENNIS J. FYE and  
VALERIE J. FYE, husband and wife,  
Plaintiffs,**

VS.

**MARY E. WYATT, her heirs,  
executors, administrators, successors and  
assigns, and all other persons or entities in  
interest, known or unknown, claiming by  
and through or under her,**

\*  
\*  
\*  
\*  
\*  
\* No. 04-858-CD

**\* ACTION TO QUIET TITLE**

\* \* \* \* \*

**\*Type of Pleading: COMPLAINT**

\*

\* Filed on behalf of : PLAINTIFFS

\* DENNIS J. FYE  
\* VALERIE J. FYE

\* Counsel of Record for Plaintiff:  
\* BARBARA J. HUGNEY-SHOPE, ESQ.  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* (814) 765-5155

FILED

JUN 11 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,

Plaintiffs,

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\* NO. 04-

-CD

vs.

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Defendant

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**NOTICE TO DEFEND**

You have been sued in Court. If you wish to defend against these 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  
1 North Second Street  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5982

*Barbara J. Hugney-Shope*  
Barbara J. Hugney-Shope, Esquire  
Attorney for Plaintiffs

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

<b>DENNIS J. FYE and VALERIE J. FYE, husband and wife, Plaintiffs,</b>	*
	*
	*
	*
	*
<b>vs.</b>	<b>* No. 04- -CD</b>
	*
	<b>* ACTION TO QUIET TITLE</b>
<b>MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her, Defendants.</b>	*
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**C O M P L A I N T**

AND NOW, come the Plaintiffs, DENNIS J. FYE and VALERIE J. FYE, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file the following Complaint in Quiet Title against the Defendants and in support aver as follows:

1. That the Plaintiffs, Dennis J. Fye and Valerie J. Fye, are husband and wife, with an address of P.O. Box 67, Bigler, Clearfield County, Pennsylvania 16825.
2. The Defendant, Mary E. Wyatt, her heirs, executors, administrators, successors and assigns, and all persons or entities in interest, known or unknown, claiming by and through or under her are believed to be individuals and their last known addresses are unknown.

3. By Deed dated August 6, 1949, Kenneth P. Knepp and Jamie Knepp, his wife, conveyed to Mary E. Wyatt, a parcel described as Lot No. 14 in the map prepared by the Williams Grove Clay Products Company dated July 7, 1944, and containing .29 acres as recorded in Clearfield County Deed Book 400, page 142, and described as follows:

ALL that certain piece or parcel of land situate, lying and being in Bigler, Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the East side of the road (now known as Williams Street) and at the southwest corner of Parcel No. 13; thence along the south line of Parcel No. 13 South seventy-four (74) degrees thirteen (13) minutes East a distance of two hundred fifty (250) feet, more or less, to the centerline of Roaring Run; thence in a southerly direction up Roaring Run a distance of fifty (50) feet, more or less, to a point; thence along other land now or formerly of the Williamsgrove Clay Products Company North seventy-four (74) degrees thirteen (13) minutes West a distance of two hundred fifty-six (256) feet, more or less, to a point on the East side of the road; thence along said road North fifteen (15) degrees forty-seven (47) minutes East a distance of forty-nine and three-tenths (49.3) feet to a point and the place of beginning. Containing twenty-nine hundredths (.29) of an acre. The herein described piece of land being Parcel No. 14 as shown on the map prepared by the Williamsgrove Clay Products Company dated July 7, 1944.

BEING identified in the Clearfield County Mapping and Assessment Office as a portion of Map No. 106-N9-593-1.

4. The said Mary E. Wyatt was believed to be a widow as indicated in a subsequent deed where she conveyed a different parcel of land.

5. That property assessed in the name of Mary E. Wyatt was sold to the County Commissioners by the Clearfield County Treasurer by Deed dated October 30, 1967, as a cottage and 0.29 acres for failure to pay taxes in 1965.

6. A Treasurer's Deed dated December 12, 1967, and recorded in Clearfield County Deeds and Records Book Volume 571, page 694, confirmed the sale of the property to Donald R. Mikesell that was described as that formerly assessed to Mary E. Wyatt and described as a cottage and .29 A.

7. Thereafter, this same parcel was sold by Donald R. Mikesell and Ann B. Mikesell to Jack C. Morris and Gloria J. Morris by their Deed dated April 24, 1972, and recorded in Clearfield County Deed Book 593, page 301.

8. The said Jack C. Morris and Gloria J. Morris subsequently conveyed the above-described parcel to Daniel H. Knepp and Sandra K. Knepp by their Deed dated November 15, 1982, and recorded in Clearfield County Deed Book 866, page 59 wherein this parcel is identified as The Second Thereof.

9. The parcel of land described in Paragraph 3 above was subsequently conveyed as The Third Thereof in the Deed from Daniel H. Knepp and Sandra Knepp, also known as Sandra K. Knepp, to Daniel H. Knepp, individually, by their Deed dated December 16, 1988, and recorded in Clearfield County Deed Book 1260, page 26.

