

04-864-CD  
TN RE: CONDEMNATION BY THE BOROUGH COUNCIL OF WESTOVER

**In RE: Westover Borough  
2004-864-CD**

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

IN RE: CONDEMNATION BY : NO. 2004-864-CD  
BOROUGH COUNCIL OF THE :  
BOROUGH OF WESTOVER OF : Type of Case: CIVIL ACTION  
PROPERTIES LOCATED IN :  
WESTOVER BOROUGH, CLEARFIELD : Type of Pleading:  
COUNTY, PENNSYLVANIA :  
: **Declaration of Taking**  
:  
:  
: Filed on Behalf of:  
: Westover Borough  
:  
: Counsel of Record for this party:  
:  
: Ann B. Wood, Esquire  
:  
: Supreme Court No. 23364  
:  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
:  
: (814) 765-5537  
:  
:  
:  
:

FILED

JUN 14 2004

William A. Shaw  
Prothonotary Clerk of Courts

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \* No.2004- -CD  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*  
\*

**DECLARATION OF TAKING**

NOW COMES the Borough Council of the Borough of Westover and files the following Declaration Of Taking:

1. The Condemnor is the Borough of Westover, a municipal corporation and body politic, created and existing under the laws of the Commonwealth of Pennsylvania with its mailing address of P.O. Box 199, Westover, PA 16692.
2. This condemnation is authorized by the Borough Code Act of February 1, 1966, P.L. (1965) - No. 581, §1501 (53 P.S. §46501).
3. This Declaration Of Taking was authorized by Resolution duly passed by the Borough Council of the Borough of Westover at a meeting held on June 8, 2004. The record thereof, including a copy of the Resolution may be examined by contacting the Borough Secretary at P.O. Box 199, Westover, Pennsylvania 16682.
4. The purpose of this condemnation is to acquire property interests for the construction, operation and maintenance of a sewer system and related facilities to be constructed, operated and maintained by the Borough of Westover.

5. The properties condemned are as shown on Plans thereof annexed to this Declaration Of Taking as a part hereof, which properties are identified by the following map numbers and owner(s) as known to the Borough.

5.A Permanent easements in, to, over and through the following described property shall be condemned:

<u>ASSESSMENT MAP</u>	<u>RECORD OR REPUTED OWNER(S)</u>
#20-E17-8	Claude Corson (Deceased)
#20-E17-358-71	Eric J. Henico
#20-E17-4	Arthur A. Kitchen and Bertha D. Kitchen
#20-E17-356-4	Edwin R. Neff and Kay L. Neff
#20-E17-358-27	Mary L. Roland
#20-E17-13	Ronald Brian Whiteford
#20-E17-356-13	James B. Kitchen and Erda Ruth Kitchen

Copies of the Plans annexed hereto are also being lodged for record concurrent with the filing herewith in the Office of the Recorder of Deeds of Clearfield County in accordance with Section 404 of the Eminent Domain Code, Act of June 22, 1964, Sp. Sess., P.L. 84, Art. IV Section 404, as amended, Act of December 5, 1969, P.L. 316, Section 1 and Act of December 29, 1971, P.L. 636, No.169 Section 2, 26 P.S. Section 1-404.

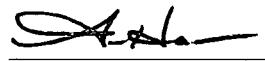
6. The nature of the title acquired in and to the properties described in Paragraph 5A hereof is a permanent and sufficient easement, right-of-way, rights, and privileges for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and

removing sewage facilities over, across, upon and through the easement area as shown on the Plans, with the right to use so much of the surface of the property as may be reasonably necessary to construct and install within the easement and right-of-way the facilities to be constructed as well as the right to ingress and egress over the property for maintenance of the facilities within the easement and right-of-way condemned.

7. The construction Plans of the Borough showing the facilities to be constructed and installed as well as the condemned properties may be inspected by contacting the Borough Secretary at P.O. Box 199, Westover, Pennsylvania, 16692.

8. Just compensation for this condemnation is secured by the taxing power of the Borough of Westover, in accordance with Section 403 of the Eminent Domain Code, 26 P.S. Section 1-403(b).

Attest:

