

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

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

:
: NO. 2004-864-CD
:
: Type of Case: CIVIL ACTION
:
: Type of Pleading:
:
: **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
:
:
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:
:

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
PROPERTIES LOCATED IN WESTOVER
BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA

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* No.2004- -CD
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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).

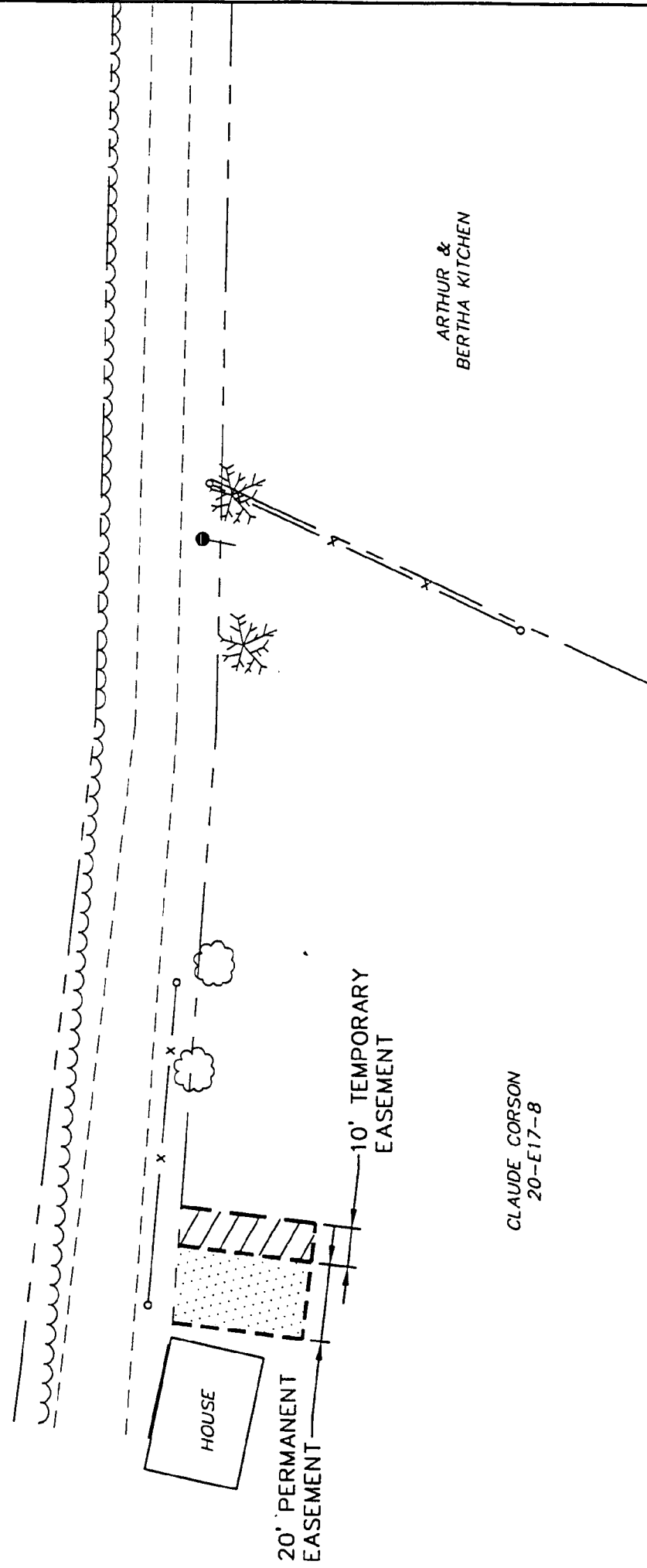
Attest:


Secretary

BOROUGH OF WESTOVER
BOROUGH COUNCIL

By: 
President

GASTON LUMBER COMPANY



ARTHUR &
BERTHA KITCHEN

CLAUDE CORSON
20-E17-8

LEGEND

PERMANENT EASEMENT
TEMPORARY EASEMENT
LEGAL RIGHT OF WAY
PROPERTY LINE

EASEMENT AREA

PERMANENT: 721.94 SQ. FT.
TEMPORARY: 367.35 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 CLAUDE CORSON

ADDRESS:

TAX PARCEL NO. 20-E17-8

DEED BOOK NO. PAGE NO.
REFERENCE FROM P&P SHEET NO. 32

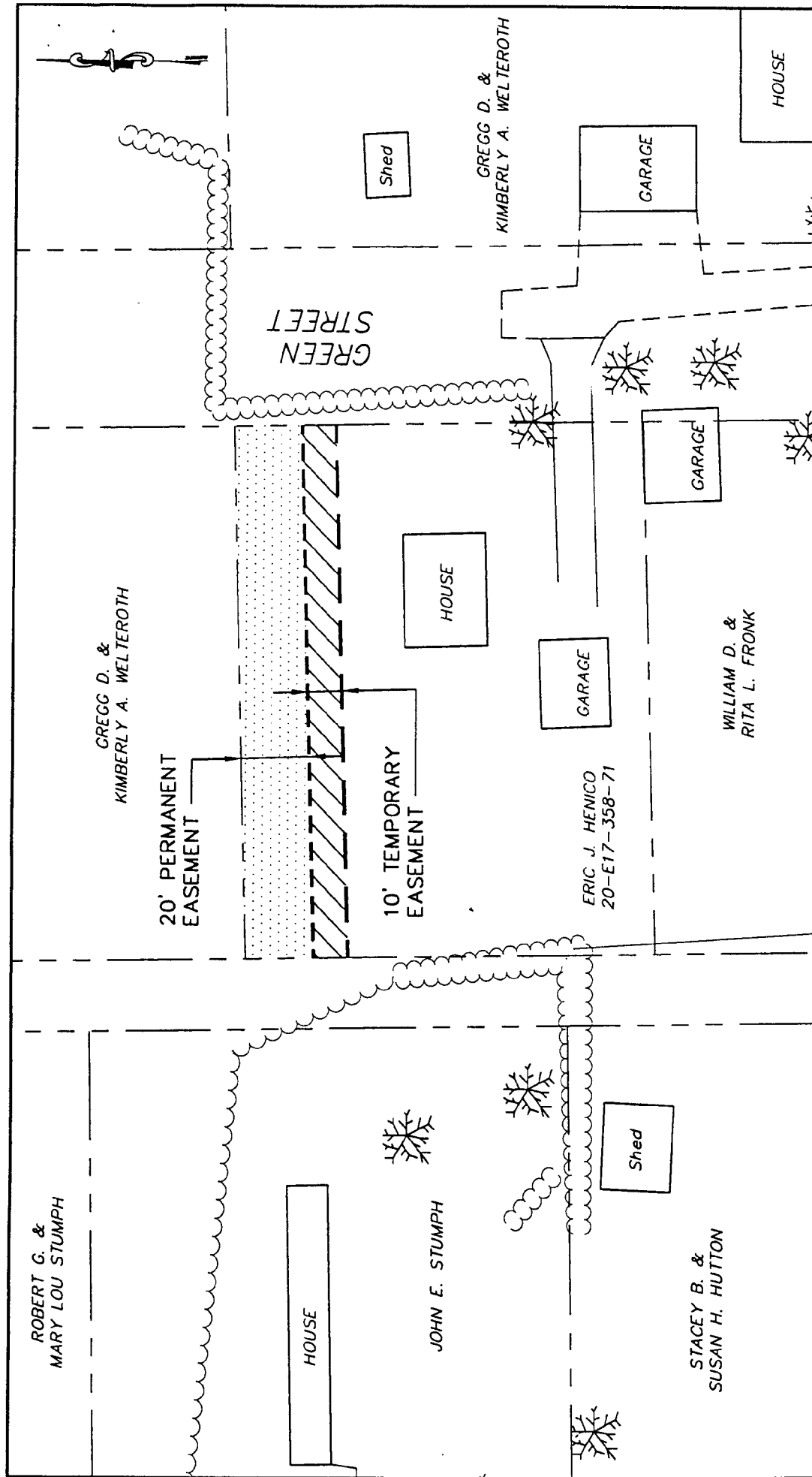
ISSUED: 12/24/03
FILE: 32-1
DRAWN BY: DBA
SCALE: 1"=40'
CHK BY: MVG

GD&F

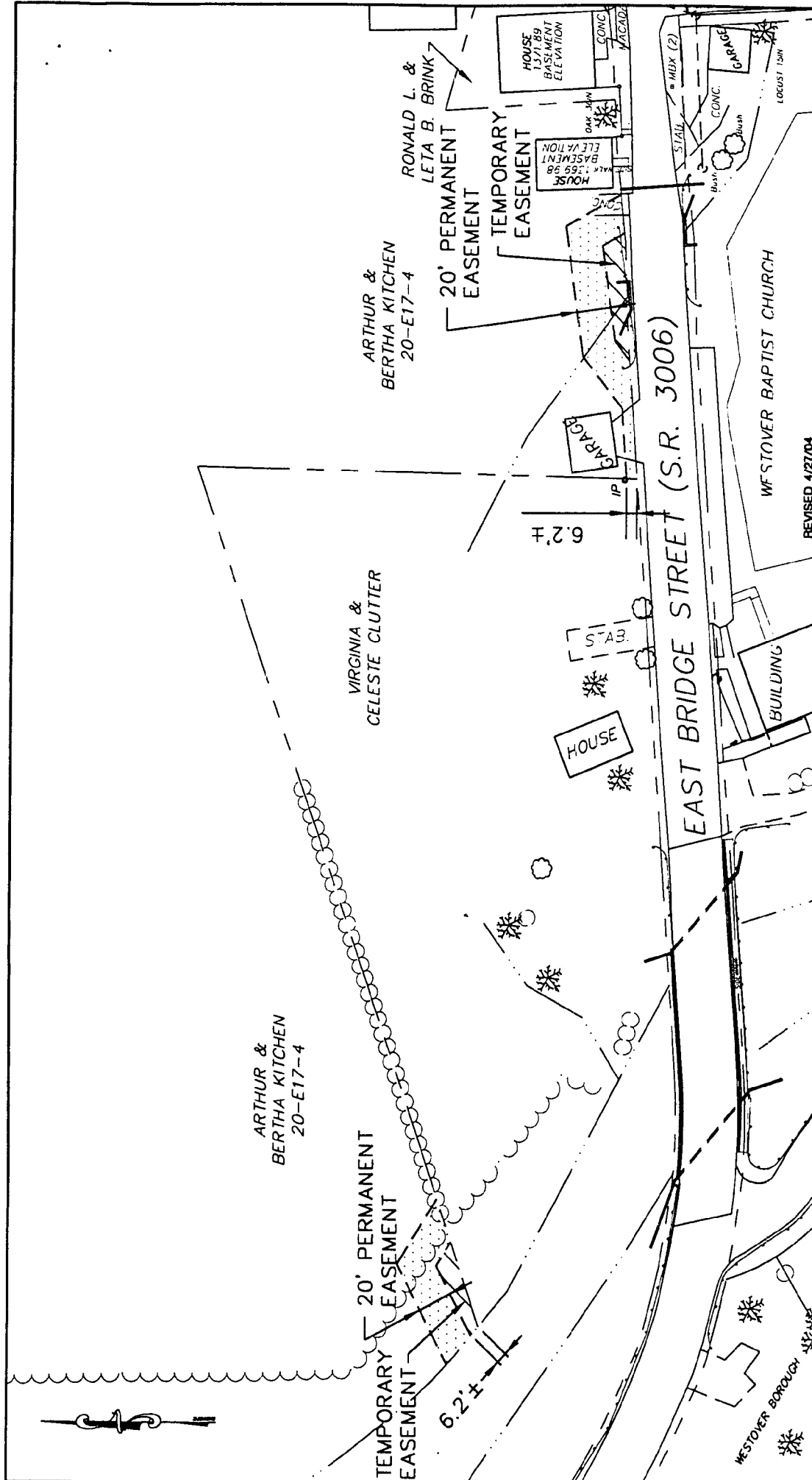
GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Pulney Drive
Allentown, PA 18602

