

04-982-CD
MICHAEL E TOCIMAK VS EDWARD L LONG *deceased*; David mason

Michael Tocimak et al vs David Mason et al
2004-982-CD

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
individual,

Defendant.

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* No. 04 - 982 - CD

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* Type of Pleading:

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COMPLAINT

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* Filed on behalf of:
* Plaintiffs

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* Counsel of Record for
* this party:

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*

* James A. Naddeo, Esq.
* Pa I.D. 06820

*
*
*
*

* 207 East Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JUN 28 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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MICHAEL E. TOCIMAK and
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Defendant.

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No. 04 -

- CD

NOTICE

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

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

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

(814) 765-2641, ext. 5982

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

MICHAEL E. TOCIMAK and *
ISABEL TOCIMAK, husband *
and wife, *
Plaintiffs, *
*
vs. * No. 04 - - CD
*
EDWARD L. LONG, an *
individual, *
Defendant. *

C O M P L A I N T

NOW COME the Plaintiffs, Michael E. Tocimak and Isabel Tocimak, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiffs are Michael E. Tocimak and Isabel Tocimak, husband and wife, who reside at 771 Troy Hawk Run Highway, Philipsburg, Pennsylvania 16866.
2. That the Defendant is Edward L. Long, an adault individual, who resides on the Philipsburg-Port Matilda Highway, Philipsburg, Centre County, Pennsylvania 16866.
3. That Plaintiffs and their predecessors in title have been in adverse, open, notorious, continuous and exclusive possession of a piece or parcel of land located in Morris Township, Clearfield County, Pennsylvania, in excess of twenty-one (21) years. A diagram of the premises possessed by Plaintiffs is attached hereto as Exhibit "A".

4. That Plaintiffs have constructed upon the premises described in the diagram attached hereto as Exhibit "A", which diagram is incorporated herein by reference, a garage, shed and duck pen.

5. That Defendant, Edward L. Long, challenges Plaintiffs' possession to the parcel of land described in Exhibit "A" to the extent that Defendant has received a Deed from Power Land Company, Inc., dated July 27, 1984, and recorded in the Office of the Register and Recorder for Clearfield County in Deed Book 963, Page 163. A copy of said Deed is attached hereto as Exhibit "B".

6. That Plaintiffs continue to be in adverse, open, notorious, continuous and exclusive possession of the premises described in Exhibit "A" since the acquisition by Defendant of the Deed attached hereto as Exhibit "B".

7. That on or about Thursday, June 24, 2004, Defendant caused "no trespassing" signs to be placed upon the property of Plaintiffs as described in Exhibit "A".

WHEREFORE, Plaintiff requests that this Court order Defendant to bring an action in ejectment within thirty days

from entry of the order pursuant to Pa. R.C.P. No. 10669b)(1),
or be forever barred from asserting a claim to said parcel.

James A. Naddeo

James A. Naddeo, Esquire
Attorney for Plaintiffs

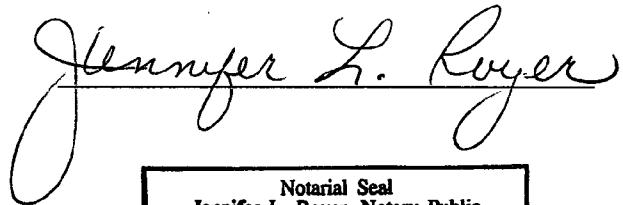
COMMONWEALTH OF PENNSYLVANIA)
ss.
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared MICHAEL E. TOCIMAK who, being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.



Michael E. Tocimak

SWORN and SUBSCRIBED before me this 25th day of June, 2004.



