

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DALE A. PENTZ and KELLY L.
PENTZ,
Plaintiffs

Vs.

J. THOMAS MCGEE and HARRIET W.
MCGEE,
Defendants

CIVIL DIVISION

No. 04 -960 - CD

COMPLAINT IN ACTION TO QUIET
TITLE

Filed on Behalf of:

Plaintiffs, DALE A. PENTZ and
KELLY L. PENTZ

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

JUN 21 2004

William A. Shaw
Prothonotary Clerk of Courts

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

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - - CD
J. THOMAS McGEE and HARRIET W. :
McGEE, : ACTION TO QUIET TITLE
Defendants :

N O T I C E

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, PA 16830

Phone 814/765-2641 Ex. 5982

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CLEARFIELD, PA

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

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - - CD
J. THOMAS McGEE and HARRIET W. : ACTION TO QUIET TITLE
McGEE, :
Defendants :

C O M P L A I N T

1. Plaintiffs are **Dale A. Pentz and Kelly L. Pentz, his wife,** who reside at 571 Haytown Road, Grampian, Pennsylvania, 16838.

2. Defendants are as follows:

a. **J. Thomas McGee**, an individual who resides at R.R. 2, Box 251, Curwensville, Pennsylvania, 16833.

b. **HARRIET W. McGEE**, an individual who resides at R.R. 2, Box 251, Curwensville, Pennsylvania, 16833.

3. The subject of this Action to Quiet Title is a parcel of land situated in Ferguson Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the center line of Township Road T-430, said point being North thirty-seven (37) degrees fifteen (15) minutes zero (00) seconds West, a distance of two hundred thirteen and thirty-four one-hundredths (213.34) feet from a 3/4" rebar (set) in a large stump, said place of beginning being the southern most point of the parcel herein conveyed and running; thence along the center line of Township Road T-430 the following courses and distances: North fifty-one (51) degrees four (04) minutes thirty-one (31) seconds West, a distance of one hundred ten and eleven one-hundredths (110.11) feet to a point; North fifty-one (51) degrees twelve (12) minutes thirty-seven (37) seconds West, a distance of one hundred fifty-eight and eighty-four one-hundredths (158.84) feet to a point; North forty-eight (48) degrees twenty-four (24) minutes ten (10) seconds West a distance of one hundred fifty-seven and thirty-one one-hundredths (157.31) feet to a point; North thirty-five (35) degrees forty-seven (47) minutes forty-four (44) seconds West, a distance of one hundred twenty-eight and twenty-two one-hundredths (128.22) feet to a point; North twenty-nine (29) degrees fifty-nine (59) minutes thirty-five (35) seconds West, a distance of one hundred thirty and eighty-nine one-

hundredths (130.89) feet to a point; North thirty-two (32) degrees twenty-six (26) minutes thirty-nine (39) seconds West, a distance of sixty-one and fifty one-hundredths (61.50) feet to a point; North forty-nine (49) degrees fifty-six (56) minutes forty-four (44) seconds West, a distance of fifty-one and fifteen one-hundredths (51.15) feet to a point, said point being the northwest side of an existing access road to other lands of the Grantee; thence along the line of lands of J. Thomas McGee North fifty-two (52) degrees two (02) minutes twenty-three (23) seconds East, a distance of eighty-one and thirty-seven one-hundredths (81.37) feet to a point, said point being on the southwestern line of other lands of the Grantee; thence along the southwestern line of other lands of the Grantee South thirty-seven (37) degrees fifteen (15) minutes zero (00) seconds East, a distance of seven hundred eighty-five and sixty-two one-hundredths (785.62) feet to a point and place of beginning.

Containing 52,2583.07 square feet, 1.200 acres, and shown on a retracement map dated August 5, 2003 and revised on May 19, 2004, as prepared by Curry & Associates. Bearings were based on a map prepared by R.B. Shannon & Associates dated January 10, 1985 and revised on January 23, 1985 for the Delta US Corporation showing

the proposed pipeline that crosses the lands of Shannon Land and Mining Company. A copy of the map is attached to this Complaint marked Exhibit "A".