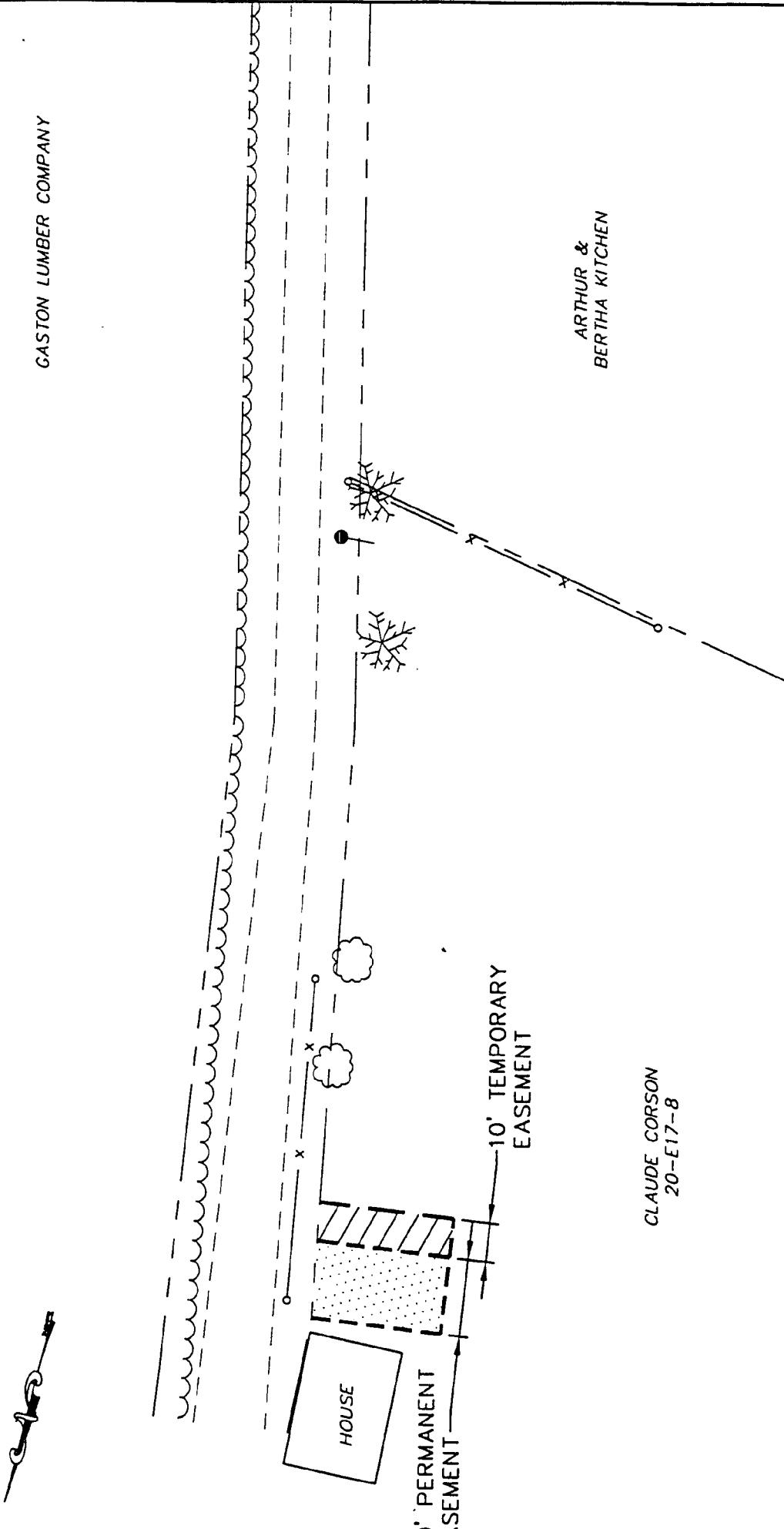


Secretary

BOROUGH OF WESTOVER  
BOROUGH COUNCIL

By:   
President

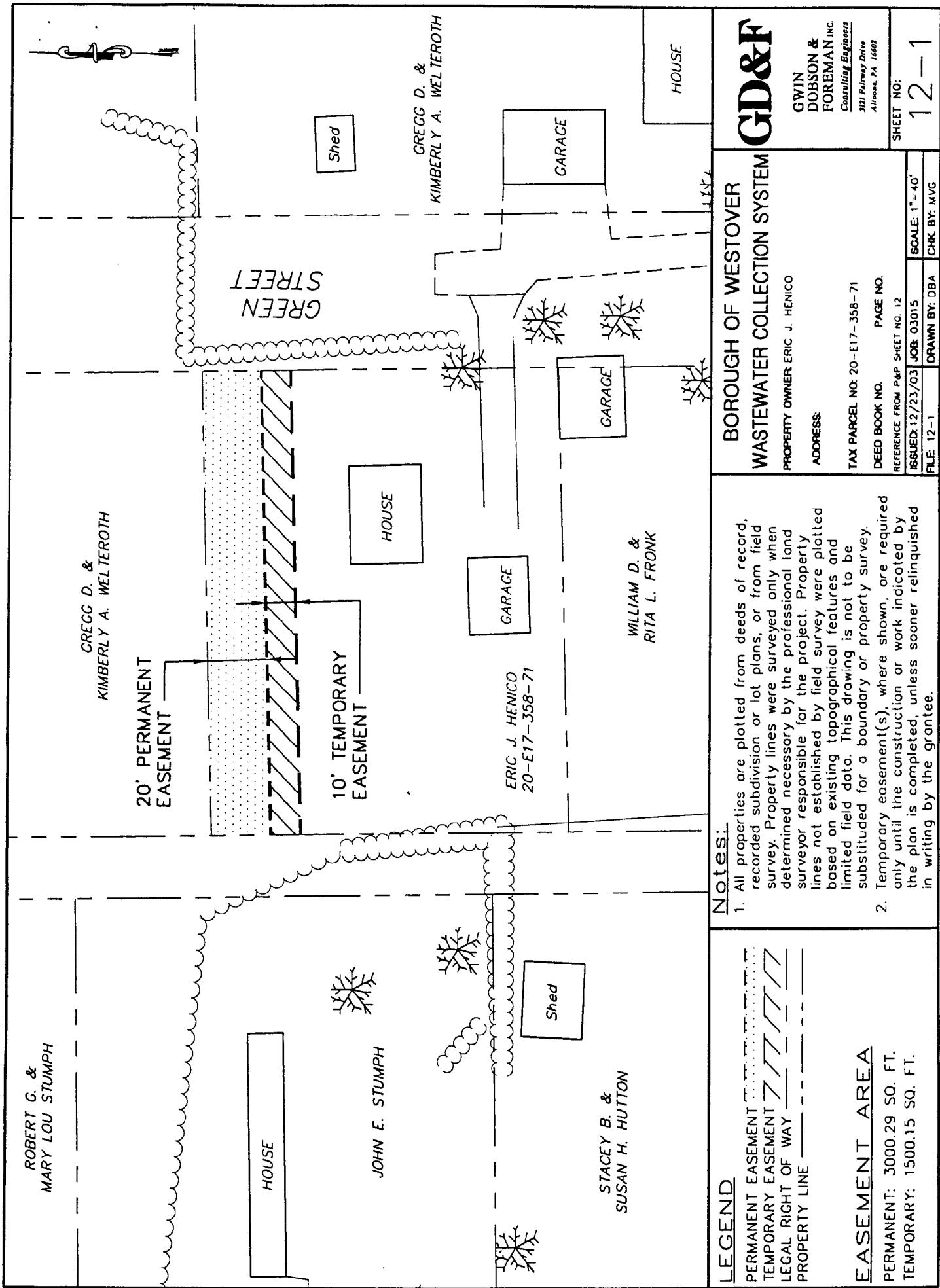
CASTON LUMBER COMPANY

**GD&F**GWIN  
DOBSON &  
FOREMAN INC.  
*Consulting Engineers*  
1211 Ferryway Drive  
Altoona, PA 16602

SHEET NO:

32 - 1

DEED BOOK NO.	PAGE NO.
REFERENCE FROM P&P	SHEET NO. 32
ISSUED: 12/24/03	JOB: 03015
FILE: 32-1	SCALE: 1" = 40'
DRAWN BY: DBA	
CHK BY: MVC	



ARTHUR &  
BERTHA KITCHEN  
20-E17-4

20' PERMANENT  
EASEMENT  
TEMPORARY  
EASEMENT

VIRGINIA &  
CENTRAL CITIES

卷之三 (3003)

NGC 1570A

**REvised 4/27/04**  
**BOROUGH OF WESTOVER**  
**WASTEWATER COLLECTION SYSTEM**

PROPERTY OWNER ARTHUR A. & BERTHA D. KITCHEN  
ADDRESS:  
TAX PARCEL NO. 20-E17-4  
GWIN DOBSON & FOREMAN INC.  
*Consulting Engineers*  
1212 Fairview Drive

DEED BOOK NO. 0795	PAGE NO. 9
REFERENCE FROM P&P	SHEET NO. 18
ISSUED: 12/23/03	JOB: 03015
SCALE: 1" = 80'	