10. Daniel H. Knepp, an individual, then conveyed the parcel described in Paragraph 3 above identified as The Third Thereof in his deed to Daniel H. Knepp and Lois A. Knepp by his Deed dated July 21, 1994, and recorded in Clearfield County Deeds and Records Book 1620, page 184.

11. Daniel H. Knepp and Lois A. Knepp conveyed the parcel described in Paragraph 3 above to the Plaintiffs, Dennis J. Fye and Valerie J. Fye by their Deed dated December 9, 1999, and recorded in Clearfield County as Instrument No. 199920188.

12. That from 1972, Plaintiffs and their predecessors in title to the present have exercised open, notorious and hostile possession and control over the parcel described in Paragraph 3 above to the exclusion of all others.

13. That since 1972, the Plaintiffs and their predecessors in title have paid all tax assessments on the parcel described in Paragraph 3 of this Complaint.

14. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel described in Paragraph 3 of this Complaint due to any irregularities in the chain of title because of the tax sale in 1967, and possible adverse interests of named Defendants, their heirs, successors and assigns.

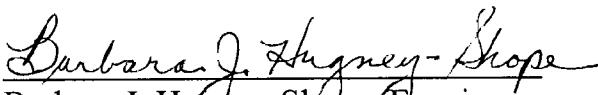
15. That at no time have any of the herein named Defendants attempted to secure possession of the said premises, contest the title of the Plaintiffs or their

predecessors in title or assist in the maintenance, repair or improvement of the premises hereinbefore described nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

- (a) That the Defendants be forever barred from asserting any right, title, lien or interest in the Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action of ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;
- (b) That the Plaintiffs be decreed as the sole owners and be entitled to exclusive possession of the premises described in the foregoing Complaint;
- (c) That the Court make such further orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them appropriate relief.

Respectfully submitted,

  
Barbara J. Hugney-Shepe, Esquire  
Attorney for Plaintiffs

VERIFICATION

We verify that the statements made in the foregoing Complaint are true and correct. We understand that false statements herein made are subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Dennis J. Fye  
Dennis J. Fye

Valerie J. Fye  
Valerie J. Fye

Dated: 04-16-04, 2004

BARBRA J. HUGNEY-SHOPPE  
23, N. Second Street  
Attorney-at-Law  
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LAW

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife, PLAINTIFFS

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MARY E. WYATT, her heirs, executors and administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her,  
DEFENDANT.

**COMPLAINT**

FILED  
APR 29 2011  
SAC 112004  
44C Atty Shope  
Atty Shope  
95.00

BENEFICARY : Clerk of Courts

BARBARA J. HUGNEY-SHOPE  
Attorney-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 765-5155  
FAX (814) 765-2957

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife, \*  
Plaintiffs, \*  
vs. \* NO. 04-858-CD  
\*  
\* ACTION FOR QUIET TITLE  
\*  
\*  
MARY E. WYATT, her heirs, executors,  
administrators, successors and assigns, and \*  
all other persons or entities in interest, known \*  
or unknown, claiming by and through or under \*  
her, \*  
Defendant \*  
\*  
\* Type of Case: QUIET TITLE ACTION  
\*  
\* WHEREABOUTS ARE UNKNOWN  
\*  
\*  
\* Filed on behalf of: PLAINTIFFS  
\* DENNIS J. FYE and VALERIE J.  
\* FYE, husband and wife,  
\*  
\* Counsel of record for Plaintiffs:  
\*  
\* BARBARA J. HUGNEY-SHOPE, ESQ.  
\* Supreme Court I. D. No. 26274  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* (814) 765-5155

RECEIVED

JUN 15 2004

PROTHONOTARY'S OFFICE  
CLEARFIELD COUNTY, PA

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife, \*  
Plaintiffs, \* NO. 04- 858 -CD  
vs. \* ACTION TO QUIET TITLE  
MARY E. WYATT, her heirs, executors, \*  
administrators, successors and assigns, \*  
and all other persons or entities in interest, \*  
known or unknown, claiming by and \*  
through or under her, \*  
Defendant \*

**AFFIDAVIT THAT THE DEFENDANT'S OR  
DEFENDANTS' WHEREABOUTS ARE UNKNOWN**

Before me, the undersigned officer, personally appeared Barbara J. Hugney-Shope, Esquire, attorney for the above-named Plaintiffs, Dennis J. Fye and Valerie J. Fye, husband and wife, and being authorized to do so, declares that MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her, are either deceased or their present whereabouts are unknown to the Plaintiffs.

Plaintiffs and the undersigned, their attorney, have made an investigation to locate these named Defendants by checking tax records of Clearfield County, review of telephone directories in the area, attempting service by the Sheriff of Clearfield County, and none of these Defendants have

been located by the Sheriff as indicated on his return as "Not Found" to be filed in this case.