BEING part of the same premises conveyed to Dale A. Pentz and Kelly L. Pentz, his wife, by deed dated April 21, 2003 from C. Alan Walker, et al, said deed being recorded at Clearfield as Instrument Number 200307692.

Being part of the same premises described in the deed dated June 30, 1987 from C. Alan Walker, et al, as parties of Shannon Land & Mining Company to C. Alan Walker, et al, said deed being recorded at Clearfield in Volume 1170, Page 298.

Being part of the same premises described in the deed dated October 22, 1974 from Lettie O. Murphy and Robison A. Murphy, her husband, to Louise S. Walker, et al, said deed being recorded at Clearfield in Volume 691, Page 487.

Being part of the same premises described in the deed dated November 4, 1949 from Fred G. Michaels to Lettie O. Murphy, said deed being recorded at Clearfield in Volume 402, Page 304.

Being part of the same premises described in the deed dated October 14, 1929 from Percy E. Smith, High Sheriff of Clearfield County, to Fred G. Michaels, said deed being recorded at Clearfield in Volume 284, Page 166.

4. Plaintiffs have acquired title to the above-described premises through the chain of title set out in Paragraph 3, and also by more than twenty-one (21) years adverse possession of said property by them and their predecessors in the chain of title. Said possession having been actual, continuous, exclusive, visible, notorious, distinct and hostile to all interests which the Defendants enumerated herein may have in the premises.

5. Plaintiffs, personally, and through their predecessors in title, made adverse entry on the above-described property commencing in 1974 , and said adverse possession has continued until the present time.

Plaintiffs adverse possession of this property, through themselves and their predecessors in title, has been actual, continuous, exclusive, visible, notorious, distinct and hostile and has continued for more than the statutory period of twenty-one (21) years, it having been adverse to all parties which the Defendants enumerated herein may have in the premises.

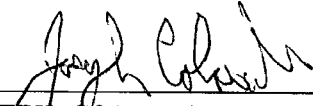
6. That this Action to Quiet Title is necessary in order to firmly vest title in the Plaintiffs through the chain of title as set out above and by adverse possession. It is the purpose of this Action to Quiet Title to give all parties the opportunity to present any claim they might have to the property.

WHEREFORE, Plaintiffs bring this Action to Quiet Title and asks the Court to Decree as follows:

a. That the Plaintiffs are seized of an indefeasible title as acquired through the chain of title set out in Paragraph 3 and also by adverse possession to the premises situated in Ferguson Township, Clearfield County, Pennsylvania, consisting of approximately 1.200 acres. The complete description of the property which is the subject of this Action to Quiet Title is set out in Paragraph 3 and is shown on the survey map attached to this Complaint marked Exhibit "A".

b. Enter such judgment or other relief which may be necessary in establishing an indefeasible title in the Plaintiffs.

c. Such other and further relief as the Court may deem proper.

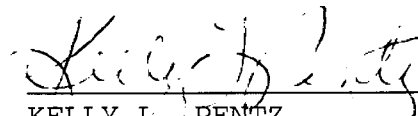


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiffs

VERIFICATION

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


DALE A. PENTZ


KELLY L. PENTZ

DALE A. PENTZ
AND
KELLY L. PENTZ
571 HORTON ROAD, GRAM TWP, PENNSYLVANIA
MAP OF RETRACEMENT SURVEY
FERGUSON TOWNSHIP
CLEARFIELD COUNTY

AUGUST 5, 2003
FIELD BOOK 81 PAGE 50
TA) MAP NUMBER 113 OF 14
FILE NUMBER 7522



GARY J. THOMP, PLS
NO. 10 44530-E
CLERK & ASSOCIATES
207 SOUTH 740 STREET
(814) 760 7226

RECEIVED MAY 18, 2004
CLEARFIELD, PENNSYLVANIA
Dale A. Pentz
COMPARISON OF
TOP OF SECTION CORNER
WITH
FIELD RECORD
RETRACEMENT OF SECTION CORNER
IN ALL CASES REQUIRED