Notarial Seal
Jennifer L. Royer, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires May 17, 2007

NOCK -ines
5, Pg. 283
no. 011-000-86
el no. 011-000-
s Rushnock
9. 572
el no. 011-000-
Pg. 570

Edward and Frances Rushnock
D.B. 505, Pg. 283

6,5
iron
rail
outlet 11

Route No. S.R. 0053 24' paved
← To Sewer Plant — S — S sewer line
Variable Width Right of Way

Moshannon

Creek

EXHIBIT "A"

DEED

This Indenture made this 27th day of July, 1984, between
Power Land Company, Inc., a Pennsylvania corporation with an
address of P.O. Box 684, Philipsburg, Centre County,
Pennsylvania, Grantor, party of the first part,

-and-

Edward L. Long of Philipsburg, Centre County,
Pennsylvania, Grantee, party of the second part,

WITNESSETH, that in consideration of SIX THOUSAND TWO
HUNDRED FOUR and NO/100 (\$6,204.00) DOLLARS, the receipt
whereof is hereby acknowledged, the Grantor does hereby grant
and convey to the Grantee:

ALL that certain tract of land situate in the Township of
Morris, County of Clearfield, State of Pennsylvania,
bounded and described as follows, to wit:

Beginning at a point being 60' northwest of the center of
Route 53, said point being along the lot of A. Rushnock,
thence by said lands and others N 41°58'30" W - 871.90'
to an iron post set, thence by lands of William Clark
N 61°55'28" E - 117.80' to an iron post found being the
southeast corner of lands of William Clark, thence
through lands of the Grantor N 70°06'17" E - 593.4 to an
iron post found at the intersection of two fences, thence
S 32°34'55" E - 575.56' following along an old fence for
300' to an iron post set by the southeastern corner of a
garage, thence by the northern right-of-way line of Route
53, having a width of 60' north of the center line,
S 42°44'56" W - 573.79' being the chord of a curve to
left having a radius of 4643.75' to the first mentioned
point and place of beginning.

Containing 10.34 acres of land according to a plan and
survey by Henry Surveys, Dated June 7, 1984.

SUBJECT to an easement and a right of way for ingress, regress
and egress for whatever purposes for lands of John L. Maurer,
his heirs, successors and assigns, being 20 feet on each side
of a center line which is described as follows:

921 820
VOL 963 PAGE 164

S21-222 - 77

2023

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The pedigree with the highest total number of children, the one with the highest number of children and the highest number of children with children, is the one with the highest number of children with children.

NOTICE THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE(S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED, (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966.

WITNESS:

OF 1966.
Edward L. Long

Beginning at a point, which point is located South 70°6'17" West, a distance of 159.39 feet from an iron post, which post is located at the intersection of fences which is the northeasterly corner of lands of Edward L. Long, in common, with the southeasterly corner of lands of John L. Maurer; thence South 13°41'15" East, a distance of 401.20 feet to a point; thence South 51°27'05" East, a distance of 288.53 feet to a point and thence to Route 53.

EXCEPTING AND RESERVING to the Grantor, its successors and assigns, all the coal, gas, oil, clay minerals and other natural resources in, under and upon the above described premises, and, also the right and privilege of mining and removing the same by whatever means, together with the free right of ingress, egress and regress to and over the surface and subsurface of the above described premises for the purpose of removing the coal, gas, oil, clay, minerals and other natural resources with the further right to erect, maintain and repair such equipment, buildings and facilities upon the surface and through the subsurface of the above-described for the uses and purposes of this exception and reservation.

Being part of a larger tract of land originally surveyed under warrant granted to William Evans.

Being part of lands conveyed to Power Land Company, Inc., by deed of Power Contracting Co., Inc. dated April 18, 1978, and entered for record in the office for the Recording of Deeds of Clearfield County, Pennsylvania, in Deed Book, Volume 758, Page 255.

AND the Grantor from or under it will SPECIALLY WARRANT
AND DEFEND, the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be duly executed and delivered by its authorized officers the day and year first above written.

POWER LAND COMPANY, INC.

Attest:

Charles D. Jackson

By: John Evans

VOL 963 PAGE 166

CERTIFICATE OF RESIDENCE

I hereby certify that the precise address of the Grantee
is as follows:

Philipsburg, Pennsylvania 16866

James M. Neidah
Attorney for

CLEARFIELD COUNTY
ENTERED OF RECORD 8-3-84
TIME 2:03 PM
BY *Deborah Keeler*
FEES 15.50
Michael R. Lytle, Recorder

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
REALTY TRANSFER AUG-3'84
TAX
62.04
RE:11352

VOL 963 PAGE 167

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF CENTRE)
ss:

On this 27th day of July, 1984, before me,
the undersigned officer, personally appeared, Richard H.
Nevens, who acknowledged that he, being authorized by Power
Land Company, Inc. to do so, executed the foregoing Deed for
the purpose therein contained by signing his name thereon as
such.