SHEET NO:

32-1



LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT LEGAL RIGHT OF WAY PROPERTY LINE		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.	
EASEMENT AREA PERMANENT: 3000.29 SQ. FT. TEMPORARY: 1500.15 SQ. FT.		BOROUGH OF WESTOVER WASTEWATER COLLECTION SYSTEM PROPERTY OWNER ERIC J. HENICO ADDRESS: TAX PARCEL NO. 20-E17-358-71 DEED BOOK NO. PAGE NO. REFERENCE FROM P&P SHEET NO. 12 ISSUED: 12/23/03 JOB: 03015 FILE: 12-1 DRAWN BY: DBA CHK BY: MVG	
G&D&F GWIN DOBSON & FOREMAN INC. Consulting Engineers 3121 Fairway Drive Allentown, PA 18602		SHEET NO: 12-1	



REVISED 4/27/04

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.

LEGEND

- PERMANENT EASEMENT
- TEMPORARY EASEMENT
- LEGAL RIGHT OF WAY
- PROPERTY LINE

EASEMENT AREA

PERMANENT: 4272.97 SQ. FT.
TEMPORARY: 1102.83 SQ. FT.

**BOROUGH OF WESTOVER
WASTEWATER COLLECTION SYSTEM**

PROPERTY OWNER ARTHUR A. & BERTHA D. KITCHEN

ADDRESS:

TAX PARCEL NO: 20-E17-4

DEED BOOK NO. 0795 PAGE NO. 9

REFERENCE FROM PAP SHEET NO. 18

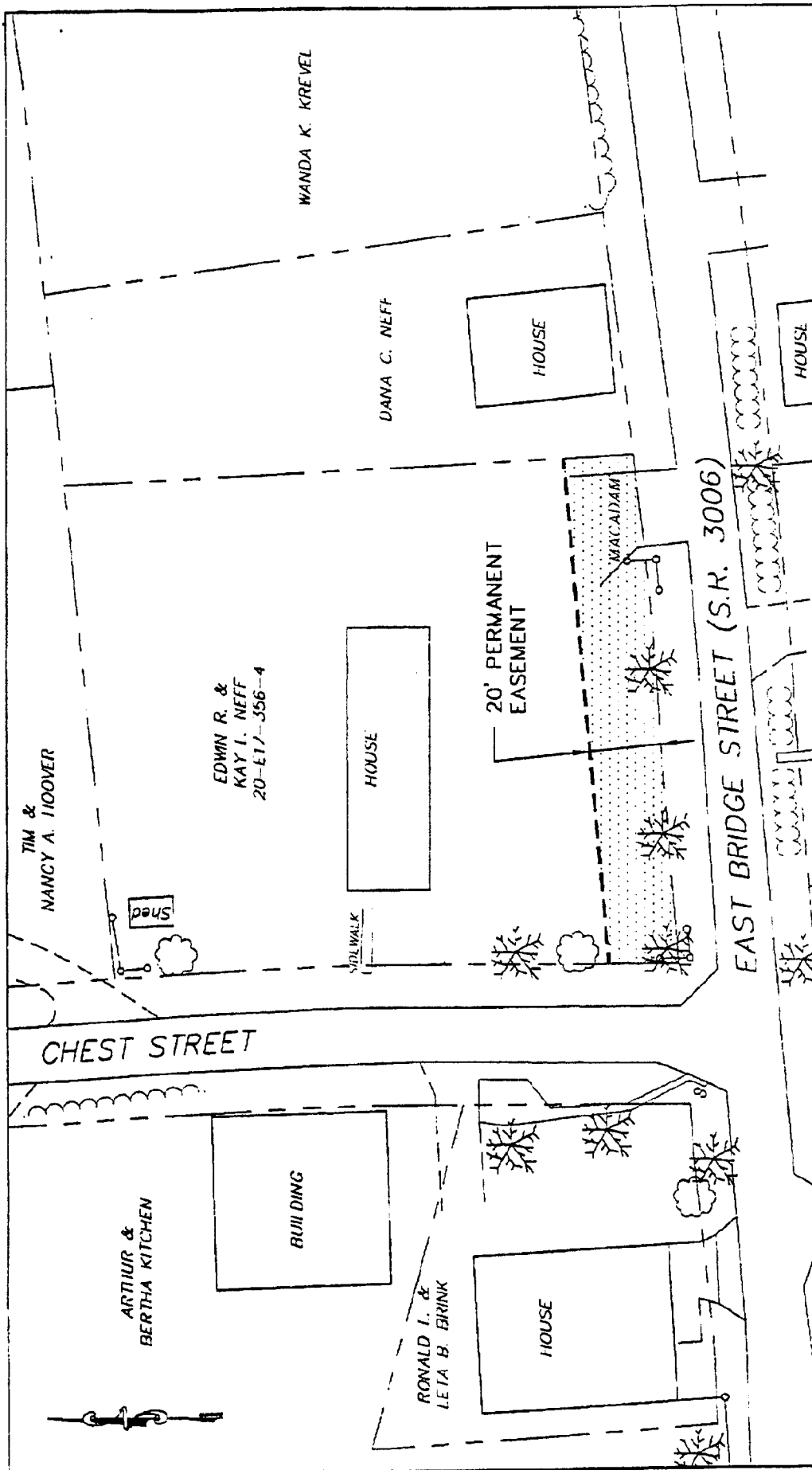
ISSUED: 12/23/03 JOB: 03015 SCALE: 1"=80'
FILE: 18-1 DRAWN BY: DBA CHK BY: MVG