Respectfully submitted,

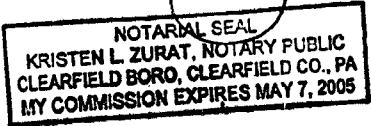
Barbara J. Hugney-Shope  
Barbara J. Hugney-Shope, Esquire  
Attorney for Plaintiffs

SWORN to and subscribed

before me this 15<sup>th</sup> day

of June, 2004.

Kristen L. Zurat  
Notary Public



Barbara J. Hugney-Shope  
Attny-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
Clerk of Court  
23 N. Second Street  
Attny-at-Law  
Barbara J. Hugney-Shope

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

No. 04-858-CD

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife, "PLAINTIFFS",

vs.

MARY E. WYATT, her heirs, executors,  
administrators, successors and  
assigns, and all other persons or  
entities in interest, known or  
unknown, claiming by and through  
or under her,  
"DEFENDANT",

AFFIDAVIT THAT DEFENDANT'S OR  
DEFENDANTS' WHEREABOUTS ARE  
UNKNOWN

FILED  
01/15/2004 AMY SHOPE  
JUN 15 2004  
Barbara J. Hugney-Shope  
Attny-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 765-5155  
FAX (814) 765-2957

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

**DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,**

Plaintiffs,

vs.

**MARY E. WYATT, her heirs, executors,  
administrators, successors and assigns, and  
all other persons or entities in interest, known  
or unknown, claiming by and through or under  
her,**

Defendant

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**NO. 04-858-CD**

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**ACTION FOR QUIET TITLE**

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**\*Type of Case: QUIET TITLE ACTION**

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**\* Type of Pleading: MOTION AND  
\* ORDER**

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**\* Filed on behalf of: PLAINTIFFS**

**\* DENNIS J. FYE and VALERIE J.  
\* FYE, husband and wife,**

\*

**\* Counsel of record for Plaintiffs:**

\*

**\* BARBARA J. HUGNEY-SHOPE, ESQ.**

**\* Supreme Court I. D. No. 26274**

**\* 23 North Second Street**

**\* Clearfield, PA 16830**

**\* (814) 765-5155**

**FILED**

**JUN 15 2004**

William A. Shaw  
Prothonotary Clerk of Courts

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

DENNIS J. FYE and VALERIE J. FYE, husband and wife,	*	
	*	
Plaintiffs,	*	NO. 04-858 -CD
	*	
vs.	*	<b>ACTION TO QUIET TITLE</b>
	*	
MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her,	*	
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	*	
	*	
	*	
	*	
Defendant	*	

## **MOTION FOR LEAVE TO SERVE BY PUBLICATION**

**AND NOW**, to wit: this 15<sup>th</sup> day of June, 2004, an Affidavit having been executed and filed on behalf of Plaintiffs that the whereabouts of MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her, are unknown, the Plaintiffs by their attorney, Barbara J. Hugney-Shope, Esquire, move the Court for leave to serve the Complaint on this Defendant, her heirs, executors, administrators, successors and assigns, and all other persons or entities, known or unknown, claiming by and through or under her, by publication in The Progress of Clearfield, Pennsylvania, a newspaper of general circulation, and in the Clearfield County Legal Journal.

Respectfully submitted,

Barbara J. Hugney Shope  
Barbara J. Hugney Shope, Esquire  
23 North Second Street  
Clearfield, PA 16830  
Attorney for Plaintiffs

ENT-300  
011:55:04  
JUN 15 2004  
Amy Shope  
Preston Hall Library  
West Virginia University

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,

Plaintiffs,

\*

\*

NO. 04- 858 -CD

vs.

ACTION TO QUIET TITLE

MARY E. WYATT, her heirs, executors,  
administrators, successors and assigns,  
and all other persons or entities in interest,  
known or unknown, claiming by and  
through or under her,

Defendant

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FILED

JUN 17 2004

William A. Shaw  
Prothonotary Clerk of Courts

ORDER FOR PUBLICATION

AND NOW, to wit, this 16<sup>th</sup> day of June, 2004, upon consideration of the foregoing Motion and Affidavit of Barbara J. Hugney-Shope, Attorney for Plaintiffs, that the current whereabouts of MARY E. WYATT, her heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her, are unknown, and that a good-faith effort has been made pursuant to P.A.R.C.P. 430 to locate them, their heirs, successors and assigns, and that any heirs, successors and assigns are unable to be located, Plaintiffs are hereby granted leave to make service of the Complaint on all parties in interest in the property who cannot be personally served, and such heirs, executors, successors and assigns of Defendants who are presently not of record and cannot be determined after due investigation, by publication one (1) time in The Progress of Clearfield, Pennsylvania, being a newspaper of general circulation in the County of Clearfield, Pennsylvania, and in the Clearfield County Legal Journal, with publication to appear not less than twenty (20) days prior to the 16<sup>th</sup> day of July, 2004, the date set for hearing

on said Complaint, at 9:30 o'clock A.M., in Court Room No. 1 in the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

  
\_\_\_\_\_  
JUDGE

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of 9:23 AM  
JUN 17 2004  
3cc  
44g shape  
William A. Smith  
Prothonotary Clerk of Courts

BARBARA J. HUGNEY-SHOPE  
Attnomey-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
Clerfield, PA 16830  
23 N. Second Street  
Attnomey-at-Law

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

No. 04-858-CD

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife, "PLAINTIFF'S"  
vs.