111

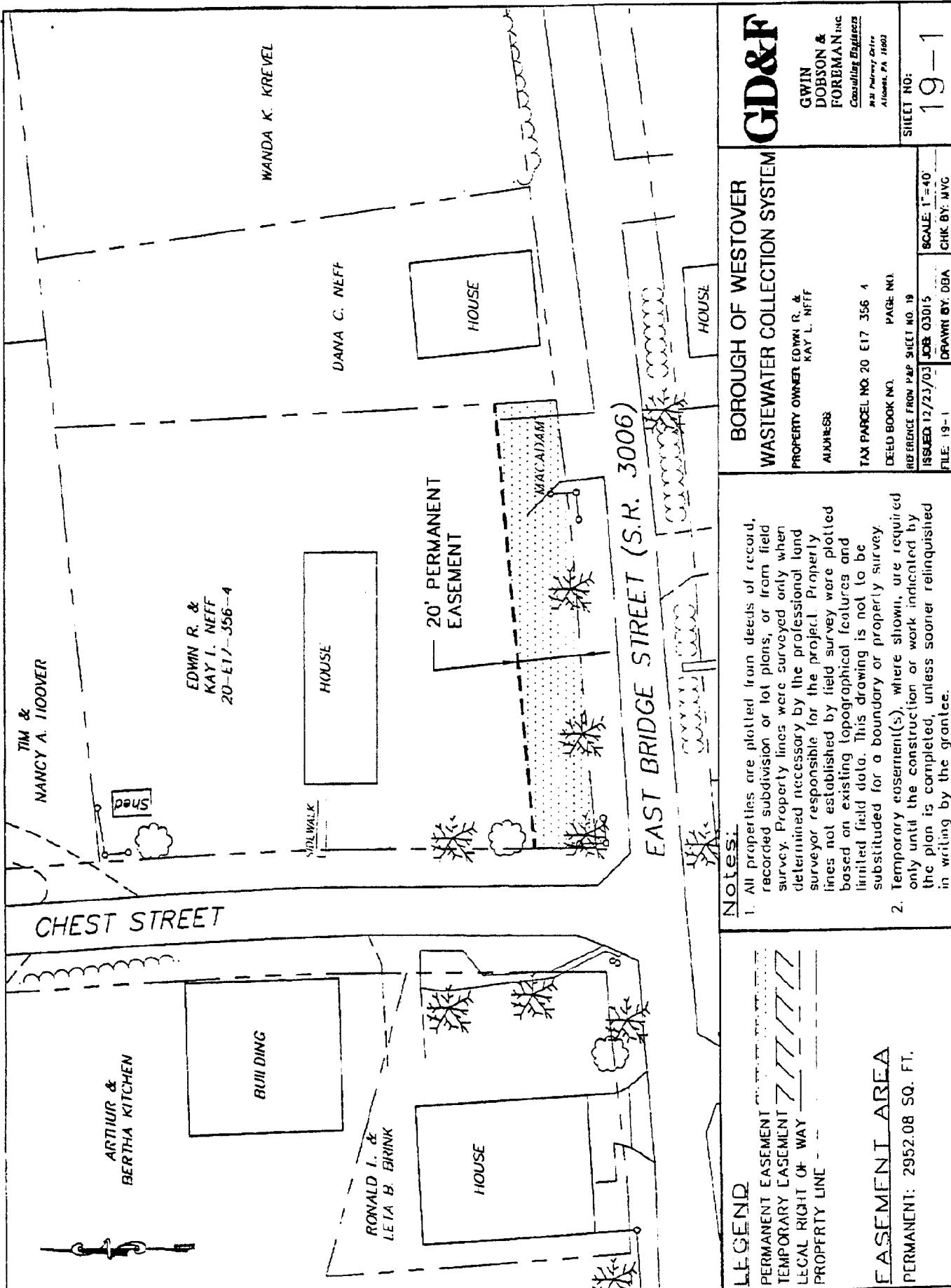
4 | Page

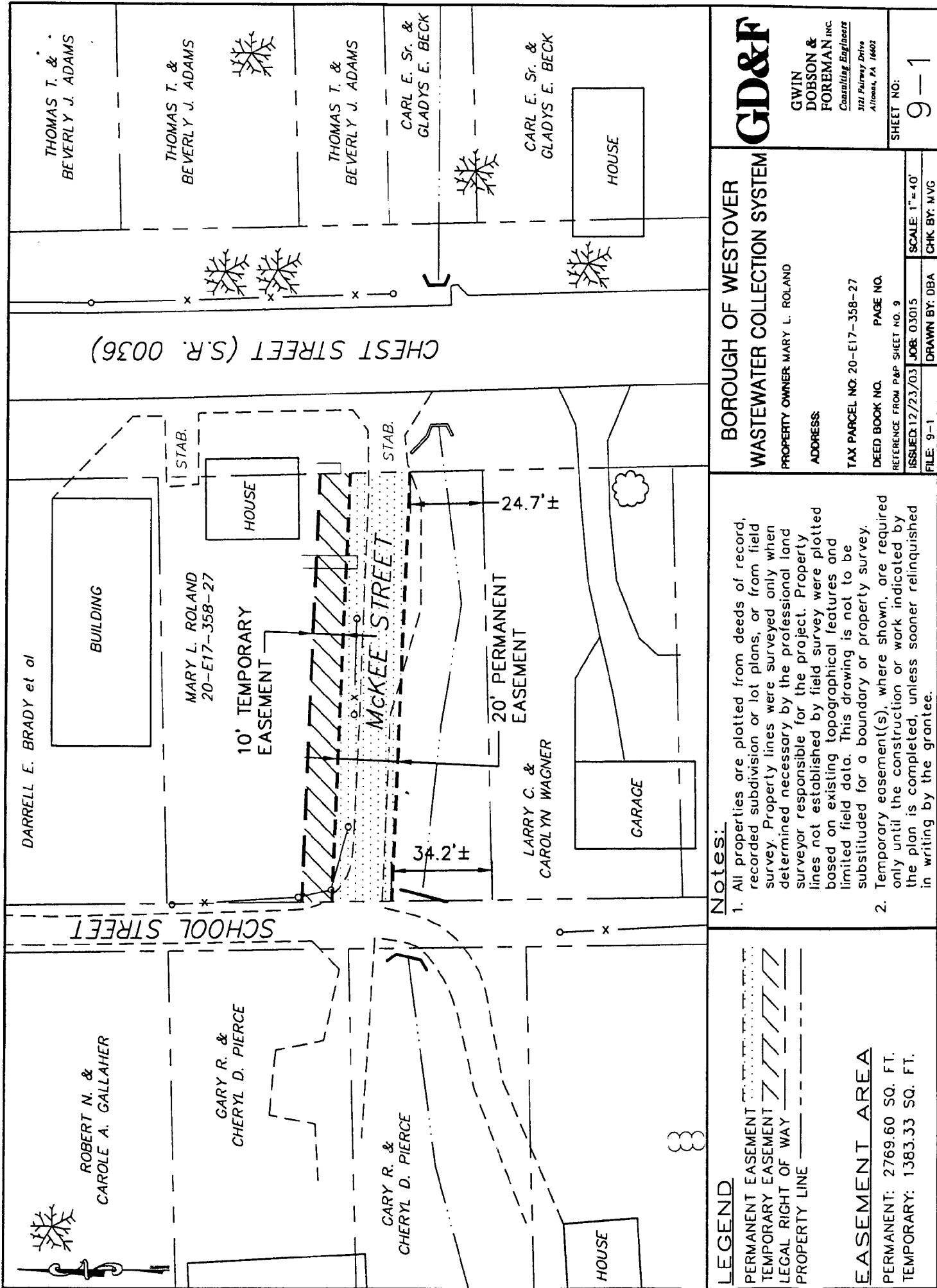
LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT 7/7/77  
LEGAL RIGHT OF WAY  
DRAFTS/STUDY LINES

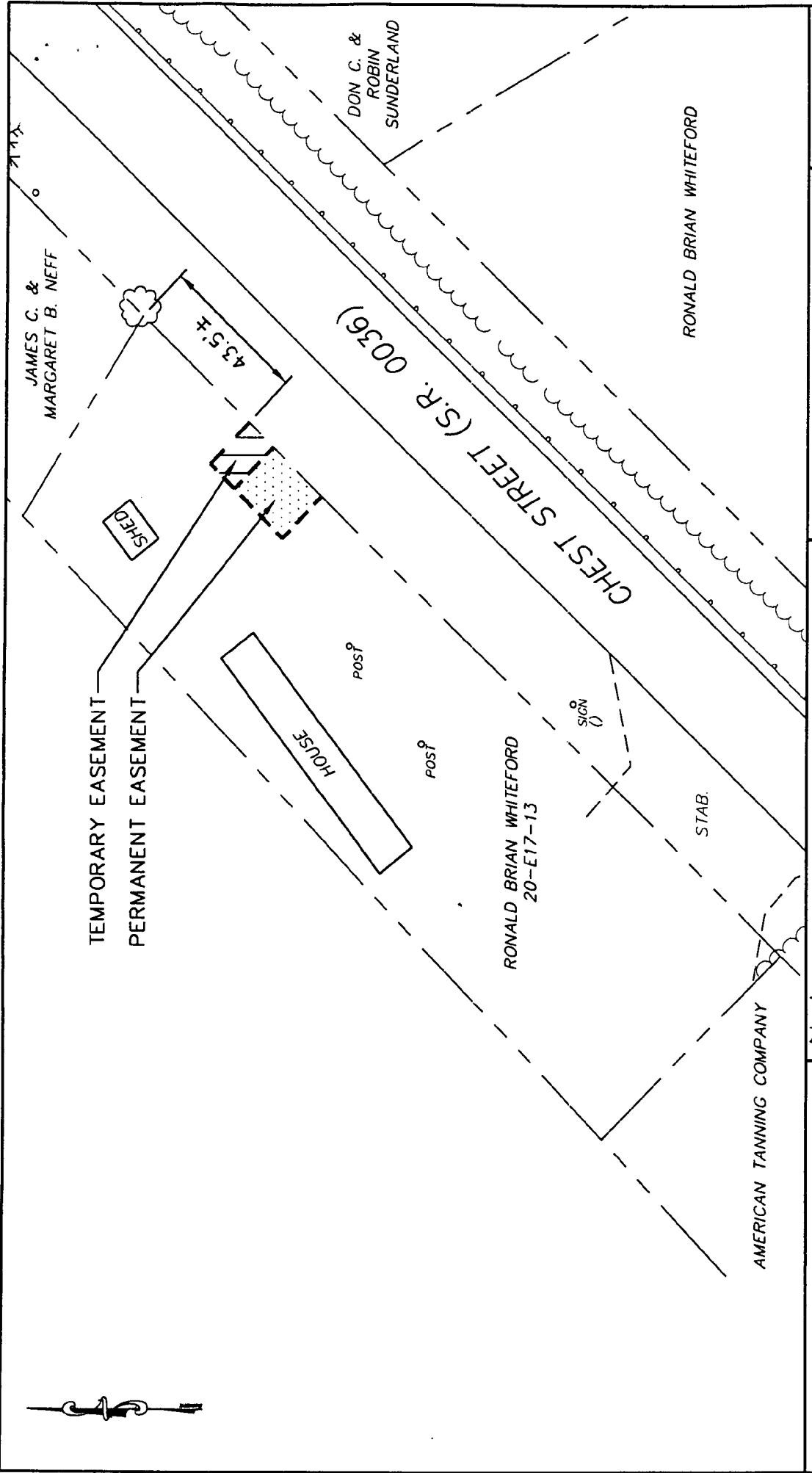
## FAISEMENT AREA

PERMANENT AREA 4272.97 SQ. FT.  
TELEGRAMS 162227 60 57

**EXHIBIT "A"**







#### LEGEND

PERMANENT EASEMENT  
TEMPORARY EASEMENT  
TEMPORARY RIGHT OF WAY  
PROPERTY LINE  
EASEMENT AREA

PERMANENT: 330.70 SQ. FT.  
TEMPORARY: 164.52 SQ. FT.

#### Notes:

1. All properties are plotted from deeds of record, recorded subdivision or lot plans, or from field survey. Property lines were surveyed only when determined necessary by the professional land surveyor responsible for the project. Property lines not established by field survey were plotted based on existing topographical features and limited field data. This drawing is not to be substituted for a boundary or property survey.
2. Temporary easement(s), where shown, are required only until the construction or work indicated by the plan is completed, unless sooner relinquished in writing by the grantee.

BOROUGH OF WESTOVER  
WASTEWATER COLLECTION SYSTEM

PROPERTY OWNER RONALD BRIAN WHITEFORD

ADDRESS

TAX PARCEL NO: 20-E17-13

DEED BOOK NO.

PAGE NO.

REFERENCE FROM P&P SHEET NO. 25

ISSUED: 12/23/03

JOB: 03015

SCALE: 1" = 40'