GD&F

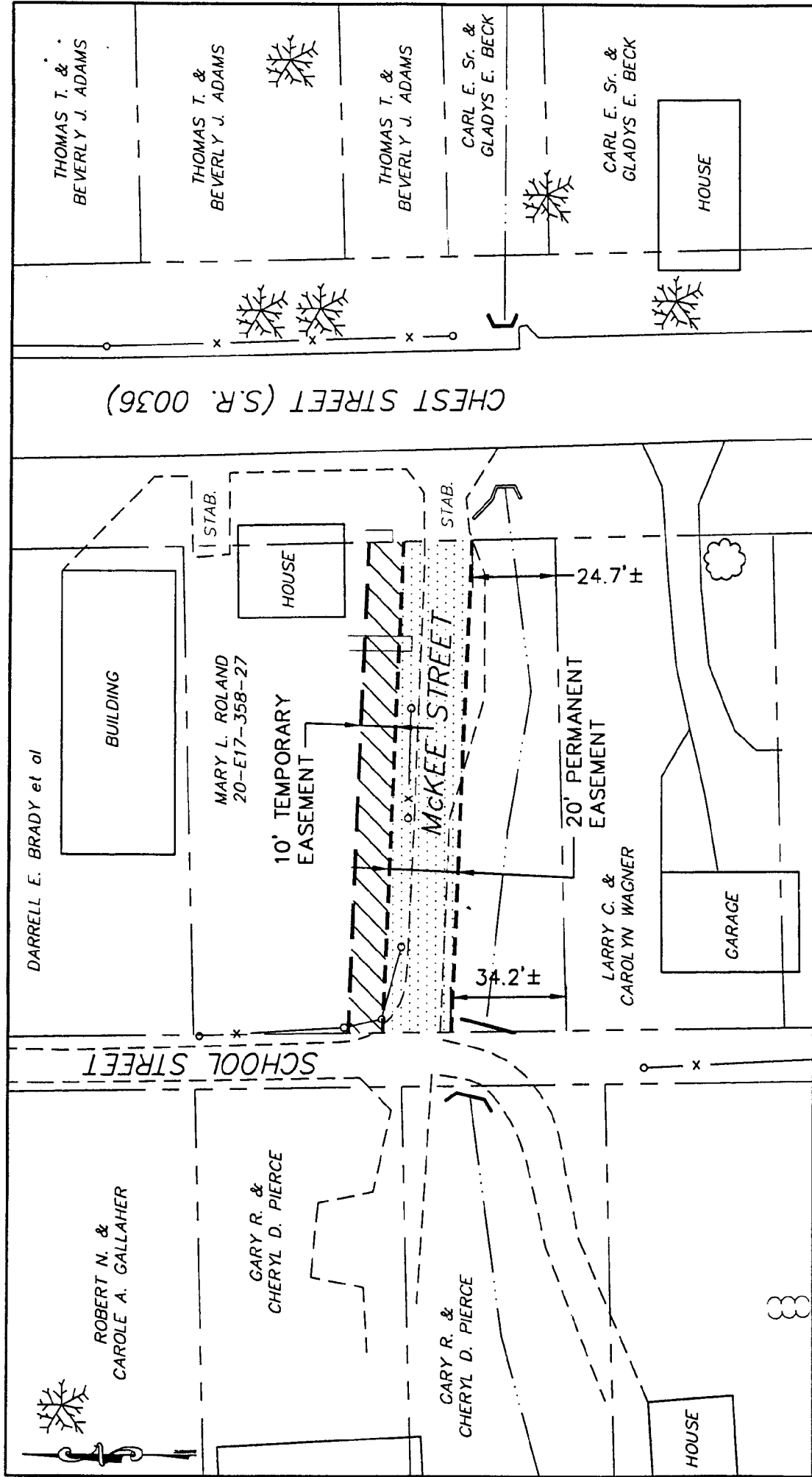
**GWIN
DOBSON &
FOREMAN INC.**
Consulting Engineers
3121 Fairway Drive
Allentown, PA 18602