MARY E. WAIT, her heirs, executors,  
administrators, successors and  
assigns, and all other persons or  
entities in interest, known or  
unknown, claiming by and through  
or under her, "DEFENDANT"

MOTION AND ORDER

11:53 AM 301 to  
JUN 15 2004  
outgoing

WILLING  
ATTORNEY  
PROSECUTOR

BARBARA J. HUGNEY-SHOPE  
Attnomey-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 745-5155  
FAX (814) 763-2957

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

FYE, DENNIS J. & VALERIE J.

Sheriff Docket # 15770

VS.

04-858-CD

WYATT, MARY E. her heirs, executors, adm. successors al

**COMPLAINT ACTION TO QUIET TITLE**

**SHERIFF RETURNS**

NOW JULY 14, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT ACTION TO QUIET TITLE "NOT FOUND" AS TO MARY E. WAYATT, heirs et al, DEFENDANT.

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**Return Costs**

Cost	Description
14.37	<b>SHERIFF HAWKINS PAID BY: ATT CK#6068</b>
10.00	<b>SURCHARGE PAID BY: ATTY CK# 6069</b>

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Sworn to Before Me This

14<sup>th</sup> Day Of July 2004  
William A. Shaw  
BS

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

So Answers,

*Chester A. Hawkins*  
*by Marylyn Haskin*  
Chester A. Hawkins  
Sheriff

FILED  
01/10/17 PBI  
JUL 14 2004  
ES

William A. Shaw  
Prothonotary Clerk of Courts

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

**DENNIS J. FYE and  
VALERIE J. FYE, husband and wife,  
Plaintiffs,**

VS.

**MARY E. WYATT, her heirs,  
executors, administrators, successors and  
assigns, and all other persons or entities in  
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and through or under her,**

## Defendants.

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**\* ACTION TO QUIET TITLE**

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**\*Type of Pleading: COMPLAINT**

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\* Filed on behalf of : PLAINTIFFS

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DENNIS J. FYE

## VALERIE J. FYE

\*

**\* Counsel of Record for Plaintiff:**

\*

\* 23 North Second Street

\* Clearfield, PA 16830

\* (814) 765-5155

I hereby certify this to be a true and attested copy of the original statement filed in this case.

JUN 11 2004

**Attest**

*William L. Shaw*  
Prothonotary/  
Clerk of Courts

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,

Plaintiffs,

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\* NO. 04-

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vs.

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\* **ACTION TO QUIET TITLE**

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MARY E. WYATT, her heirs, executors,  
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Defendant

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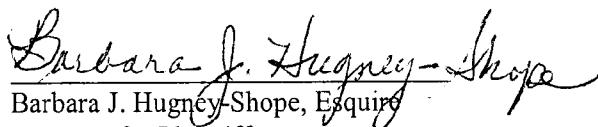
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Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5982

  
Barbara J. Hugney-Shope, Esquire

Attorney for Plaintiffs

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

**DENNIS J. FYE and  
VALERIE J. FYE, husband and wife,  
Plaintiffs,**

**vs.**

**MARY E. WYATT, her heirs,  
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and through or under her,  
Defendants.**

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\* No. 04- -CD  
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\* ACTION TO QUIET TITLE  
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**C O M P L A I N T**

AND NOW, come the Plaintiffs, DENNIS J. FYE and VALERIE J. FYE, who by and through their attorney, BARBARA J. HUGNEY-SHOPE, ESQUIRE, file the following Complaint in Quiet Title against the Defendants and in support aver as follows:

1. That the Plaintiffs, Dennis J. Fye and Valerie J. Fye, are husband and wife, with an address of P.O. Box 67, Bigler, Clearfield County, Pennsylvania 16825.
2. The Defendant, Mary E. Wyatt, her heirs, executors, administrators, successors and assigns, and all persons or entities in interest, known or unknown, claiming by and through or under her are believed to be individuals and their last known addresses are unknown.

3. By Deed dated August 6, 1949, Kenneth P. Knepp and Jamie Knepp, his wife, conveyed to Mary E. Wyatt, a parcel described as Lot No. 14 in the map prepared by the Williams Grove Clay Products Company dated July 7, 1944, and containing .29 acres as recorded in Clearfield County Deed Book 400, page 142, and described as follows:

ALL that certain piece or parcel of land situate, lying and being in Bigler, Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the East side of the road (now known as Williams Street) and at the southwest corner of Parcel No. 13; thence along the south line of Parcel No. 13 South seventy-four (74) degrees thirteen (13) minutes East a distance of two hundred fifty (250) feet, more or less, to the centerline of Roaring Run; thence in a southerly direction up Roaring Run a distance of fifty (50) feet, more or less, to a point; thence along other land now or formerly of the Williamsgrove Clay Products Company North seventy-four (74) degrees thirteen (13) minutes West a distance of two hundred fifty-six (256) feet, more or less, to a point on the East side of the road; thence along said road North fifteen (15) degrees forty-seven (47) minutes East a distance of forty-nine and three-tenths (49.3) feet to a point and the place of beginning. Containing twenty-nine hundredths (.29) of an acre. The herein described piece of land being Parcel No. 14 as shown on the map prepared by the Williamsgrove Clay Products Company dated July 7, 1944.