FILE: 25-2

DRAWN BY: DBA

CHK BY: MVG

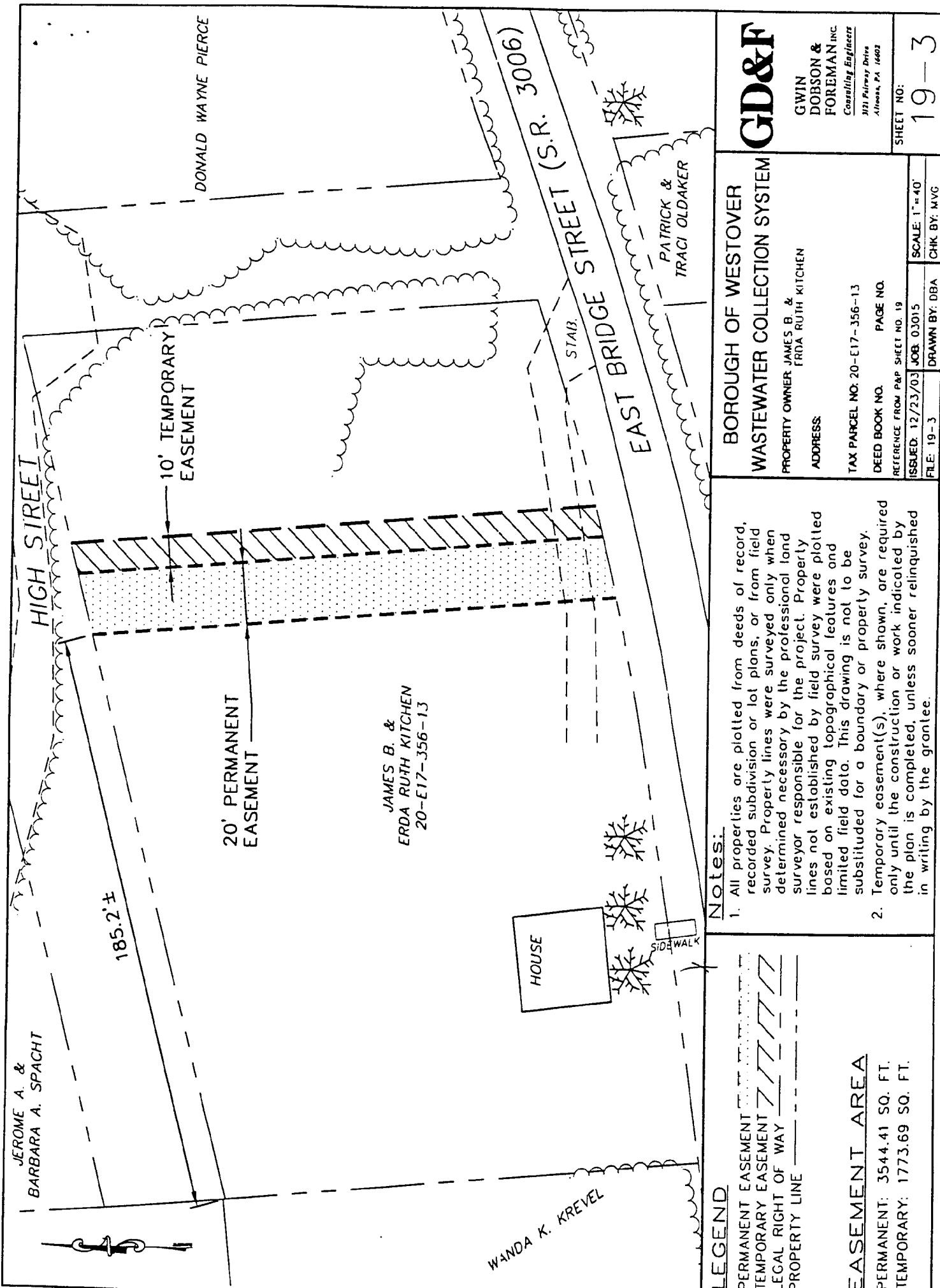
**GD&F**

GWIN  
DOBSON &  
FOREMAN INC.  
Consulting Engineers

511 Fairway Drive  
Arlington, PA 14402

SHEET NO:

25-2



FILED  
8 JUN 14 2004  
cc Attn: J. A. G.  
Atty Pd. 85.00

William A. Shaw  
Prothonotary/Clerk of Courts

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \* No. 2004-864-CD  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH , CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

MEMORANDUM OF RECORDING NOTICE OF CONDEMNATION

In accordance with Section 404 of the Eminent Domain Code, 26  
P.S. Section 1-404, now comes the Borough of Westover, by its  
Solicitor, Ann B. Wood, Esquire, and files this Memorandum that on  
the 14th day of June, 2004, a Notice of this condemnation was  
recorded with the Recorder of Deeds of Clearfield County and is of  
record as Instrument Number 200409491.

Ann B. Wood  
Ann B. Wood, Esquire  
Solicitor for the Borough  
of Westover

FILED

JUN 14 2004

Ann B. Wood  
Prothonotary, Clerk of Courts

# CLEARFIELD COUNTY RECORDER OF DEEDS

**Karen L. Starck, Recorder**  
**Maurene Inlow - Chief Deputy**  
P.O. Box 361  
1 North Second Street, Suite 103  
Clearfield, Pennsylvania 16830

## **\*RETURN DOCUMENT TO:**

Instrument Number - 200409491

Recorded On 6/14/2004 At 1:23:08 PM

BELL, SILBERBLATT & WOOD  
P.O. BOX 670

\* Instrument Type - NOTICE OF CONDEMNATION CLEARFIELD, PA 16830

\* Total Pages - 10

Invoice Number - 112486

\* Grantor - CORSON, CLAUDE EST

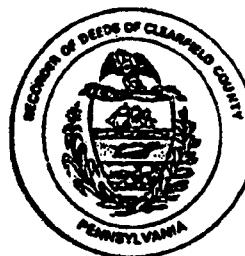
\* Grantee - BOROUGH OF WESTOVER

\* Customer - BELL, SILBERBLATT & WOOD

### **\* FEES**

STATE WRIT TAX	\$0.50
RECORDING FEES -	\$26.50
RECORDER	
RECORDER IMPROVEMENT	\$3.00
FUND	
COUNTY IMPROVEMENT FUND	\$2.00
TOTAL	\$32.00

I hereby CERTIFY that this document  
is recorded in the Recorder's Office of  
Clearfield County, Pennsylvania.



*Karen J. Starck*

Karen L. Starck  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

# **Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

111-1-100  
JUN 14 2004  
cc Atty Wood

William A. Straw  
Prothonotary Clerk of Courts

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \*  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\* No.2004-864-CD

AFFIDAVIT OF SERVICE

AND NOW, this 29th day of June, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on RONALD BRIAN WHITEFORD by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Ronald Brian Whiteford  
5110 South Main Street  
Westover, PA 16692

7-1-2004  
F-011-26071  
JUL 4  
No  
cc

Prothonotary

Said Notice was received by RONALD BRIAN WHITEFORD on the 26th day of June, 2004. The original Return Receipt is attached hereto.

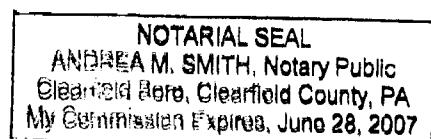
BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29<sup>th</sup> day of June, 2004

Andrea M. Smith  
Notary Public



**SENDER: COMPLETE THIS SECTION**

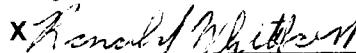
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

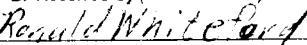
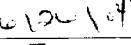
Ronald Brian Whiteford  
5110 South Main Street  
Westover, PA 16692

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

  Agent  Addressee

B. Received by (Printed Name)

  C. Date of Delivery D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

7002 3150 0000 7860 2566

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \*  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

AFFIDAVIT OF SERVICE

AND NOW, this 29th day of June, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on HOWARD LEROY BLAKE by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Howard Leroy Blake  
199 Blake Road, Box 25  
Westover, PA 16692

AP 11:26 AM  
JUL 02 2004  
No  
Wm...  
Prothonotary/Clerk of Courts

Said Notice was received by HOWARD LEROY BLAKE on the 26th day of June, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29<sup>th</sup> day of June, 2004

Andrea M. Smith  
Notary Public

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Howard Leroy Blake  
199 Blake Road, Box 25  
Westover, PA 16692

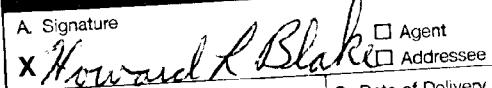
2. Article Number  
(Transfer from service label)

7002 3150 0000 7860 2597

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

  
X Howard L. Blake Agent Addressee

B. Received by (Printed Name)

Howard L. Blake 6/26/01

C. Date of Delivery

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\*  
\*  
\*  
\*

No.2004-864-CD

01/11/2004  
JUL 02 2004  
A. Ann A. Shaw  
Prothonotary Clerk of Courts

AFFIDAVIT OF SERVICE

AND NOW, this 29th day of June, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on ERIC J. HENICO by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Eric J. Henico  
46 Green Street, P.O. Box 152  
Westover, PA 16692

Said Notice was received by ERIC J. HENICO on the 26th day of June, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29<sup>th</sup> day of June, 2004

Andrea M. Smith  
Notary Public

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Eric J. Henico  
46 Green Street, P.O. Box 152  
Westover, PA 16692

**2. Article Number  
(Transfer from service label)**

7002 3150 0000 7860 2528

PS Form 3811, August 2001

Domestic Return Receipt

102505-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

*X Eric Henico*

Agent

Addressee

**B. Received by (Printed Name)**

*Eric Henico*

**C. Date of Delivery**

*6-26-04*

**D. Is delivery address different from item 1?  Yes**

If YES, enter delivery address below:  No

**3. Service Type**

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail

C.O.D.

**4. Restricted Delivery? (Extra Fee)**

Yes

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \* No.2004-864-CD  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*  
\*  
\*  
\*  
\*

100  
JUL 02 2004  
NO

W. B. A. Smith  
Prothonotary Clerk of Courts

AFFIDAVIT OF SERVICE

AND NOW, this 29th day of June, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on PHYLLIS KITCHEN, by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Phyllis Kitchen  
424 Jefferson Avenue  
Beaver, PA 15009-1621

Said Notice was received by PHYLLIS KITCHEN on the 26th day of June, 2004. The original Return Receipt is attached hereto.