SHEET NO:

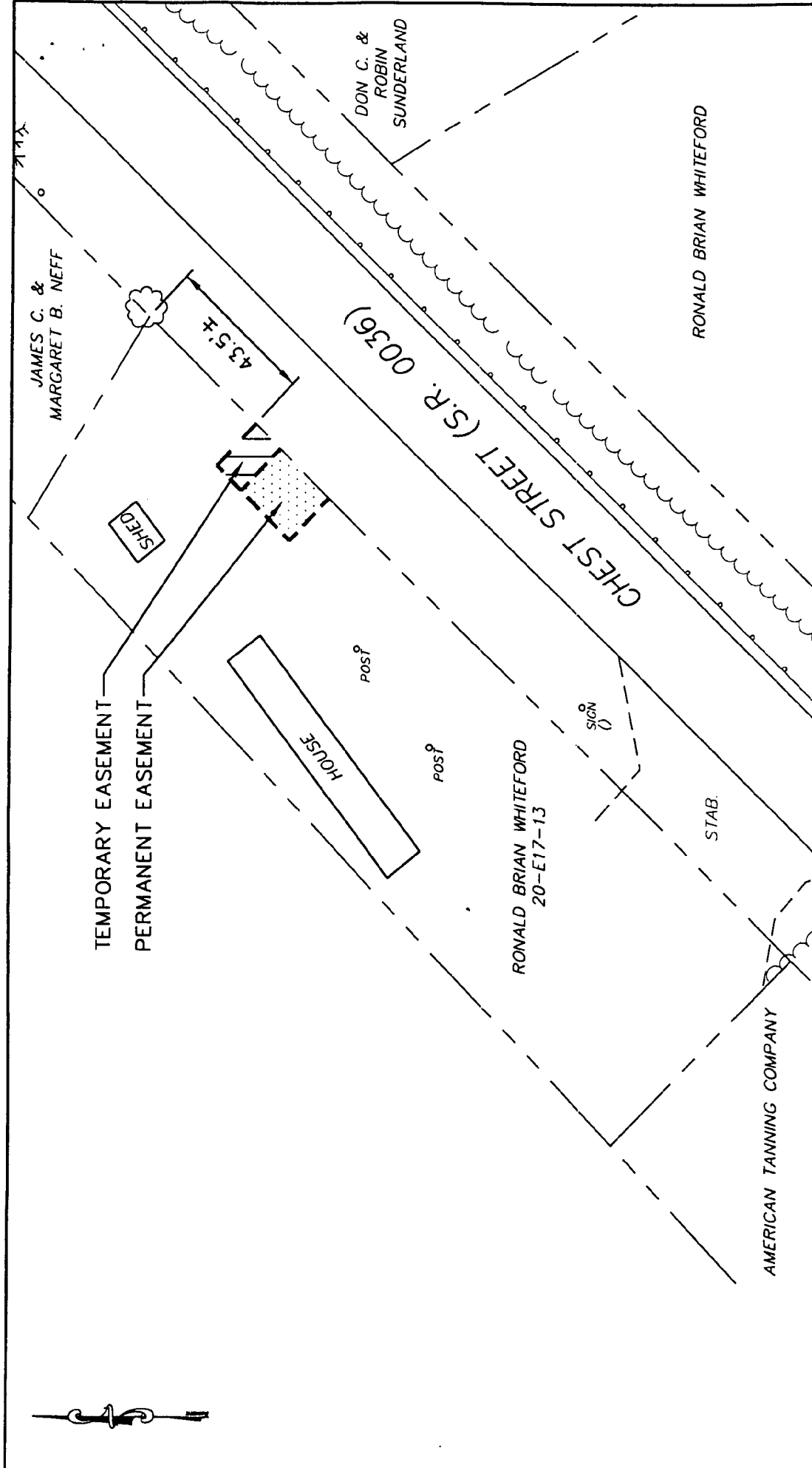
18-1



LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT LEGAL RIGHT OF WAY PROPERTY LINE		EASEMENT AREA PERMANENT: 2952.08 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		GD&F GWIN DOBSON & FOREMAN INC. Consulting Engineers 433 Parkway Drive Allentown, PA 18103	
PROPERTY OWNER: EDWIN R. & KAY I. NEFF ADDRESS: TAX PARCEL NO. 20 E17 356 4 DEED BOOK NO. PAGE NO. REFERENCE FROM P&P SHEET NO. 19		SHEET NO: 19-1 SCALE: 1"=40' CHK BY: MGC	



LEGEND PERMANENT EASEMENT TEMPORARY EASEMENT LEGAL RIGHT OF WAY PROPERTY LINE	EASEMENT AREA PERMANENT: 2769.60 SQ. FT. TEMPORARY: 1383.33 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 MARY L. ROLAND ADDRESS: TAX PARCEL NO: 20-E17-358-27 DEED BOOK NO. PAGE NO. REFERENCE FROM P&P SHEET NO. 9	GD&F GWIN DOBSON & FOREMAN INC. <i>Consulting Engineers</i> 3121 Railway Drive Allentown, PA 18602	SHEET NO: 9-1
			FILE: 9-1 DRAWN BY: DBA SCALE: 1"=40' CHK BY: MVG		



LEGEND

PERMANENT EASEMENT ————

TEMPORARY EASEMENT - - - -

LEGAL RIGHT OF WAY ————

PROPERTY LINE ————

EASEMENT AREA

PERMANENT: 330.70 SQ. FT.