LEGEND

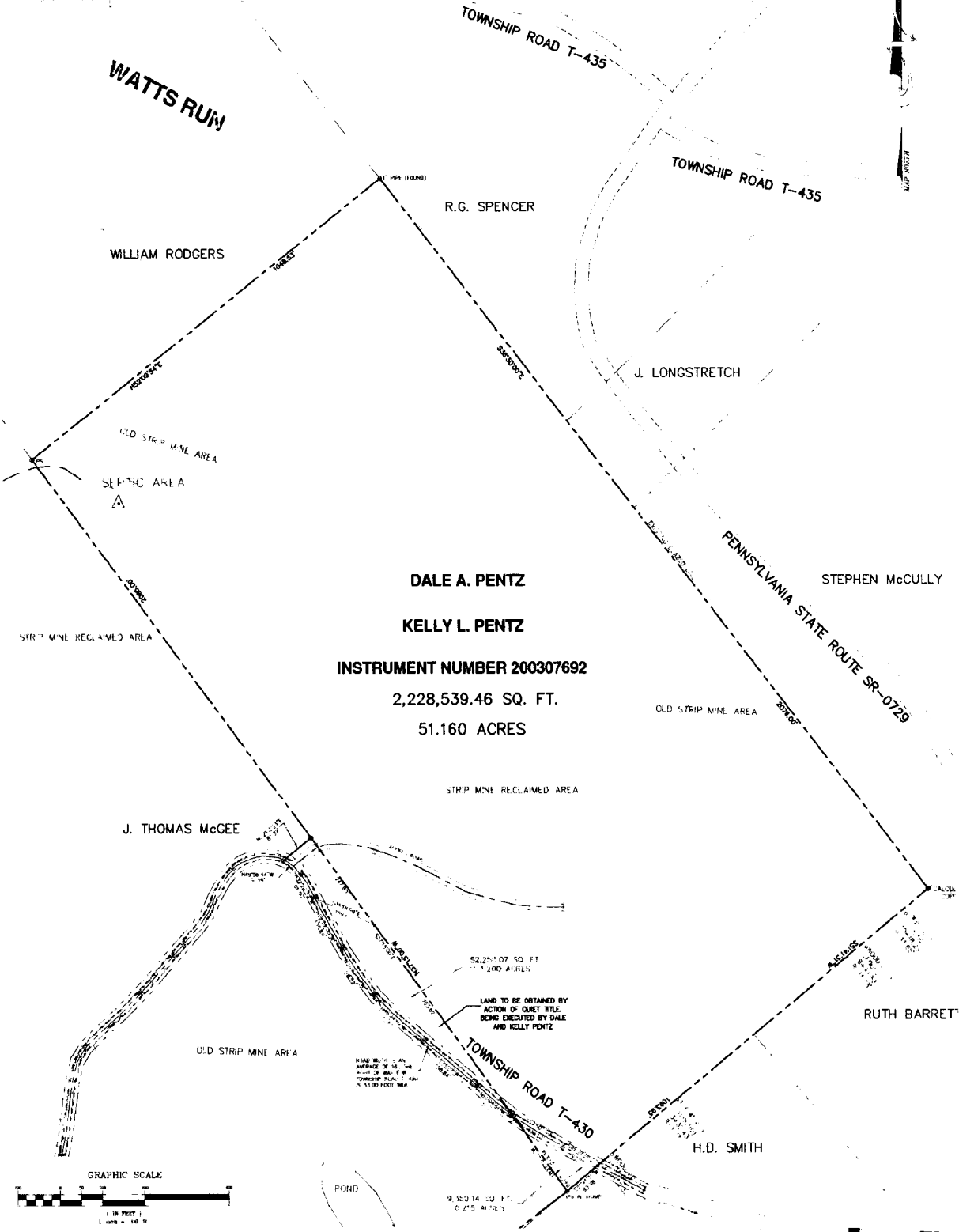
1/4 SECTION	BOUNDARY LINE
1/2 SECTION	BOUNDARY LINE
3/4 SECTION	BOUNDARY LINE
1/4 SECTION	BOUNDARY LINE
1/2 SECTION	BOUNDARY LINE
3/4 SECTION	BOUNDARY LINE
1/4 SECTION	BOUNDARY LINE
1/2 SECTION	BOUNDARY LINE
3/4 SECTION	BOUNDARY LINE
1/4 SECTION	BOUNDARY LINE
1/2 SECTION	BOUNDARY LINE
3/4 SECTION	BOUNDARY LINE