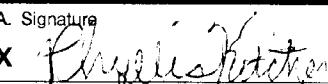
BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29<sup>th</sup> day of June, 2004

Andrea M. Smith  
Notary Public  
NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p><i>RECEIVED</i></p> <p>A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery <i>6/24/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>1. Article Addressed to:</p> <p>Phyllis Kitchen 424 Jefferson Avenue Beaver, PA 15009-1621</p> <p>2. Article Number (Transfer from service label) <b>7002 3150 0000 7860 2603</b></p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.   </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

11/20/04  
JUL 02 2004  
No  
cc

AFFIDAVIT OF SERVICE

Prothonotary, Clerk of Court

AND NOW, this 29th day of June, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on RUTH ANN MCGARVEY by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Ruth Ann McGarvey  
371 Punkin Ridge Road  
LaJose, PA 15753-6426

Said Notice was received by RUTH ANN MCGARVEY on the 25th day of June, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29<sup>th</sup> day of June, 2004

Andrea M. Smith

Notary Public NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ruth Ann McGarvey  
371 Punkin Ridge Road  
LaJose, PA 15753-6426

2. Article Number  
(Transfer from service label)

PS Form 3811, August 2001

**RECIPIENT  
COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Ruth Ann McGarvey*  Agent  Addressee

B. Received by (Printed Name)

*Ruth Ann McGarvey* *6-25-04*  C. Date of Delivery

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

## 3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

## 4. Restricted Delivery? (Extra Fee)

 Yes

7002 3150 0000 7860 2610

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
\*  
\*

48  
e 11.26.04 NO  
JUL 02 2004 CC

**AFFIDAVIT OF SERVICE**

## Prothorotaxy

AND NOW, this 29 day of June, 2004, I, Gene Hagens, Secretary of Westover Borough, being duly sworn, do depose and say that on the 29 day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on the heirs of Claude Corson, Deceased, by causing the same to be posted on the property located at 247 Chest Street, Westover, PA 16692,

By: Gene Hagens  
Gene Hagens, Secretary  
Westover Borough

SWORN TO and SUBSCRIBED before me this 29 day of June, 2004

day of June, 2004  
Kelli Jo Keith  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Kelly Jo Keith, Notary Public  
Hastings Boro, Cambria County  
My Commission Expires Oct. 6, 2007  
Member, Pennsylvania Association Of Notaries

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

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No.2004-864-CD

AS  
E 01/12/04/311 No  
JUL 02 2004  
cc

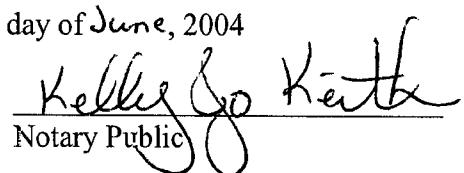
Prothonotary, Clerk of Courts

AFFIDAVIT OF SERVICE

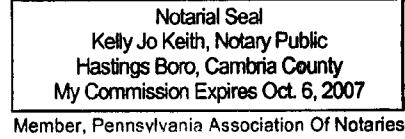
AND NOW, this 29 day of June, 2004, I, Gene Hagens, Secretary of Westover Borough, being duly sworn, do depose and say that on the 29 day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on Heirs of James B. Kitchen and Erda Ruth Kitchen, Deceased, by causing the same to be posted on the property located at 223 Bridge Street, Westover, PA 16692.

By:   
Gene Hagens, Secretary  
Westover Borough

SWORN TO and SUBSCRIBED before me this 29 day of June, 2004

  
Kelly Jo Keith  
Notary Public

COMMONWEALTH OF PENNSYLVANIA



Member, Pennsylvania Association Of Notaries

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
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\*  
\*

1/11/17 8:01 No  
JUL 20 2004 CC  
EAS

**AFFIDAVIT OF SERVICE**

AND NOW, this 15th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 29<sup>th</sup> day of June, 2004, I served a certifiec copy of the Notice of Filling Declaration of Taking in the above captioned matter on , by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Kenneth C. Corson  
906 Gresh Road  
Ebensburg, PA 15931-7812

Said Notice was received by KENNETH C. CORSON on the 30th day of June, 2004. The original Return Receipt is attached hereto.

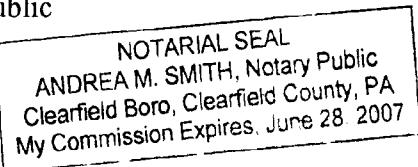
BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public



U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
(Domestic Mail Only. No Insurance coverage provided)  
For delivery information visit our website [www.usps.com](http://www.usps.com)

7860 2634  
7002 3150 0000 7860 2634

Postage	\$ .83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.15
LP (U.S. Domestic Mail Fee (Endorsement Required)	3.50
Total Postage & Fees	\$ 8.38

Street  
Kenneth C. Carson  
Street, Apt. No.  
or PO Box No. 906 Fresh Road  
City, State, ZIP+4  
Ebensburg Pa 15931-7812

Postmark  
4007 Hello  
62  
CLF

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <input checked="" type="checkbox"/> Kenneth C. Carson <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) KEN C. CARSON <input type="checkbox"/> C. Date of Delivery 6/14/04</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.     </p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>1. Article Addressed to:  Kenneth C. Carson 906 Fresh Road Ebensburg PA 15931-7812</p>		<p>2. Article Number (Transfer from service label) 7002 3150 0000 7860 2634</p>	

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

01/11/17 2011  
JUL 20 2004  
NO CC  
DPS

**AFFIDAVIT OF SERVICE**

AND NOW, this 15th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on , by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Arthur A. Kitchen  
113 East Bridge Street, P.O. Box 97  
Westover, PA 16692-7812

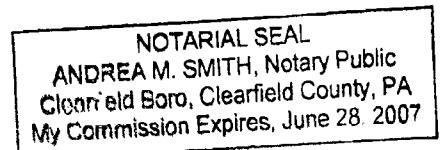
Said Notice was received by ARTHUR A. KITCHEN on the 29th day of June, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD  
By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public



U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

7860 2535  
7002 3150 0000  
Postage \$ 0.83  
Certified Fee \$ 2.30  
Return Receipt Fee  
(Endorsement Required) \$ 1.75  
Restricted Delivery Fee  
(Endorsement Required) \$ 3.50  
Total Postage & Fees \$ 8.38

0830 07 Postmark Here  
06/24/2004  
Westover PA 16692

Sent To: Arthur A. Kitchen  
Street, Apt. No.,  
or PO Box No. 113 E Bridge St P O Box 97  
City, State, ZIP+4 Westover PA 16692

Form 3811, June 2002 See reverse for instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Arthur A. Kitchen  
113 East Bridge Street  
P.O. Box 97  
Westover, PA 16692

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *Arthur A. Kitchen*  Agent  Addressee  
B. Received by (Printed Name) *Arthur A. Kitchen* C. Date of Delivery  
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label) 7002 3150 0000 7860 2535

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

07/11/2004 NO CC  
JUL 20 2004 983

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\*

\*

No.2004-864-CD

\*

\*

\*

**AFFIDAVIT OF SERVICE**

AND NOW, this 15th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on , by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Daniel R. Corson  
247 Chest St., P.O. Box 26  
Westover, PA 16692

Said Notice was received by DANIEL R. CORSON on the 28th day of June, 2004. The original Return Receipt is attached hereto.

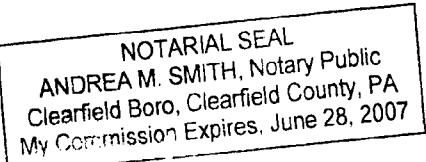
BELL, SILBERBLATT & WOOD

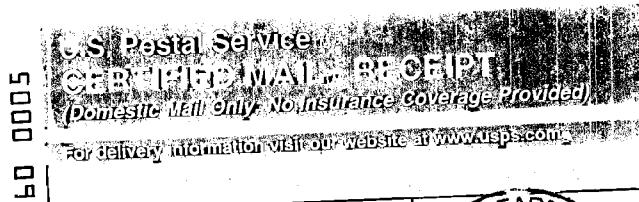
By

Ann B. Wood  
Ann B. Wood, Esquire

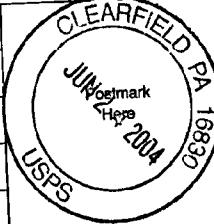
SWORN TO and SUBSCRIBED before me this 15<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public





✓ Postage	\$ 8.33
✓ Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
✓ Restricted Delivery Fee (Endorsement Required)	3.50
Total Postage & Fees	\$ 8.38



Scn 1  
Daniel R. Corson  
Street, Apt No;  
or PO Box No.  
City, State, ZIP+4  
Westover PA 16692

PS Form 3811, June 2001

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel R. Corson  
247 Chest St., P.O. Box 26  
Westover, PA 16692

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Daniel R. Corson  Agent  
 Daniel R. Corson  Addressee

B. Received by (Printed Name)

Daniel R. Corson  C. Date of Delivery  
6-15-04

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number  
(Transfer from service label)

7002 3150 0000 7860 0005

102595-02-M-1540

Domestic Return Receipt

PS Form 3811, August 2001

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

01/11/17 Bed  
JUL 20 2004  
eAS

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \*  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

**AFFIDAVIT OF SERVICE**

AND NOW, this 15th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on, by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Marshall Wayne Blake, Jr.  
647 Houtz Street  
Houtzdale, PA 16651

Said Notice was received by MARSHALL WAYNE BLAKE, JR. on the 1st day of July, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Marshall Wayne Blake, Jr.  
647 Houtz Street  
Houtzdale, PA 16692

2. Article Number

(Transfer from service label)

7002 3150 0000 7860 2573

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Marshall Wayne Blake, Jr.

 Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery  
7-1-04D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2573 7002 3150 0000 7860 2573  
Domestic Mail Only No Insurance Coverage Provided  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

WESTOVER PA 16692	
Postage	\$ 10.83
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 3.50
Total Postage & Fees	\$ 8.88

0839 07/24/2004 Postmark  
FARFIELD PA Here  
0839 07/24/2004 Postmark  
FARFIELD PA Here  
0839 07/24/2004 Postmark  
FARFIELD PA Here  
0839 07/24/2004 Postmark  
FARFIELD PA Here

7002 3150 0000 7860 2573  
Sent To: MARSHALL WAYNE BLAKE JR  
Street, Apt. No.  
or PO Box No. 647 HOUTZ ST  
City, State, ZIP+4 HOUTZDALE PA 16692  
See Reverse for Instructions  
PS Form 3811, June 2002

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

Q11117671  
JUL 20 2004  
9/05

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \* No.2004-864-CD  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

## **AFFIDAVIT OF SERVICE**

AND NOW, this 15th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 24<sup>th</sup> day of June, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on , by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Mary L. Roland  
5582 South Main Street, P.O. Box 150  
Westover, PA 16692

Said Notice was received by MARY L. ROLAND on the 1st day of July, 2004. The original Return Receipt is attached hereto.

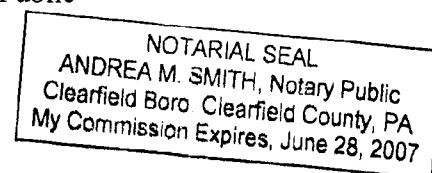
## BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary L. Roland  
5582 S. Main St.  
P.O. Box 150  
Westover, PA 16692

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Mary L. Roland* Agent Addressee

B. Received by (Printed Name)

*Mary L. Roland*

C. Date of Delivery

1-1-04

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

7002 3150 0000 7860 2559

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
WESTOVER PA 16692	
Postage	\$ 10.83
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 3.50
Total Postage & Fees	\$ 16.38
Sent to Mary L. Roland	
Street, Apt. No., or PO Box No. 5582 S. Main St. PO Box 150	
City, State, ZIP+4 WESTOVER PA 16692	

0839 07 CLEARFIELD PA  
USPS 05/24/2004

See reverse for instructions

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

AFFIDAVIT OF SERVICE

AND NOW, this 15 day of July, 2004, I, Gene Hagens, Secretary of Westover Borough, being duly sworn, do depose and say that on the 15 day of July, 2004, I served a certified copy of the Notice of Filing Declaration of Taking in the above captioned matter on Bertha D. Kitchen, by handing her a copy of the same at her residence at 113 East Bridge Street, Westover, PA 16692.

By: Gene Hagens  
Gene Hagens, Secretary  
Westover Borough

SWORN TO and SUBSCRIBED before me this 15 day of July, 2004

Kelly Jo Keith  
Notary Public

## COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Kelly Jo Keith, Notary Public  
Hastings Boro, Cambria County  
My Commission Expires Oct. 6, 2007

Member, Pennsylvania Association Of Notaries

No  
01-2004  
JUL 21 2004  
EJS

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \* No.2004-864-CD  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*

NO  
Bath 9/12: 35.871 CC  
JUL 23 2004  
Dex

**AFFIDAVIT OF SERVICE**

AND NOW, this 20th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 26<sup>th</sup> day of June, 2004, I served a copy of the Notice of Filing Declaration of Taking in the above captioned matter on the HEIRS OF CLAUDE CORSON, DECEASED, by causing the same to be advertised in The Progress, a daily newspaper of general circulation in Clearfield County, Pennsylvania, and, on the 2<sup>nd</sup> day of July, 2004, I served a copy of the Notice of Filing Declaration of Taking in the above captioned matter on the HEIRS OF CLAUDE CORSON, DECEASED, by causing the same to be advertised in the Clearfield County Legal Journal, a weekly legal journal in circulation in Clearfield County, Pennsylvania.

Attached hereto are the Proofs of Publication for said advertisements.

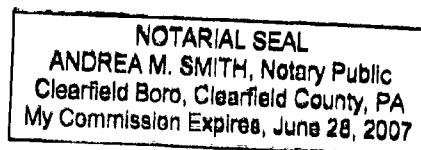
## BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 20<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public



IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY  
PENNSYLVANIA

CIVIL CASE NO.  
# 2004-864 CD  
THE CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED  
IN WESTOVER BOROUGH,  
CLEARFIELD COUNTY  
PENNSYLVANIA

NOTICE

TO: Heirs of Claude Carson, De-  
ceased

Subject Property  
247 Chest Street  
Westover PA 16692

You are hereby notified in accordance with Section 405 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-405 that a Declaration Of Taking was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County Pennsylvania on June 14, 2004 to Docket Number #2004-846-CD by the Borough of Westover, Box 199, Westover PA 16692, by which property to which you are the owners, as known to the Borough has been condemned.

The Condemnor is the Borough of Westover, a municipal corporation and body politic created and existing under the laws of the Commonwealth of Pennsylvania with its mailing address of P.O. Box 199, Westover, PA 16692. This condemnation is authorized by the Borough Code Act of February 1, 1966, P.L. 1965, No. 581, §1501.53 P.S. §46501. This Declaration Of Taking was authorized by Resolution No. 100-04, passed by the Borough Council of Westover at a meeting held on June 8, 2004. The record of the same, including a copy of the Resolution, including a copy of the Plan showing the project and the property taken may be examined by contacting the Borough Secretary at P.O. Box 199, Westover, Pennsylvania 16692.

The purpose of this condemnation is to acquire property interests for the construction, operation and maintenance of a sewer system and related facilities to be constructed, operated and maintained by the Borough of Westover.

Your specific property condemned consists of a permanent easement for use of constructing and maintaining a sanitary sewer and crossing property with assessment map #20-E17-8 as shown on the Plan prepared by Gwin, Dobson & Foreman, Inc. The nature of the title acquired in and to the property described above is a permanent and sufficient easement, right of way, rights, and privileges for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing sewage facilities over, across, upon and through the easement area as shown on the Plans, with the right to use so much of the surface of the property as may be reasonably necessary to construct and install within the easement and right-of-way the facilities to be constructed as well as

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

RECEIVED JUL 7 2004

COUNTY OF CLEARFIELD :

On this 6th day of July, 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 26, 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

COMMONWEALTH OF PENNSYLVANIA

Notary Public Clearfield, Pa

Notarial Seal

My Commission Expires  
October 31, 2007

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

Member, Pennsylvania Association Of Notaries

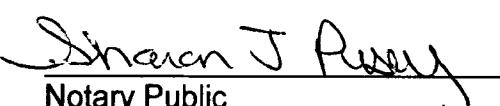
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
:  
COUNTY OF CLEARFIELD :

On this 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 July 2, 2004, No. 27. 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

Ann B Wood  
PO Box 670  
Clearfield PA 16830

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE BOROUGH  
OF WESTOVER OF PROPERTIES  
LOCATED IN WESTOVER BOROUGH,  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO. 2004-864-CD

NOTICE

TO: Heirs of Claude Corson, Deceased.  
Subject Property: 247 Chest Street,  
Westover, PA 16692.

You are hereby notified in accordance with Section 405 of the Pennsylvania Eminent Domain Code 26 P.S. Section 1-405 that a Declaration Of Taking was filed in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania on June 14, 2004, to Docket Number #2004-846-CD by the Borough of Westover, Box 199, Westover, PA 16692, by which property to which you are the owner(s) as known to the Borough has been condemned.

The Condemnor is the Borough of Westover, a municipal corporation and body politic, created and existing under the laws of the Commonwealth of Pennsylvania with its mailing address of PO Box 199, Westover, PA 16692. This condemnation is authorized by the Borough Code Act of February 1, 1966, P.L. (1965) - No. 581 1501 (53 P.S. 46501). This Declaration Of Taking was authorized by Resolution duly passed by the Borough Council of the Borough of Westover at a meeting held on June 8, 2004. The record thereof, including a copy of the Resolution and a copy of the Plan showing the project and the property taken may be examined by contacting the Borough Secretary at P.O. Box 199, Westover, Pennsylvania 16692.

The purpose of this condemnation is to acquire property interests for the construction, operation and maintenance of a sewer system and related facilities to be

constructed, operated and maintained by the Borough of Westover.

Your specific property condemned consists of a permanent easement for use of constructing and maintaining a sanitary sewer line crossing property with assessment Map #20-E17-8 as shown on the Plan prepared by Gwin, Dobson & Foreman Inc. The nature of the title acquired in and to the property described above is a permanent and sufficient easement, right-of-way, rights, and privileges for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing sewage facilities over, across, upon and through the easement area as shown on the Plans, with the right to use so much of the surface of the property as may be reasonably necessary to construct and install within the easement and right-of-way the facilities to be constructed as well as the right to ingress and egress over the property for maintenance of the facilities within the easement and right-of-way condemned.

Just compensation for this condemnation is secured by the taxing power of the Borough of Westover, in accordance with Section 403 of the Eminent Domain Code, 26 P.S. Section 1-403(b).

You are further notified that if you wish to challenge the power or the right of the Borough of Westover to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Borough of Westover or the Declaration Of Taking, you are required to file preliminary objections within thirty (30) days after service of this notice.

Ann B. Wood, Esquire, Solicitor for the Borough of Westover, PO Box 670, Clearfield, PA 16830.