TEMPORARY: 164.52 SQ. FT.

Notes:

- 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.
- 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

FILE: 25-2

DRAWN BY: DBA

CHK BY: MVC

GD&F

GWIN
DOBSON &
FOREMAN INC.
Consulting Engineers
3121 Fairway Drive
Allentown, PA 18602

SHEET NO: **25-2**

FILED rec Atty
JUN 14 2004
JUN 14 2004 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
PROPERTIES LOCATED IN WESTOVER
BOROUGH , CLEARFIELD COUNTY,
PENNSYLVANIA

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No.2004-864-CD

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

William A. Shaw
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:**

BELL, SILBERBLATT & WOOD

P.O. BOX 670

CLEARFIELD, PA 16830

Instrument Number - 200409491

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

* Instrument Type - NOTICE OF CONDEMNATION

* 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 L. Starck
Recorder of Deeds**

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

FILED
JUN 14 2004
10:31 AM
ICG
Atty Wood

Julian A. Spraw
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

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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 24th 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

FILED
JUL 1 2004
No. 2004-864-CD
cc

W. Wood
Prothonotary

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

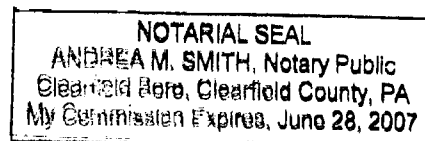
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

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

Andrea M. Smith
Notary Public



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		<p>A. Signature <i>x Ronald Whiteford</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		<p>B. Received by (Printed Name) <i>Ronald Whiteford</i> C. Date of Delivery <i>6/20/01</i></p>	
<p>1. Article Addressed to:</p> <p>Ronald Brian Whiteford 5110 South Main Street Westover, PA 16692</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</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>2. Article Number (Transfer from service label)</p>		<p>7002 3150 0000 7860 2566</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

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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 24th 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

11:26 AM
JUL 02 2004
cc

William A. Wood
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.

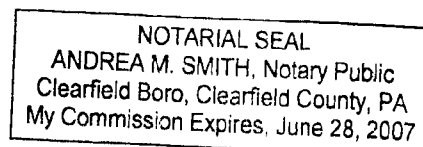
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 29th 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:

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Howard L Blake* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

HOWARD L BLAKE *6/26/01*

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 2597

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

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No.2004-864-CD

01/11/2004
JUL 02 2004
No cc
Andrea M. 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 24th 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 29th 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

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? ☐ 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

2. Article Number

(Transfer from service label)

7002 3150 0000 7860 2528

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

01/11/26
JUL 02 2004
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 24th day of June, 2004, I served a certified copy of the Notice of Filling 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 29th 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:

Phyllis Kitchen
424 Jefferson Avenue
Beaver, PA 15009-1621

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Phyllis Kitchen☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

*6/24/04*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

2. Article Number

(Transfer from service label)

7002 3150 0000 7860 2603

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

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No.2004-864-CD

16 cc
0111-2004
JUL 02 2004

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 24th 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 29th 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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Ruth Ann McGarvey ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Ruth Ann McGarvey 6-25-04

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

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

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No.2004-864-CD

\$ 11:26 AM
JUL 02 2004
NO CC

AFFIDAVIT OF SERVICE

Prothonotary

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

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

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 01/11/2004
JUL 02 2004
NO
CC

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: [Signature]
Gene Hagens, Secretary
Westover Borough

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

[Signature]
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

01/11/17/04
JUL 20 2004
No CC

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 29th day of June, 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:

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

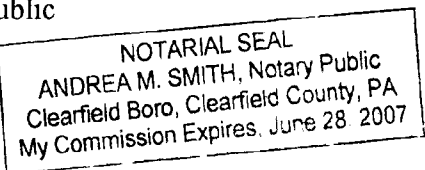
Ann B. Wood

Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15th 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

7002 3150 0000 7860 2634

Postage	\$.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Postage & Delivery Fee (Endorsement Required)	3.50
Total Postage & Fees	\$ 8.38

Postmark: 6002 HAZEN, CT 06206

Sent to:
 Kenneth C. Corson
 Street, Apt. No.,
 or PO Box No. 906 Fresh Road
 City, State, ZIP+4
 Chambersburg Pa 15931-7812

PS Form 3811, June 2002

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature X <i>Ken Corson</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) KEN CORSON</p> <p>C. Date of Delivery 6/14/04</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to: Kenneth C. Corson 906 Fresh Road Chambersburg PA 15931-7812</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>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>
7002 3150 0000 7860 2634	

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

01/11/17/21
JUL 20 2004
cc
eps

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 24th day of June, 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:

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.

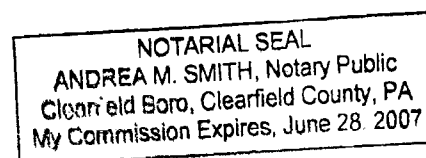
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

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

Andrea M. Smith
Notary Public



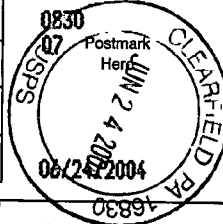
7002 3150 0000 7860 2535

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

For delivery information visit our website at www.usps.com

WESTOVER PA 16692

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



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

PS Form 3811, June 2002 See Back 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

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ X *Arthur A. Kitchen* ☐ Agent ☐ Addressee

B. Received by (Printed Name)
ARTHUR A. KITCHEN

C. Date of Delivery
JUN 24 2004

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

7002 3150 0000 7860 2535

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

C/11:1701 No cc
JUL 20 2004
gms

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 24th day of June, 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:

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.