BEING identified in the Clearfield County Mapping and Assessment Office as a portion of Map No. 106-N9-593-1.

4. The said Mary E. Wyatt was believed to be a widow as indicated in a subsequent deed where she conveyed a different parcel of land.

5. That property assessed in the name of Mary E. Wyatt was sold to the County Commissioners by the Clearfield County Treasurer by Deed dated October 30, 1967, as a cottage and 0.29 acres for failure to pay taxes in 1965.

6. A Treasurer's Deed dated December 12, 1967, and recorded in Clearfield County Deeds and Records Book Volume 571, page 694, confirmed the sale of the property to Donald R. Mikesell that was described as that formerly assessed to Mary E. Wyatt and described as a cottage and .29 A.

7. Thereafter, this same parcel was sold by Donald R. Mikesell and Ann B. Mikesell to Jack C. Morris and Gloria J. Morris by their Deed dated April 24, 1972, and recorded in Clearfield County Deed Book 593, page 301.

8. The said Jack C. Morris and Gloria J. Morris subsequently conveyed the above-described parcel to Daniel H. Knepp and Sandra K. Knepp by their Deed dated November 15, 1982, and recorded in Clearfield County Deed Book 866, page 59 wherein this parcel is identified as The Second Thereof.

9. The parcel of land described in Paragraph 3 above was subsequently conveyed as The Third Thereof in the Deed from Daniel H. Knepp and Sandra Knepp, also known as Sandra K. Knepp, to Daniel H. Knepp, individually, by their Deed dated December 16, 1988, and recorded in Clearfield County Deed Book 1260, page 26.

10. Daniel H. Knepp, an individual, then conveyed the parcel described in Paragraph 3 above identified as The Third Thereof in his deed to Daniel H. Knepp and Lois A. Knepp by his Deed dated July 21, 1994, and recorded in Clearfield County Deeds and Records Book 1620, page 184.

11. Daniel H. Knepp and Lois A. Knepp conveyed the parcel described in Paragraph 3 above to the Plaintiffs, Dennis J. Fye and Valerie J. Fye by their Deed dated December 9, 1999, and recorded in Clearfield County as Instrument No. 199920188.

12. That from 1972, Plaintiffs and their predecessors in title to the present have exercised open, notorious and hostile possession and control over the parcel described in Paragraph 3 above to the exclusion of all others.

13. That since 1972, the Plaintiffs and their predecessors in title have paid all tax assessments on the parcel described in Paragraph 3 of this Complaint.

14. That this Quiet Title Action is necessary to remove any cloud on Plaintiffs' title to the parcel described in Paragraph 3 of this Complaint due to any irregularities in the chain of title because of the tax sale in 1967, and possible adverse interests of named Defendants, their heirs, successors and assigns.

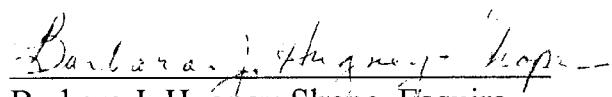
15. That at no time have any of the herein named Defendants attempted to secure possession of the said premises, contest the title of the Plaintiffs or their

predecessors in title or assist in the maintenance, repair or improvement of the premises hereinbefore described nor have they asserted any interest adverse to the Plaintiffs by any legal action.

WHEREFORE, Plaintiffs request:

- (a) That the Defendants be forever barred from asserting any right, title, lien or interest in the Plaintiffs' land inconsistent with the ownership of the Plaintiffs, unless the Defendants bring an action of ejectment against the Plaintiffs for the recovery of the land within thirty (30) days after the entry of judgment of the Court;
- (b) That the Plaintiffs be decreed as the sole owners and be entitled to exclusive possession of the premises described in the foregoing Complaint;
- (c) That the Court make such further orders as may be necessary to establish the legal and valid title of the Plaintiffs and to grant them appropriate relief.

Respectfully submitted,

  
Barbara J. Hugney-Shope, Esquire  
Attorney for Plaintiffs

VERIFICATION

We verify that the statements made in the foregoing Complaint are true and correct. We understand that false statements herein made are subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Dennis J. Fye

Dennis J. Fye

Valerie J. Fye

Valerie J. Fye

Dated: 04-16-04, 2004

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

**DENNIS J. FYE and  
VALERIE J. FYE, husband and wife,  
Plaintiffs,**

VS.