LINE LEGEND

---	PROPERTY LINE
---	REFERENCE LINE
---	BOUNDARY LINE
---	PROPERTY LINE OF THIS SURVEY
---	CENTER LINE OF PAVEMENT
---	RAILROAD
---	RAILROAD RIGHT-OF-WAY
---	RAILROAD TRACK
---	RAILROAD GRADE
---	RAILROAD SURFACE

NOTES:
1. THIS MAP IS A MAP OF THE
2. THE BOUNDARY LINE IS A
3. THE BOUNDARY LINE IS A
4. THE BOUNDARY LINE IS A
5. THE BOUNDARY LINE IS A
6. THE BOUNDARY LINE IS A
7. THE BOUNDARY LINE IS A
8. THE BOUNDARY LINE IS A
9. THE BOUNDARY LINE IS A
10. THE BOUNDARY LINE IS A

ONE-CALL SYSTEM



DALE A. PENTZ
KELLY L. PENTZ
INSTRUMENT NUMBER 200307692
2,228,539.46 SQ. FT.
51.160 ACRES

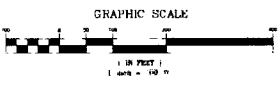


EXHIBIT
"A"

No. 04 - - CD

Plaintiffs

VS.

Defendants

QUIET TITLE

NOTICE TO DEFENDANTS:

be entered against you.

Attorney for Plaintiffs

CLEARFIELD, PA 16830

RYAN & COLAYED

P. O. BOX 131
CLEARFIELD, PA 16830

P. O. BOX 131
CLEARFIELD, PA 16830

P. O. BOX 131
CLEARFIELD, PA 16830

P. O. BOX 131
CLEARFIELD, PA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

PENTZ, DALE A. & KELLY L.

VS.

McGEE, J. THOMAS & HARRIET W.

Sheriff Docket # 15815

04-960-CD

COMPLAINT ACTION TO QUIET TITLE

SHERIFF RETURNS

NOW JUNE 23, 2004 AT 10:53 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON HARRIET W. McGEE, DEFENDANT AT RESIDENCE, RR#2 BOX 251, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HARRIET W. McGEE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

NOW JUNE 23, 2004 AT 10:53 AM SERVED THE WITHIN COMPLAINT ACTION TO QUIET TITLE ON J. THOMAS McGEE, DEFENDANT AT RESIDENCE, RR#2 BOX 251, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HARRIET W. McGEE, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT ACTION TO QUIET TITLE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

Cost	Description
28.87	SHERIFF HAWKINS PAID BY: ATTY CK# 7774
20.00	SURCHARGE PAID BY: ATTY CK# 7775

Sworn to Before Me This

14 Day Of July 2004

William A. Shaw
WILLIAM A. SHAW

Prothonotary

My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins
By Maureen Harris

Chester A. Hawkins

Sheriff

0/3:52pm
JUL 14 2004 AS

EB

VALUED
FROM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

Vs.