IN WITNESS WHEREOF, I have herewith set my hand and
official seal.

Judith Matia
Notary Public



STATE OF PENNSYLVANIA: ss
COUNTY OF CLEARFIELD: ss
RECORDED in the Recorders Office in and for said
County in Deeds and Records Book No. 963
Page 163 etc.

WITNESS my hand and seal of office this
3 day of Aug A.D. 1984

Michael R. Lyle Recorder

JUDITH MATIA, NOTARY PUBLIC
WOODWARD TWP., CLEARFIELD COUNTY
MY COMMISSION EXPIRES SEPT. 20, 1986
Member, Pennsylvania Association of Notaries

WEST BRANCH SCHOOL DISTRICT
1% REALTY TRANSFER TAX

AMOUNT \$ 62.04

PAID 8-3-84 MICHAEL R. LYLE
Date Agent

My Commission Expires
First Monday in January, 1988

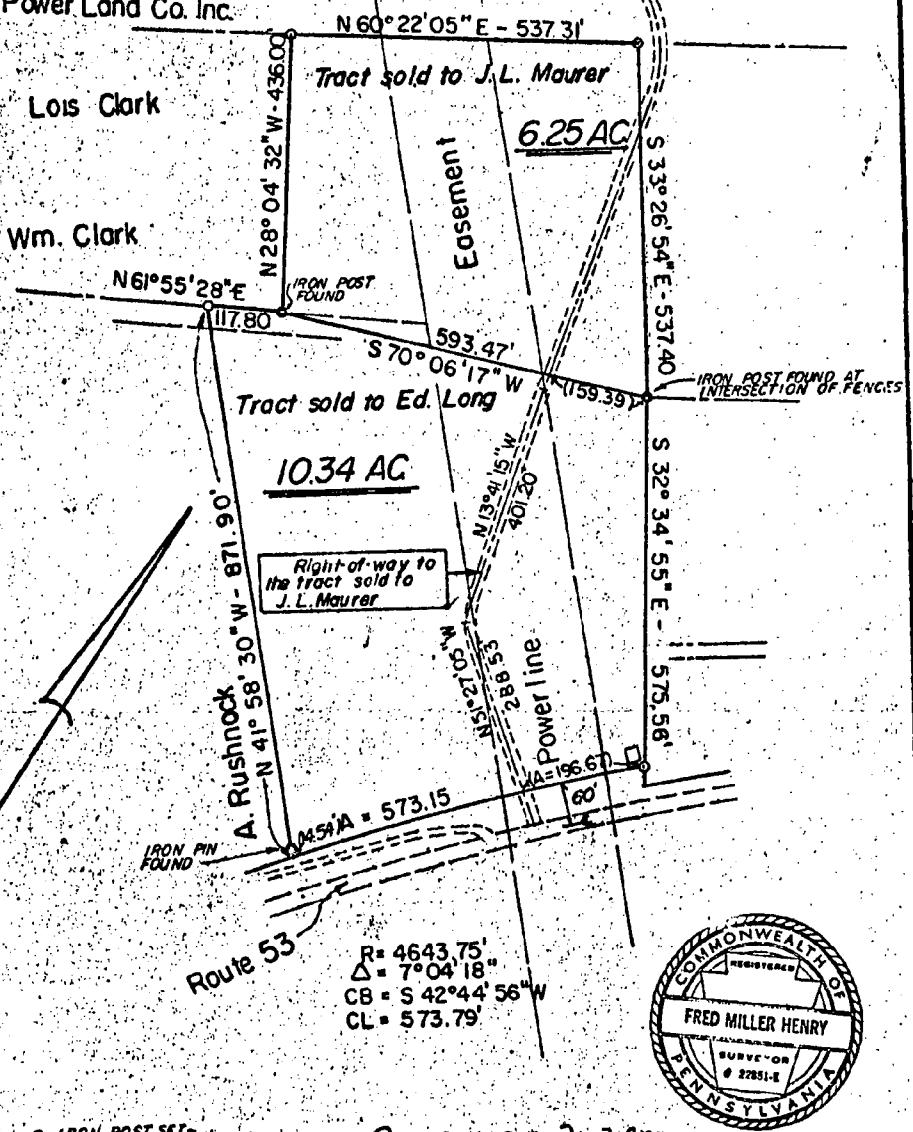


VOL 963 PAGE 168 Maurer

Power Land Co. Inc.