**MARY E. WYATT, her heirs,  
executors, administrators, successors and  
assigns, and all other persons or entities in  
interest, known or unknown, claiming by  
and through or under her,**

\*  
\*  
\*  
\*  
\*  
\* No. 04- 858 -CD

**\* ACTION TO QUIET TITLE**

\* \* \* \* \*

**\*Type of Pleading: AFFIDAVIT**

\* \* \* \*

\* Filed on behalf of : PLAINTIFFS  
\* DENNIS J. FYE  
\* VALERIE J. FYE

\* Counsel of Record for Plaintiff:  
\* BARBARA J. HUGNEY-SHOPE, ESQ.  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* (814) 765-5155

JUL 16 2004

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

**DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,** \*  
Plaintiffs, \*  
\* NO. 04-858-CD  
\*  
**vs.** \* ACTION TO QUIET TITLE  
\*  
**MARY E. WYATT, her heirs, executors,  
administrators, successors and assigns,  
and all other persons or entities in interest,  
known or unknown, claiming by and  
through or under her,** \*  
Defendant \*

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA )  
ss.:  
COUNTY OF CLEARFIELD )

BARBARA J. HUGNEY-SHOPE, ESQUIRE, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiffs in the above-captioned action and makes this affidavit on behalf of Plaintiffs, being authorized to do so; that a Complaint in Action to Quiet Title, endorsed with a Notice to Defend within twenty (20) days from service thereof was served on the Defendant, MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, by having the Sheriff of Clearfield County attempt service which he returned as "not found" as filed in said case and by publication in The Progress of Clearfield,

Pennsylvania, on June 21, 2004, proof of which is attached hereto marked Exhibit "A," and the Clearfield County Legal Journal during the week of June 25, 2004, proof of which is attached hereto, marked Exhibit "B," and these Defendants have not filed an Answer thereto although the time in which to do so has expired.

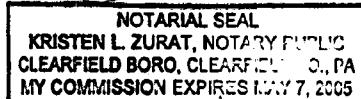
Barbara J. Hugney-Shope  
Barbara J. Hugney-Shope, Esquire  
Attorney for Plaintiffs

SWORN to and subscribed

before me this 16<sup>th</sup> day

of July, 2004.

  
Kristen L. Zurat  
Notary Public



NOTICE  
IN THE COURT  
OF COMMONPLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIV. ACTION-LAW  
DENNIS J. FYE and VALERIE J.  
FYE, husband and wife, Plaintiffs  
vs.  
MARY E. WYATT, her heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her in the property which is set forth in this action.

MARY E. WYATT, her heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her in the property which is set forth in this action.

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 it with the Court and filing a notice of objections to the claims set forth in this complaint within ten (10) days of the date you receive this notice 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 cost requested by the Plaintiff. You may loss money 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  
Second and Market Streets, Clearfield, Pennsylvania 16870, Telephone: (814) 765-2641, Ext. 5262

You are hereby notified that an Action to quiet title to the following premises situated in Bradford Township, Clearfield County, Pennsylvania, has been filed against you. Such premises being more particularly bounded and described as follows:

ALL that certain piece or parcel of land situated, lying and being in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the East side of the road (now known as Williams Street) and at the southwest corner of Parcel No. 13, thence along the south line of Parcel No. 13 South seventy-four (74) degrees thirty (13) minutes East a distance of two hundred fifty (250) feet more or less, to the centerline of Roaring Run; thence in a southwesterly direction up Roaring Run a distance of fifty (50) feet more or less, to a point, thence along other, and now or formerly of the Williamsburg Clay Products Company, North seventy-four (74) degrees thirteen (13) minutes West a distance of two hundred fifty (250) feet, more or less, to a point on the East side of the road; thence along this road, which is one (1) rod, forty seven (47) minutes East a distance of forty nine and three-tenths (47.3) feet to a point and the place of beginning, containing twenty-nine (29) of an acre. The herein described piece of land being Parcel No. 14 as shown on the map prepared by the Williamsburg Clay Products Company, dated July 7, 1914.

BEING identified in the Clearfield County Mapping and Assessment Office as a portion of Map No. 106-N9-593-1.

The purpose of this Quiet Title Action is to extinguish any equity which the Defendants above-named, MARY E. WYATT, her heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her in the property which is set forth in this action.

TAKE NOTICE that the Plaintiffs are the record owners of the land described hereinabove and that they have requested in a complaint filed in Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of all Defendants, their heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her in the property which is set forth in this action.

WHEREFORE, said Court ordered that notice of the said Action and the facts thereto be served on Defendants, MARY E. WYATT, her heirs, executors, administrators, successors, and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her, 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 on the

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : : SS:  
COUNTY OF CLEARFIELD :

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 21, 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.

COMMONWEALTH OF PENNSYLVANIA

My Commission Expires  
October 31, 2007

Exhibit "A"

Notarial Seal  
Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

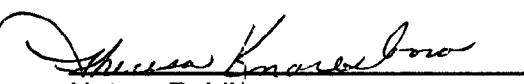
COUNTY OF CLEARFIELD :

On this 13th day of July 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 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.