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

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No.2004-864-CD

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0112:35 2004  
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PROOF OF  
PUBLICATION

**AFFIDAVIT OF SERVICE**

AND NOW, this 20th day of July, 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 26<sup>th</sup> day of June, 2004, I served a copy of the Notice of Filing Declaration of Taking in the above captioned matter on the HEIRS OF JAMES B. KITCHEN and ERDA RUTH KITCHEN, DECEASED, by causing the same to be advertised in The Progress, a daily newspaper of general circulation in Clearfield County, Pennsylvania, and, on the 2<sup>nd</sup> day of July, 2004, I served a copy of the Notice of Filing Declaration of Taking in the above captioned matter on the HEIRS OF JAMES B. KITCHEN and ERDA RUTH KITCHEN, DECEASED, by causing the same to be advertised in the Clearfield County Legal Journal, a weekly legal journal in circulation in Clearfield County, Pennsylvania.

Attached hereto are the Proofs of Publication for said advertisements.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 20<sup>th</sup> day of July, 2004

Andrea M. Smith  
Notary Public

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

IN THE COURT  
OF COMMON PLEASES  
OF CLEARFIELD COUNTY  
PENNSYLVANIA &  
CIVIL DIVISION  
AND FROM THE  
IN RHOE, JUDGE, JUDGE  
LYTHE  
FOR APPROVAL OF THE  
OF PLAT OF SUBDIVISION  
TO SHOW THE EXISTING  
SUBDIVISIONS  
AND THE PROPOSED  
SUBDIVISIONS  
TO THE LOT OF 10, BLOCK  
AND FLOOR PLAN OF THE  
AND FLOOR PLAN OF THE  
SUBDIVISION  
123 Main Street  
Westover, PA 16692

You are hereby notified in accordance with Section 405 of the Pennsylvania Condominiums and Homeowners' Association Act, Chapter 26 P.S. Section 1405 that a Declaration of Taking was filed in the Office of the Commonwealth of the Court of Common Pleas of Clearfield County, Pennsylvania on June 14, 2004, in Case Number #2004-PL-1405, by the Borough of Westover, 100 Main Street, PA 16692, by whom or whom to which you are the owner or owners to the Borough of Westover, as follows:

The Condominium is a Borough of Westover, a municipal corporation and body politic incorporated and existing under the laws of the Commonwealth of Pennsylvania with its mailing address at 100 Main Street, Westover, PA 16692. This condominium is authorized by 1 A. Burrough Code Act of February 1, 1956, P.L. 1956, No. 68, §1501.63 P.S. §46.501. The Declaration of Taking was authorized by Resolution duly passed by the Borough Council of the Borough of Westover at a meeting held on June 8, 2004. The record instrument, including a copy of the Resolution and a copy of the Plan showing the parcel and the property taken, may be examined by contacting the Borough Secretary at P.O. Box 109, Westover, Pennsylvania 16692.

The purpose of this condominium is to acquire property interests for the construction, operation and maintenance of a sewer system and related facilities to be constructed, operated and maintained by the Borough of Westover.

Your specific property condominium consists of a permanent easement for use of constructing and maintaining a sanitary sewer line crossing property with assessment map #20-017-346-13, as shown on the Plan prepared by Gwin, Dugan & Timman, Inc. The nature of the title acquired in and to the property described above is permanent and sufficient easement right of way rights and privileges for the purpose of placing, constructing, operating, repairing, maintaining, relocating, replacing, relocating and removing sewage facilities, over, across, upon and through the easement area as shown on the Plans, with the right to use so much of the surface of the property as may be necessary, to the extent necessary to construct and install within, upon, under and over the property the facilities to be constructed as well as the right to enter and assess over the property for maintenance of the property, including replacement and repair of any condominium.

Costs of insurance for this condominium shall be borne by the taking party, the Borough of Westover, in accordance with Section 403 of the Environmental Condominium Act, 26 P.S. Section 1403.6.

You are further informed that if you wish to challenge the power or the right of the Borough of Westover to appropriate this condominium property, the sufficiency of the security, the procedure followed by the Borough of Westover in the preparation of taking, you are entitled to the preliminary injunction within thirty (30) days after service of notice.

John B. Woods, Esquire  
Attala for the  
Borough of Westover

PROOF OF PUBLICATION

RECEIVED JUL - 7 2004

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 6th day of July, A.D. 20 04, 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 26, 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

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

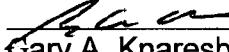
My Commission Expires  
October 31, 2007

## PROOF OF PUBLICATION

RECEIVED JUL 13 2004

STATE OF PENNSYLVANIA :  
:  
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 July 2, 2004, No. 27. 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

Ann B Wood  
PO Box 670  
Clearfield PA 16830

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

IN RE CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE BOROUGH  
OF WESTOVER OF PROPERTIES  
LOCATED IN WESTOVER BOROUGH,  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO. 2004-864-CD  
NOTICE

TO: Heirs of James B. Kitchen and Erda  
Ruth Kitchen, Deceased  
Subject Property: 223 Bridge Street,  
Westover, PA 16692.

You are hereby notified in accordance

with Section 405 of the Pennsylvania  
Eminent Domain Code 26 P.S. Section 1-  
405 that a Declaration Of Taking was filed in  
the Office of the Prothonotary of the Court of  
Common Pleas of Clearfield County,  
Pennsylvania on June 14, 2004, to Docket  
Number #2004-846-CD by the Borough of  
Westover, Box 199, Westover, PA 16692, by  
which property to which you are the owner(s)  
as known to the Borough has been  
condemned.

The Condemnor is the Borough of  
Westover, a municipal corporation and body  
politic, created and existing under the laws  
of the Commonwealth of Pennsylvania with  
its mailing address of PO Box 199,  
Westover, PA 16692. This condemnation is  
authorized by the Borough Code Act of  
February 1, 1966, P.L. (1965) - No. 581  
1501 (53 P.S. 46501). This Declaration Of  
Taking was authorized by Resolution duly  
passed by the Borough Council of the  
Borough of Westover at a meeting held on  
June 8, 2004. The record thereof, including  
a copy of the Resolution and a copy of the  
Plan showing the project and the property  
taken may be examined by contacting the  
Borough Secretary at P.O. Box 199,  
Westover, Pennsylvania 16692.

The purpose of this condemnation is to  
acquire property interests for the  
construction, operation and maintenance of  
a sewer system and related facilities to be  
constructed, operated and maintained by the  
Borough of Westover.

Your specific property condemned  
consists of a permanent easement for use of  
constructing and maintaining a sanitary  
sewer line crossing property with  
assessment Map #20-E17-356-13 as shown  
on the Plan prepared by Gwin, Dobson &  
Foreman Inc. The nature of the title  
acquired in and to the property described  
above is a permanent and sufficient  
easement, right-of-way, rights, and  
privileges for the purpose of placing,  
constructing, operating, repairing, main-  
taining, rebuilding, replacing, relocating and  
removing sewage facilities over, across,  
upon and through the easement area as  
shown on the Plans, with the right to use so  
much of the surface of the property as may  
be reasonably necessary to construct and  
install within the easement and right-of-way  
the facilities to be constructed as well as the  
right to ingress and egress over the property  
for maintenance of the facilities within the  
easement and right-of-way condemned.

Just compensation for this condem-  
nation is secured by the taxing power of the  
Borough of Westover, in accordance with  
Section 403 of the Eminent Domain Code,  
26 P.S. Section 1-403(b).

You are further notified that if you wish

to challenge the power or the right of the  
Borough of Westover to appropriate the  
condemned property, the sufficiency of the  
security, the procedure followed by the  
Borough of Westover or the Declaration Of  
Taking, you are required to file preliminary  
objections within thirty (30) days after  
service of this notice.

Ann B. Wood, Esquire, Solicitor for the  
Borough of Westover, PO Box 670,  
Clearfield, PA 16830.

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

IN RE: CONDEMNATION BY THE \*  
BOROUGH COUNCIL OF THE \*  
BOROUGH OF WESTOVER OF \*  
PROPERTIES LOCATED IN WESTOVER \*  
BOROUGH, CLEARFIELD COUNTY, \*  
PENNSYLVANIA \*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

**AFFIDAVIT OF SERVICE**

AND NOW, this 18th day of August , 2004, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on the 20<sup>th</sup> day of July, 2004, I served a certified copy of the Notice of Filling Declaration of Taking in the above captioned matter on , by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail, Restricted Delivery, Return Receipt Requested, addressed to:

Paul E. Blake  
7533 Banner Road  
Dickerson, MD 20842

Said Notice was received by PAUL E. BLAKE. on the 23rd day of July, 2004. The original Return Receipt is attached hereto.

BELL, SILBERBLATT & WOOD

By

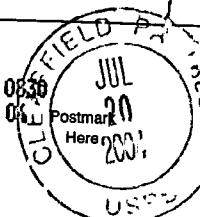
Ann B. Wood  
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 18<sup>th</sup> day of August, 2004

Andrea M. Smith  
Notary Public

FILED No  
0123581  
AUG 18 2004  
EAS  
William A. Shaw  
Prothonotary/Clerk of Courts

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro, Clearfield County, PA  
My Commission Expires, June 28, 2007

U.S. Postal Service®	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
DICKINSON ND 20842	
Postage	\$ 60.83
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 3.50
Total Postage & Fees	\$ 8.38
 07/20/2004	
<b>Sent To</b> <u>Paul E. Blake</u> <u>Street, Apt. No.</u> <u>or PO Box No.</u> <u>City, State, Zip 4</u> <u>1533 Banner Road</u> <u>Dickinson ND 20842</u>	

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <i>Paul F. Blake</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>JOANNE E. BLAKE</i> C. Date of Delivery <i>7/21/04</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
1. Article Addressed to:		<p>Paul F. Blake  7533 Banner Road  Dickerson, MD 20842</p> <p><i>RESTRICTED</i></p>	
2. Article Number		7002 3150 0000 7860 2658	

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

**RECEIPT, AGREEMENT AS TO DAMAGES AND RELEASE**

This receipt, agreement and release made this 12 day of OCT., 2004, by and between ERIC J. HENICO of 46 Green Street, P.O. Box 152, Westover, PA 16692, hereinafter referred to singularly or in the aggregate as Condemnee;

A

N

D

BOROUGH OF WESTOVER, of Box 199, Westover, PA 16692 hereinafter referred to as Condemnor

Condemnor has condemned by its Declaration Of Taking an easement in and to property of Condemnee  
Assessment Map No. 20-E17-358-71.