J. THOMAS McGEE and HARRIET W.
McGEE,

Defendants

CIVIL DIVISION

No. 04 - 960 - CD

AFFIDAVIT

Filed on Behalf of:

Plaintiffs, DALE A. PENTZ and
KELLY L. PENTZ

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUL 28 2004

013:06

William A. Shaw
Prothonotary

cfm to me

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

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - 960 - CD
J. THOMAS McGEE and HARRIET W. : ACTION TO QUIET TITLE
McGEE, :
Defendants :

A F F I D A V I T

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :

JOSEPH COLAVECCHI, ESQUIRE, Attorney for Dale A. Pentz and Kelly L. Pentz, Plaintiffs in the above-captioned case, hereby certifies that a ten day notice had been sent to the Defendants on July 15, 2004 and no Answer has been filed to the Complaint in this case. A copy of the notice is attached to this Affidavit and is to be placed of record as part of this Action to Quiet Title to show service on the Defendants, personally through the office of the Clearfield County Sheriff, as shown of record, and to prove that the ten day notice was given to Defendants.

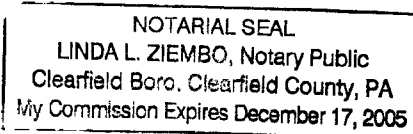
Said statements are true and correct to the best of Affiant's
information, knowledge and belief.



JOSEPH COLAVECCHI, ESQUIRE

Sworn to and subscribed before me
this 27 day of July, 2004.

Linda L. Ziembo



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

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs: No. 04 - 960 - CD
:
Vs. :
:
J. THOMAS McGEE and HARRIET W. :
McGEE, :
Defendants:

TO: HARRIET W. McGEE
R.R. #2, Box 251
Curwensville, PA 16833

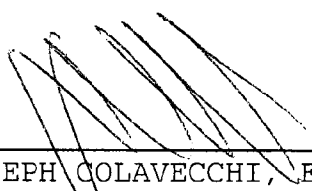
DATE OF NOTICE: July 15, 2004

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION
REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS
FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU
WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT
RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU
DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE
FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

COURT ADMINISTRATOR'S OFFICE
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
814/765-2641, Ext. 5982

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA


JOSEPH COLAVECCHI, ESQUIRE
221 East Market Street
P.O. Box 131
Clearfield, PA 16830
814/765-1566

Lab over margin

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA CIVIL DIVISION No. 04 - 960 - CD		
DALE A. PENTZ and KELLY L. PENTZ, Plaintiffs	vs.	J. THOMAS MCGEE and HARRIET W. MCGEE, Defendants
A F F I D A V I T		
COLAVECCHI RYAN & COLAVECCHI <small>ATTORNEYS AT LAW</small> 221 EAST MARKET STREET (ACROSS FROM COURTHOUSE) P.O. BOX 131 CLEARFIELD, PA 16830		

FILED
JUL 2 1997
CLEARFIELD COUNTY

William A. Snow
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

Vs.

J. THOMAS McGEE and HARRIET W.
McGEE,

Defendants

CIVIL DIVISION

No. 04 - 960 - CD

Motion for Judgment Under
Pa.R.C.P. 1066

Filed on Behalf of:

Plaintiffs, DALE A. PENTZ and
KELLY L. PENTZ

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUL 28 2004

0/2200/

William A. Shaw
Prothonotary

1 Cent to ATT

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


DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - 960 - CD
J. THOMAS McGEE and HARRIET W. : ACTION TO QUIET TITLE
McGEE, :
Defendants :

MOTION FOR JUDGMENT UNDER Pa.R.C.P. 1066

Joseph Colavecchi, Esquire, Attorney for Dale A. Pentz and Kelly L. Pentz, files this Motion with the Court stating that the Complaint in this Action to Quiet Title was filed on behalf of Plaintiffs, the Defendants were personally served by the Clearfield County Sheriff and were also given a ten day notice, and no answer has been filed by Defendants as of this date, July 28, 2004.