Theresa C. Knaresboro  
Notary Public

My Commission Expires

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Theresa C. Knaresboro, Notary Public
City Of Dubois, Clearfield County
My Commission Expires Sept. 19, 2007

Member, Pennsylvania Association Of Notaries

Barbara Hugney-Shope  
23 North Second St.  
Clearfield, PA 16830

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

ALL that certain piece or parcel of land situate, lying and being in Bigler, Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the East side of the road (now known as Williams Street) and at the southwest corner of Parcel No. 13; thence along the south line of parcel No. 13 South seventy-four (74) degrees thirteen (13) minutes East a distance of two hundred fifty (250) feet, more or less, to the centerline of Roaring Run; thence in a southerly direction up Roaring Run a distance of fifty (50) feet, more or less, to a point; thence along other land now or formerly of the Williamsgrove Clay Products Company North seventy-four (74) degrees thirteen (13) minutes West a distance of two hundred fifty-six (256) feet, more or less to a point on the East side of the road; thence along said road North fifteen (15) degrees forty-seven (47) minutes East a distance of forty-nine and three-tenths (49.3) feet to a point and the place of beginning. Containing twenty-nine hundredths (.29) of an acre. The herein described piece of land being Parcel No. 14 as shown on the map prepared by the Williamsgrove Clay Products Company dated July 7, 1944.

BEING identified in the Clearfield County Mapping and Assessment Office as a portion of Map No. 106-N9-593-1.

The purpose of this Quiet Title Action is to extinguish any equity which the Defendants above-named, MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her in the property which is set forth in this action.

TAKE NOTICE that the Plaintiffs are the record owners of the land described hereinabove and that they have requested in a complaint filed in Clearfield County, that the Court decree that the title to the same is in them, free and clear of the claims of all Defendants, their heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them.

WHEREFORE, said Court ordered that notice of this said Action and the facts thereto be served on Defendants, MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known

or unknown, claiming by and through or under her, 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 on July 16, at 9:30 A.M., in Courtroom Number 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania 16830.

BARBARA J. HUGNEY-SHOPE, Attorney at Law, 23 North Second Street, Clearfield, PA 16830 (814) 765-5155, Attorney for Plaintiffs.

---

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

DENNIS J. FYE and VALERIE J. FYE, husband and wife, Plaintiffs vs. MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, Defendants

No. 04-858-CD  
ACTION TO QUIET TITLE

TO: MARY E WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them.

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 Plaintiffs. You may lose money 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 Court House, Second and Market Streets, Clearfield, PA 16830 (814) 765-2641. Ext. 5982.

BARBARA J. HUGNEY-SHOPE  
Attorney-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
Clelfieid, PA 16830  
23 N. Second Street  
Attorney-at-Law  
BARBARA J. HUGNEY-SHOPE

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

No. 04-858-CD

DENNIS J. FYE and VALERIE J. FYE,  
PLAINTIFFS

vs.

MARY E. WYATT,  
DEFENDANT

AFFIDAVIT

5/5/04  
4/24  
Aug 5/04  
Barbara J. Hugney-Shope

BARBARA J. HUGNEY-SHOPE  
Attorney-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 765-5155  
FAX (814) 765-2957

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

**DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,**

**Plaintiffs,**

\*

\*

**NO. 04-858-CD**

\*

**vs.**

**ACTION TO QUIET TITLE**

\*

**MARY E. WYATT, her heirs, executors,  
administrators, successors and assigns,  
and all other persons or entities in interest,  
known or unknown, claiming by and  
through or under her,**

**Defendant**

\*

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**JUL 19 2004**

**ORDER OF COURT**

AND NOW, this 16<sup>th</sup> day of July, 2004, an Affidavit having been made that service was made by publication on MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them;

1. By having the Sheriff of Clearfield County attempt service which he returned as "not found" as filed in said case and by publication in the Progress of Clearfield, Pennsylvania, on June 21, 2004, and in the Clearfield County Legal Journal the week of June 25, 2004, and it appearing that it was impossible to serve any of these Defendants by any other means,

IT IS ORDERED AND DECREED, that Defendants file suit in ejectment or otherwise enter a proceeding to contest the case within thirty (30) days, or this Order of Court shall become final upon Praeclipe by Plaintiffs, which hereby Orders and Decrees that title to the land subject of this action is vested absolutely in the Plaintiffs, their heirs and assigns, free and clear of any and all claims of any nature by these Defendants, their heirs, successors or assigns or anyone claiming by, through or under them, and that the Plaintiffs are seized of an indefeasible title to the land situated