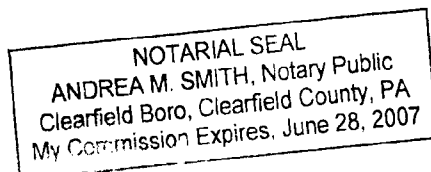
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

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

Andrea M. Smith
Notary Public



7002 3150 0000 7860 0005

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

✓ 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

Postmark
 JUN 2 2004
 CLEARFIELD PA 16830
 USPS

Send to:
Daniel R. Corson
 Street, Apt. No., or PO Box No. **247 Chest St PO Box 26**
 City, State, ZIP+4 **Westover PA 16692**

PS 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:

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
 x **Daniel R. Corson** ☐ Addressee

B. Received by (Printed Name) **DANIEL R. CORSON**

C. Date of Delivery **JUN 6 2004**

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**

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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

01/11/17/201
JUL 20 2004
NCC
g/AS

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

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 24th day of June, 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:

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.

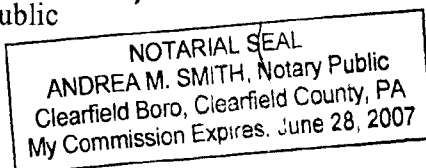
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15th 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:

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ *Marshall Wayne Blake Jr.* ☐ Addressee

B. Received by (Printed Name) 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 2573

PS Form 3811, August 2001

Domestic Return Receipt

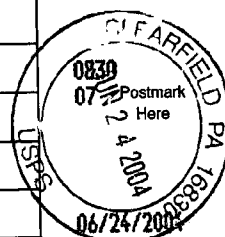
102595-02-M-1540

7002 3150 0000 7860 2573

Domestic Mail Only No Insurance Coverage Provided
For delivery information visit our website at 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	\$ 18.38



Sent To
MARSHALL WAYNE BLAKE JR
Street, Apt. No.,
or PO Box No. 647 HOUTZ ST
City, State, ZIP+4 HOUTZDALE PA 16651

PS Form 3800, June 2002

See Reverse for Instructions

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

01/11/17/07
JUL 20 2004
No CC
H/S

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

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 24th day of June, 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:

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.

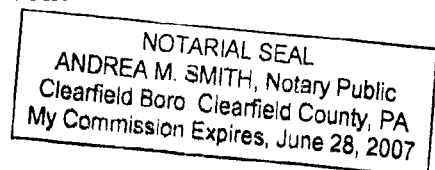
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 15th 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 ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

MARY L. ROLAND 7-1-07

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

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☒ Yes ☐ No

2. Article Number
(Transfer from service label)

7002 3150 0000 7860 2559

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

6552 0960 7860 0000 0576 2002

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
WESTOVER PA 16692	
Postage	\$ 00.83
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$3.50
Total Postage & Fees	\$ 8.38

Sent To	Mary L. Roland
Street, Apt. No., or PO Box No.	5582 S. Main St P.O. Box 150
City, State, ZIP+4	WESTOVER PA 16692

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

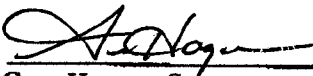
IN RE: CONDEMNATION BY THE
BOROUGH COUNCIL OF THE
BOROUGH OF WESTOVER OF
PROPERTIES LOCATED IN WESTOVER
BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA

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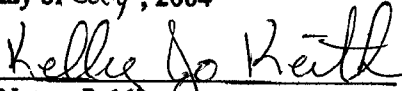
No.2004-864-CD

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, Secretary
Westover Borough

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


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 cc
01/20/04
JUL 21 2004
E/S

PHOTO COPY, DELETED

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
8/12:35 PM
JUL 23 2004

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 26th 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 2nd 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.

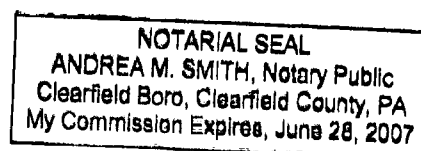
BELL, SILBERBLATT & WOOD

By

Ann B. Wood
Ann B. Wood, Esquire

SWORN TO and SUBSCRIBED before me this 20th day of July, 2004

Andrea M. Smith
Notary Public



IN RE 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 16892

You are hereby notified in accor-
dance 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 exist-
ing under the laws of the Common-
wealth of Pennsylvania with its mail-
ing address of P.O. Box 199, West-
over, PA 16692. This condemna-
tion is authorized by the Borough
Code Act of February 11, 1966,
P.L. 1965, No. 581, §1501-153
P.S. §4650-1. This Declaration Of
Taking was authorized by Resolu-
tion duly passed by the Borough
Council of Westover at a meeting
held on June 8, 2004. The record
thereof, including a copy of the Re-
solution and a copy of the Plan
showing the project and the proper-
ty taken may be examined by con-
tacting the Borough Secretary at
P.O. Box 199, Westover, Pennsylv-
ania 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 con-
structed, operated and maintained
by the Borough of Westover.