Condemnor, in accordance with section 1-407 of the Pennsylvania Eminent Code, 26 P.S. Section 1-407, made a written offer to pay to Condemnee the sum of Five Hundred Seventy and no/100 (\$570.00) Dollars being its estimate of just compensation.

Section 1-501 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-501 provides that, in any stage of the proceedings, the Condemnor and the Condemnee may conclude the Condemnation by an agreement as to damages and that, thereupon, the Condemnor shall make payment of the damages agreed upon.

Condemnee agrees to accept the Condemnor's estimate of just compensation as its damages in full and final settlement of its right to compensation for the taking and any claims it may have under the Pennsylvania Eminent Domain Code for the taking arising from the Condemnation.

NOW, THEREFORE, intending to be legally bound hereby, the Condemnor and the Condemnee agree as follows:

1. Condemnor agrees to pay and the Condemnee agrees to accept the sum of Five Hundred Seventy and no/100 (\$570.00) Dollars in full and final payment of Condemnee's damages in accordance with 26 P.S. Section 1-501.

2. Payment shall be made concurrent with the execution of this agreement, receipt of which is hereby acknowledged by Condemnee.

3. In consideration of this payment, Condemnee, on behalf of himself, his heirs, executors, administrators, successors and assigns hereby fully releases Condemnor, its successors and assigns from all rights or claims it has to just compensation and damages including any special damages due it under Article VI and VI-A of the Pennsylvania Eminent Domain Code or otherwise arising from the condemnation and taking. This release is intended by the parties to be a general release of Condemnor by Condemnee and a full and final agreement as to damages.

4. It is agreed that the Condemnor may file a copy of this agreement certified by the Condemnor's solicitor in this proceeding in order to confirm acceptance of payment and final resolution of the Condemnation.

By: Eric J. Henico  
Eric J. Henico, Condemnee

Attest: Borough of Westover

John Noyen  
Secretary

By: Beverly J. Adams  
President

I hereby certify that the foregoing is a true and correct copy of the Receipt, Agreement As To Damages And Release signed by the parties on the day and year set forth above

Ann B. Wood  
Ann B. Wood, Esquire  
Solicitor, Borough of Westover

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

\*  
\*  
\* No.2004-864-CD  
\*  
\*  
\*

NOV 29 2004

0/11/04  
William A. Shaw  
Prothonotary  
\*\*/11/04

RECEIPT, AGREEMENT AS TO DAMAGES AND RELEASE

This receipt, agreement and release made this 20 day of November, 2004, by and between MARY L. ROLAND of 5582 South Main Street, Westover, PA 16692, hereinafter referred to singularly or in the aggregate as Condemnee:

And

BOROUGH OF WESTOVER, of Box 199, Westover, PA 16692 hereinafter referred to as Condemnor.

Condemnor has condemned by its Declaration Of Taking an easement in and to property of Condemnee Assessment Map No. 20-E17-358-27

Condemnor, in accordance with section 1-407 of the Pennsylvania Eminent Code, 26 P.S. Section 1-407, made a written offer to pay to Condemnee the sum of Five Hundred Fifty-four and no/100 (\$554.00) Dollars being its estimate of just compensation.

Section 1-501 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-501 provides that, in any stage of the proceedings, the Condemnor and the Condemnee may conclude the Condemnation by an agreement as to damages and that, thereupon, the Condemnor shall make payment of the damages agreed upon.

Condemnee agrees to accept the Condemnor's estimate of just compensation as its damages in full and final settlement of its right to compensation for the taking and any claims it may have under the Pennsylvania Eminent Domain Code for the taking arising from the Condemnation.

NOW, THEREFORE, intending to be legally bound hereby, the Condemnor and the Condemnee agree as follows:

1. Condemnor agrees to pay and the Condemnee agrees to accept the sum of Five Hundred Fifty-Four and no/100 (\$554.00) Dollars in full and final payment of Condemnee's damages in accordance with 26 P.S. Section 1-501.

2. Payment shall be made concurrent with the execution of this agreement, receipt of which is hereby acknowledged by Condemnee.

3. In consideration of this payment, Condemnee, on behalf of himself/herself/themselves/itself, its heirs, executors, administrators, successors and assigns hereby fully releases Condemnor, its successors and assigns from all rights or claims it has to just compensation and damages including any special damages due it under Article VI and VI-A of the Pennsylvania Eminent Domain Code or otherwise arising from the condemnation and taking. This release is intended by the parties to be a general release of Condemnor by Condemnee and a full and final agreement as to damages.

4. It is agreed that the Condemnor may file a copy of this agreement certified by the Condemnor's solicitor in this proceeding in order to confirm acceptance of payment and final resolution of the Condemnation.

By: Mary J. Roland  
Mary J. Roland Condemnee

Attest:

Borough of Westover

Stanley Hayes  
Secretary

By: Paul E. Smith

I hereby certify that the foregoing is a true and correct copy of the Receipt, Agreement As To Damages And Release signed by the parties on the day and year set forth above

Ann B. Wood  
Ann B. Wood, Esquire  
Solicitor, Borough of Westover

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

IN RE: CONDEMNATION BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF WESTOVER OF  
PROPERTIES LOCATED IN WESTOVER  
BOROUGH, CLEARFIELD COUNTY,  
PENNSYLVANIA

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No.2004-864-CD

No CC.

0/11.45 cm  
OCT 11 2007  
6K

William A. Shaw  
Prothonotary Clerk of Courts

RECEIPT, AGREEMENT AS TO DAMAGES AND RELEASE

This receipt, agreement and release made this 6<sup>th</sup> day of July, 2004, by and between Raymond Blake, Administrator c.t.a. of the James Blair Kitchen Estate, hereinafter referred to singularly or in the aggregate as Condemnee;

A

N

D

BOROUGH OF WESTOVER, of Box 199, Westover, PA 16692 hereinafter referred to as Condemnor.

Condemnor has condemned by its Declaration Of Taking an easement in and to property of Condemnee Assessment Map No. 20-E17-13.

Condemnor, in accordance with section 1-407 of the Pennsylvania Eminent Code, 26 P.S. Section 1-407, made a written offer to pay to Condemnee the sum of Three Hundred Fifty-four and no/100 (\$354.00) Dollars being its estimate of just compensation.

Section 1-501 of the Pennsylvania Eminent Domain Code, 26 P.S. Section 1-501 provides that, in any stage of the proceedings, the Condemnor and the Condemnee may conclude the Condemnation by an agreement as to damages and that, thereupon, the Condemnor shall make payment of the damages agreed upon.

Condemnee agrees to accept the Condemnor's estimate of just compensation as its damages in full and final settlement of its right to compensation for the taking and any claims it may have under the Pennsylvania Eminent Domain Code for the taking arising from the Condemnation.

NOW, THEREFORE, intending to be legally bound hereby, the Condemnor and the Condemnee agree as follows:

1. Condemnor agrees to pay and the Condemnee agrees to accept the sum of Three Hundred Fifty-four and no/100 (\$354.00) Dollars in full and final payment of Condemnee's damages in accordance with 26 P.S. Section 1-501.

2. Payment shall be made concurrent with the execution of this agreement, receipt of which is hereby acknowledged by Condemnee.

3. In consideration of this payment, Condemnee, on behalf of himself, his heirs, executors, administrators, successors and assigns hereby fully releases Condemnor, its successors and assigns from all rights or claims it has to just compensation and damages including any special damages due it under Article VI and VI-A of the Pennsylvania Eminent Domain Code or otherwise arising from the condemnation and taking. This release is intended by the parties to be a general release of Condemnor by Condemnee and a full and final agreement as to damages.

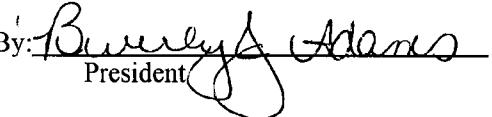
4. It is agreed that the Condemnor may file a copy of this agreement certified by the Condemnor's solicitor in this proceeding in order to confirm acceptance of payment and final resolution of the Condemnation.

By:   
Raymond Blake, Administrator c.t.a  
James Blair Kitchen Estate, Condemnee

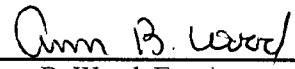
Attest:

Borough of Westover

  
Secretary

By:   
President

I hereby certify that the foregoing is a true and correct copy of the Receipt, Agreement As To Damages And Release signed by the parties on the day and year set forth above

  
Ann B. Wood, Esquire  
Solicitor, Borough of Westover