Lois Clark

Wm. Clark



Entered of Record Aug 3 1981 2:03 PM Michael R. Lytle, Recorder

SURVEY OF TRACTS OF LAND

FOR

J. L. MAURER, and EDWARD LONG

MORRIS TOWNSHIP,

CLEARFIELD COUNTY, PENNSYLVANIA

client, POWER LAND CO INC
owner,

deed book 758, page 255

NOTES:

1. This tract is a portion of the Evans wt.
2. Phillipsburg Coal & Land Co maps use as reference for this survey.

PREPARED BY

HENRY SURVEYS

P.O. Box 510 - Route 220

Port Matilda, Pennsylvania

date: 5/7/84 checked by FMH drawing no.

scale 1" = 200 ft drawn by FMH 184-27A



CLIFFFIELD, PENNSYLVANIA 16830
P.O. BOX 552
ATTORNEY AT LAW
JAMES A. NADDEO

Lap over margin

SA
FILED 2cc
OCT 3 2004 Atty NADDEO
GDN 28 2004 Atty NADDEO
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 85.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, his wife,

Plaintiffs

No. 04-982-CD

vs.

EDWARD L. LONG, an
individual,

Defendant

CIVIL DIVISION

TYPE OF PLEADING
PRAECLPSE FOR ENTRY
OF APPEARANCE

FILED ON BEHALF OF:
DEFENDANT

ATTORNEY FOR DEFENDANT:
David C. Mason, Esquire
Supreme Court ID #39180
DAVID C. MASON LAW OFFICE
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

FILED
m 9:10 AM JUL 12 2004
no cc
B6
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, his wife,

Plaintiffs

No. 04-982-CD

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EDWARD L. LONG, an
individual,

Defendant

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PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY OF SAID COURT:

Kindly enter my appearance on the behalf of the above named Defendant.

MASON LAW OFFICE

DATED: 7-8-04

By: 

David C. Mason, Esquire,
Attorney for Defendant

In The Court of Common Pleas of Clearfield County, Pennsylvania

TOCIMAK, MICHAEL E. & ISABEL

Sheriff Docket # 15878

VS.

04-982-CD

LONG, EDWARD L.

COMPLAINT

SHERIFF RETURNS

NOW JUNE 30, 2004 DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON EDWARD L. LONG, DEFENDANT.

NOW JULY 6, 2004 DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON EDWARD L. LONG, DEFENDANT. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED WILLIAM PHILLIPS, ADULT AT RESIDENCE.

Return Costs

Cost	Description
28.00	SHERIFF HAWKINS PAID BY: ATTY CK# 16298
10.00	SURCHARGE PAID BY: ATTY CK# 16299
31.00	CENTRE CO. SHFF. PAID BY: ATTY

Sworn to Before Me This

21st 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 Maulyn Henn
Chester A. Hawkins
Sheriff