It is hereby moved that the Court sign the proposed Order as authorized under Pa.R.C.P. 1066.

Respectfully submitted:



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Dale A. Pentz and
Kelly L. Pentz

LAW OFFICES OF
COLAVECCHI
& COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

July 28, 2004

DATE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 04 - 960 - CD

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

vs.

J. THOMAS MCGEE and HARRIET
W. MCGEE,

Defendant

MOTION FOR JUDGMENT UNDER
Pa.R.C.P. 1066

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA 16830

Lap over margin

FILED

JUL 28 2004

William A. ...
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

Vs.

J. THOMAS MCGEE and HARRIET W.
McGEE,

Defendants

CIVIL DIVISION

No. 04 - 960 - CD

ORDER

Filed on Behalf of:

Plaintiffs, DALE A. PENTZ and
KELLY L. PENTZ

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

COLAVECCHI & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JUL 30 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - 960 - CD
J. THOMAS MCGEE and HARRIET W. : ACTION TO QUIET TITLE
McGEE, :
Defendants :

O R D E R

AND NOW, this 30 day of July, 2004,
it appearing that service of the Complaint to Quiet Title in the
above-stated Action was served on the Defendants. Service having
been made personally by the office of the Clearfield County Sheriff
on June 23, 2004 and as shown by return from the office of the
Clearfield County Sheriff. A ten day notice having been given to
the Defendants and filed of record by Joseph Colavecchi, Esquire,
Attorney for Plaintiffs, Dale A. Pentz and Kelly L. Pentz. No
Answer has been filed in said Action, and on Motion of Joseph
Colavecchi, Esquire, Attorney for Plaintiffs, Dale A. Pentz and
Kelly L. Pentz, it is hereby ORDERED AND DECREED:

1. That the above-named Defendants, and any heirs or persons
claiming under them, are forever barred from asserting any right,
lien or interest, inconsistent with the interest or claim of the

Plaintiffs, Dale A. Pentz and Kelly L. Pentz, as set forth in their Complaint, in and to the following-described piece or parcel of land, together with the improvements thereon, situated in Ferguson Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the center line of Township Road T-430, said point being North thirty-seven (37) degrees fifteen (15) minutes zero (00) seconds West, a distance of two hundred thirteen and thirty-four one-hundredths (213.34) feet from a 3/4" rebar (set) in a large stump, said place of beginning being the southern most point of the parcel herein conveyed and running; thence along the center line of Township Road T-430 the following courses and distances: North fifty-one (51) degrees four (04) minutes thirty-one (31) seconds West, a distance of one hundred ten and eleven one-hundredths (110.11) feet to a point; North fifty-one (51) degrees twelve (12) minutes thirty-seven (37) seconds West, a distance of one hundred fifty-eight and eighty-four one-hundredths (158.84) feet to a point; North forty-eight (48) degrees twenty-four (24) minutes ten (10) seconds West a distance of one hundred fifty-seven and thirty-one one-hundredths (157.31) feet to a point; North thirty-five (35) degrees forty-seven (47) minutes forty-four (44) seconds West, a distance of one hundred twenty-eight and twenty-two one-hundredths (128.22) feet to a point; North

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revised on January 23, 1985 for the Delta US Corporation showing the proposed pipeline that crosses the lands of Shannon Land and Mining Company. A copy of the retracement map is attached to the Complaint filed in this action.

BEING part of the same premises conveyed to Dale A. Pentz and Kelly L. Pentz, his wife, by deed dated April 21, 2003 from C. Alan Walker, et al, said deed being recorded at Clearfield as Instrument Number 200307692.

Said Order to be FINAL and ABSOLUTE unless the Defendants named above, shall file exceptions thereto within thirty (30) days from the date of this Order.

2. That if the above-named Defendants have not filed exceptions within said thirty (30) day period, Prothonotary shall enter Final Judgment upon Praecipe of the Plaintiffs, Dale A. Pentz and Kelly L. Pentz.