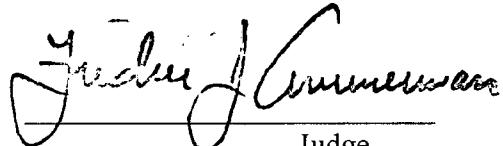
in Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain piece or parcel of land situate, lying and being in Bigler, Bradford Township, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the East side of the road (now known as Williams Street) and at the southwest corner of Parcel No. 13; thence along the south line of Parcel No. 13 South seventy-four (74) degrees thirteen (13) minutes East a distance of two hundred fifty (250) feet, more or less, to the centerline of Roaring Run; thence in a southerly direction up Roaring Run a distance of fifty (50) feet, more or less, to a point; thence along other land now or formerly of the Williamsgrove Clay Products Company North seventy-four (74) degrees thirteen (13) minutes West a distance of two hundred fifty-six (256) feet, more or less, to a point on the East side of the road; thence along said road North fifteen (15) degrees forty-seven (47) minutes East a distance of forty-nine and three-tenths (49.3) feet to a point and the place of beginning. Containing twenty-nine hundredths (.29) of an acre. The herein described piece of land being Parcel No. 14 as shown on the map prepared by the Williamsgrove Clay Products Company dated July 7, 1944.

BEING identified in the Clearfield County Mapping and Assessment Office as a portion of Map No. 106-N9-593-1 and being the same premises conveyed to the Plaintiffs by Deed of Daniel H. Knepp and Lois A. Knepp, dated December 9, 1999, and recorded in the Office of the Recorder of Deeds of Clearfield County at Instrument Number 199920188.

BY THE COURT,



J. Charles J. Cumeras  
Judge

BARBARA J. HUGNEY-SHOPE  
Atterbury-at-Law  
23 N. Second Street  
Clearfield, Pa 16830

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CIVIL DIVISION

No. 04-858-CD

DENNIS J. FYE and VALERIE J. FYE,  
PLAINTIFFS

58

MARY E. WYATT,  
DEFENDANT

## ORDER

**BARBARA J. HUGNEY-SHOPEE**  
Attorney-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 765-5155

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

**DENNIS J. FYE and  
VALERIE J. FYE, husband and wife,  
Plaintiffs,**

VS.

**MARY E. WYATT, her heirs,  
executors, administrators, successors and  
assigns, and all other persons or entities in  
interest, known or unknown, claiming by  
and through or under her,**

## Defendants.

\*  
\*  
\*  
\*  
\*  
\* No. 04-858 -CD

**\* ACTION TO QUIET TITLE**

\* \* \* \* \*

**\*Type of Pleading: MOTION**

\*

**\* Filed on behalf of : PLAINTIFFS**

\* DENNIS J. FYE  
\* VALERIE J. FYE

\*

\* Counsel of Record for Plaintiff:  
\* BARBARA J. HUGNEY-SHOPE, ESQ.  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* (814) 765-5155

JUL 16 2004

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

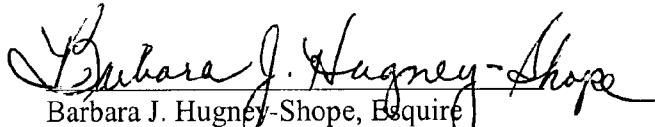
DENNIS J. FYE and VALERIE J. FYE, husband and wife,	*
	*
Plaintiffs,	*
	NO. 04-858-CD
	*
vs.	*
	<b>ACTION TO QUIET TITLE</b>
	*
MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under her,	*
	*
Defendant	*
	*

**MOTION FOR JUDGMENT**

NOW, this 1<sup>st</sup> day of July, 2004, an Affidavit having been filed by the Plaintiffs, Dennis J. Fye and Valerie J. Fye, through their attorney, Barbara J. Hugney-Shope, Esquire, that the Complaint with Notice to Defend was served on the Defendants, MARY E. WYATT, her heirs, executors, administrators, successors and assigns, and all other persons or entities in interest, known or unknown, claiming by and through or under them, by publication and these Defendants having failed to answer or enter an appearance, the Plaintiffs, by their attorney, Barbara J. Hugney-Shope, Esquire, moves the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above-captioned case and to grant to the Plaintiffs the relief prayed for in accordance with the Pennsylvania Rules of civil Procedure 1066. Plaintiffs further request that the Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Pennsylvania 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,



Barbara J. Hugney-Shope  
Barbara J. Hugney-Shope, Esquire  
Attorney for Plaintiffs

BARBARA J. HUGNEY-SHOPE  
Attoomey-at-Law  
23 N. Second Street  
Clearfield, PA 16830

Clearfield, PA 16830  
23 N. Second Street

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

NO. 04-858-CD

DENNIS J. FYE and VALERIE J. FYE,  
PLAINTIFFS,

vs.

MARY E. WYATT,  
DEFENDANT

MOTION FOR JUDGMENT

cc  
4/19/06  
4495100, PC

BARBARA J. HUGNEY-SHOPE  
Attoomey-at-Law  
23 N. Second Street  
Clearfield, PA 16830  
(814) 765-5155  
FAX (814) 765-2957

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

DENNIS J. FYE and VALERIE J. FYE,  
husband and wife,

Plaintiffs,

\*

\*

\* NO. 04-858-CD

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vs.

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