Your specific property con-
demned consists of a permanent
easement for use of constructing
and maintaining a sanitary sewer
line crossing property with assess-
ment map #20-E17-8 as shown on
the Plan prepared by Gwin, Dobson
& Foreman, Inc. The nature of the in-
terests 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 fa-
cilities to be constructed as well as

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

RECEIVED JUL 7 2004

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. Robinson
Notary Public Clearfield, Pa

My Commission Expires
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Cheryl J. Robinson, 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

0112:35
JUL 23 2004
Prothonotary

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 26th 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 2nd 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 20th 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 DISTRICT
OF COMMONWEALTH
OF PENNSYLVANIA
COUNTY OF ALLEGANY
JANUARY 1, 2004
At the Court House in
Westover, PA 15390
IN RE: EDDIE KILPATRICK, JR.
VS THE
BOROUGH OF WESTOVER
OF PENNSYLVANIA
COUNTY OF ALLEGANY
DISTRICT OF COMMONWEALTH OF PENNSYLVANIA
TO: Honorable Judge Kathleen
and Eddie Kilpatrick, deceased
Sister Patricia
22314 the Street
Westover, PA 15390
You are hereby notified in accordance
with Section 4035 of the
Pennsylvania Uniform Domain
Code, 26 P.S. Sec. 4035 that a
Declaration Of Taking was filed in
the Office of the Secretary of
the Court of Common Pleas of
Clarke County, Pennsylvania on
June 14, 2004, in the captioned
#2004-01-00000, for the purpose of
restoring the 1899 Westover, PA
15392, to a new location to which
you are the owner, as shown to
the Borough and your interest.
The Declaration of Taking of
Westover, a single proprietor and
body built, structure and existing
under the laws of the Commonwealth
of Pennsylvania, is its mailing
address is P.O. Box 199, Westover,
PA 15392. The Declaration
is authorized by the Borough
Act of February 1, 1886,
P.S. Sec. 4035, 26 P.S. Sec. 4035
P.S. Sec. 4035. The Declaration Of
Taking was authorized by Resolution
July 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 Declaration and a copy
of the Pennsylvania map and
the property, is open to be examined
by contacting the Borough
Secretary at P.O. Box 199, Westover,
Pennsylvania 15392.
The purpose of this Declaration
is to acquire property interests for
the construction, installation and
maintenance of a sewer system
and related facilities to be constructed,
operated and maintained by the
Borough of Westover.
Your sewer property, condemned
consists of a permanent
easement for use of constructing
and maintaining a sanitary sewer
line crossing property with easement
map #20 P.S. Sec. 4035, as
shown on the Plan prepared by
Gwin, Douglas & Freeman, 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, installing, repairing,
maintaining, relocating, replacing,
relocating and removing sewer
facilities over, across, upon and
through the easement area as
shown on the Plan, with the right to
use so much of the surface of the
property as is necessary to approach,
pass over, to construct, to install,
within, over, and along the right of way
the facilities to be constructed as
well as the right to ingress and
egress over the property for maintenance
of the sewer facilities, including
replacement and repair of any structure
thereon.
Notwithstanding to this, the condemned
property is hereby being
purchased by the Borough of Westover
in accordance with Section 403 of
the Uniform Domain Code, 26 P.S.
Section 4032.
You are hereby notified that if you
wish to challenge the power or the
right of the Borough of Westover to
appropriate the condemned property,
the sufficient of the security,
the procedure followed by the Borough
of Westover in the Declaration
Of Taking, you are required to
file a preliminary objection within
thirty (30) days after service of this
notice.
W. & W. Wood, Esquire
Sole for the
Borough of Westover
2004-01-00000

PROOF OF PUBLICATION

RECEIVED JUL - 7 2004

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

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

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

Carol J. Robinson COMMONWEALTH OF PENNSYLVANIA
Notary Public Clearfield, Pa. Notarial Seal

**My Commission Expires
October 31, 2007**

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

RECEIVED JUL 13 2004

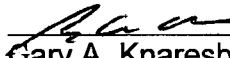
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

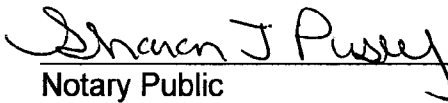
COUNTY OF CLEARFIELD :

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 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, 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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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 20th day of July, 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:

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 18th day of August, 2004

Andrea M. Smith
Notary Public

FILED No cc

CL 12-35/01
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

7002 3150 0000 7860 2658

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

DICKERSON MD 20842

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

0836 JUL 20 2004
 CLEVELAND OH
 Postmark Here
 07/20/2004

Sent To Paul E. Blake
 Street, Apt. No., or PO Box No. 7533 Banner Road
 City, State, ZIP+4 Dickerson MD 20842

PS Form 3811, June 2001

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:

Paul E. Blake
 7533 Banner Road
 Dickerson, MD 20842

2. Article Number
 (Transfer from service label)

7002 3150 0000 7860 2658

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] ☒ Agent ☐ Addressee

B. Received by (Printed Name) JOANNE MARSH C. Date of Delivery 7/27/04

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

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
PROPERTIES LOCATED IN WESTOVER
BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA

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No.2004-864-CD

2011-15-84
26700
JCL
MR

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

Ann B. Wood
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

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No.2004-864-CD

NOV 29 2004

0/11:30 (w)
William A. Shaw
Prothonotary
No. C/C

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

Ann Hagens
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

0/11.45 am
OCT 0 2007

No CC

CK

William A. Shaw
Prothonotary Clerk of Courts

RECEIPT, AGREEMENT AS TO DAMAGES AND RELEASE

This receipt, agreement and release made this 6th 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
Raymond Blake, Administrator c.t.a
James Blair Kitchen Estate, Condemnee

Attest:

Borough of Westover

Adger
Secretary

By: Beverly 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