3. That the rights of the Plaintiffs, Dale A. Pentz and Kelly L. Pentz, to the respective premises are superior to the rights of the Defendants, and any other heirs or persons claiming under them.

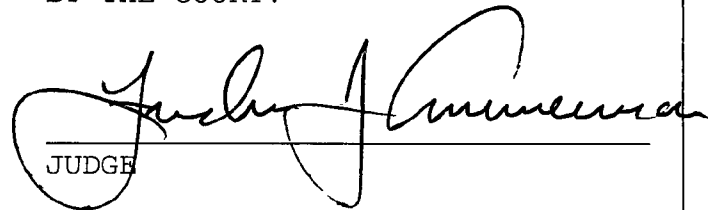
4. That the said Plaintiffs, Dale A. Pentz and Kelly L. Pentz have an indefeasible title to the property which is part of Tax Assessment Map No. 113-G13-19. Said title to be indefeasible as against all of the above-named Defendants.

5. That the Defendants above-named, and any heirs or persons claiming under them, are enjoined from setting up any title to the above-described premises of the Plaintiffs, Dale A. Pentz and Kelly L. Pentz, described in said Complaint, and also described in this Order, from impeaching, denying or in any way attacking the title of the Plaintiffs, Dale A. Pentz and Kelly L. Pentz, to the said described premises and as authorized under Pennsylvania Rule of Civil Procedure 1066.

6. That these proceedings or an authenticated copy thereof shall at all times thereafter be taken as evidence of the facts declared and established thereby.

7. That a Certified Copy of this Order shall be recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania.

BY THE COURT:


JUDGE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 04 - 960 - CD

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

vs.

J. THOMAS MCGEE and HARRIET
W. MCGEE,

Defendant

O R D E R

FILED

300

JUL 30 2004

William A. Shaw
Prothonotary/Clerk of Courts

W. Colavecchi

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
ACROSS FROM COURTHOUSE
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

Vs.

J. THOMAS McGEE and HARRIET W.
McGEE,

Defendants

CIVIL DIVISION

No. 04 - 960 - CD

PRAECIPE FOR JUDGMENT

Filed on Behalf of:

Plaintiffs, DALE A. PENTZ and
KELLY L. PENTZ

Counsel of Record for This
Party:

JOSEPH COLAVECCHI, ESQUIRE
Pa. I.D. #06810

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Clearfield, PA 16830

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FILED ^{FILE} ^{1cc}
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SEP 01 2004

William A. Shaw
Prothonotary Clerk of Courts

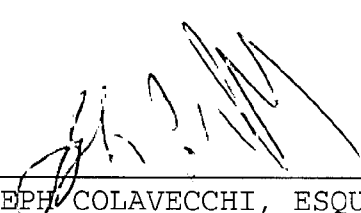
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

DALE A. PENTZ and KELLY L. PENTZ, :
Plaintiffs :
vs. : No. 04 - 960 - CD
J. THOMAS MCGEE and HARRIET W. : ACTION TO QUIET TITLE
McGEE, :
Defendants :

PRAECIPE FOR JUDGMENT

TO: WILLIAM A. SHAW, PROTHONOTARY

No appearance having been filed by any of the above Defendants, and notice having been given to them, enter judgment against all of the above-named Defendants and certify a copy of the Order of Court dated July 30, 2004 to the Office of the Recorder of Deeds for Clearfield County, Pennsylvania.


JOSEPH COLAVECCHI, ESQUIRE
Attorney for Plaintiffs

8/31/04

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION
No. 04 - 960 - CD

DALE A. PENTZ and KELLY L.
PENTZ,

Plaintiffs

vs.

J. THOMAS MCGEE and
HARRIET W. MCGEE,

Defendants

PRAECIPE FOR JUDGMENT

FILED

SEP 01 2004

Clifford A. St. John
Clerk of Court

GOLAVECCHI & GOLAVECCHI

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