FILED

6/206 pm
JUL 21 2004

William A. Shaw
Prothonotary

SHERIFF'S OFFICE

CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN				INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.						
1. Plaintiff(s) <u>MICHAEL TOCIMAK ET AL.</u>				2. Case Number <u>04-982-CJ</u>						
3. Defendant(s) <u>EDWARD L. LONG</u>				4. Type of Writ or Complaint: <u>COMPLAINT</u>						
SERVE → AT { <u>EDWARD L. LONG</u>				5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold. <u>TWIN OAKS FARM, PHILIPSBURG - POET MATILDA Hwy, PHILIPSBURG PA 16866</u>						
6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)				7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other						
Now, <u>20</u> I, Sheriff of CENTRE COUNTY, PA., do hereby depose the Sheriff of				County to execute this Writ and make return thereof according to law. This deputation						
being made at the request and risk of the plaintiff.				Sheriff of Centre County						
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE										
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.										
9. Print/Type Name and Address of Attorney/Originator				10. Telephone Number			11. Date			
				12. Signature						
SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE										
13. I acknowledge receipt of the writ or complaint as indicated above.		SIGNATURE of Authorized CCSD Deputy of Clerk and Title			14. Date Filed		15. Expiration/Hearing Date			
TO BE COMPLETED BY SHERIFF										
16. Served and made known to <u>WILLIAM PHILLIPS</u> , on the <u>6th</u> day of <u>July</u> , 2004, at <u>1:23</u> o'clock, P.m., at <u>TWIN OAKS FARM, PHILIPSBURG - POET M. Hwy</u> , County of Centre										
Commonwealth of Pennsylvania, in the manner described below:										
<input type="checkbox"/> Defendant(s) personally served. <input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____ <input checked="" type="checkbox"/> Adult in charge of Defendant's residence. <input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s). <input type="checkbox"/> Agent or person in charge of Defendant's office or usual place of business. <input type="checkbox"/> _____ and officer of said Defendant company. <input type="checkbox"/> Other _____										
On the _____ day of _____, 20____, at _____ o'clock, _____ M.										
Defendant not found because: <input type="checkbox"/> Moved <input type="checkbox"/> Unknown <input type="checkbox"/> No Answer <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____										
Remarks:										
Advance Costs <u>75.00</u>	Docket <u>9.00</u>	Service <u>9.00</u>	Sur Charge <u>10</u>	Affidavit <u>2.50</u>	Mileage <u>9.00</u>	Postage <u>.50</u>	Misc. <u>1.00</u>	Total Costs <u>\$31.00</u>	Costs Due or Refund <u>\$44.00</u>	
17. AFFIRMED and subscribed to before me this <u>16</u>				So Answer.					18. Signature of Dep. Sheriff <u>Edward P. Peters 4531</u>	19. Date <u>07/06/04</u>
20. day of <u>July</u> 2004				21. Signature of Sheriff					22. Date	
23. <u>Corinne Peters</u> Notary Public				SHERIFF OF CENTRE COUNTY						
Notarial Seal Corinne Peters, Notary Public My Commission Expires June 2008 Berlefonte, Centre County				Amount Pd. _____ Page _____						
24. I ACKNOWLEDGE RECEIPT EXCEPT AS TO SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE, 2005 Member, Pennsylvania Association of Notaries									25. Date Received	

(Civil)

SHERIFF'S OFFICE WORK SHEET

847

Deputy assigned DD Date assigned 7/2/04 Last Day 7/26/04

DEFENDANT (S) Edward Long Type of Writ Complaint

address Philipsburg - Port Matilda Hwy. Order # 04-982-CD

Philipsburg, Pa. Page # 2780-AA

PLAINTIFF Michael & Isabel Tocimak Date Served _____

(342-1475) Michael Tocimak

(342-2396) MOTHER

Action Taken

Date/Time

07/06/04 @ 0900 → CONTACTED ATTNG JASNEO, GIVEN NUMBER FOR PLAINTIFF / DD

@ 0910 → CONTACTED ISABEL, HAD NO INFORMATION, WILL HAVE / D.J.

MICHAEL CALL WHEN HE ARRIVES HOME

07/06/04 @ 1323 → SERVED WILLIAM PHILLIPS (WORKER/EMPLOYEE) AT
TWIN OAKS FARM, 322 (DEF. RESIDENCE)

Miscellaneous Information



Sheriff's Office Clearfield County

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

ROBERT SNYDER
CHIEF DEPUTY

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
PAGE 15878

MICHAEL E. TOCIMAK & ISABEL TOCIMAK

TERM & NO. 04-982-CD

VS

DOCUMENT TO BE SERVED:

COMPLAINT

EDWARD L. LONG

SERVE BY: 07/28/2004

MAKE REFUND PAYABLE TO: JAMES A. NADDEO, ATTORNEY

SERVE: EDWARD L. LONG

ADDRESS: PHILIPSBURG-PORT MATILDA HIGHWAY, PHILIPSBURG, PA.

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depose the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deposition being made at the request and risk of the Plaintiff this 30th Day of JUNE 2004

Respectfully,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

PA 2780-PA
CD-7-2

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
individual,

Defendant.

No. 04 - 982 - CD

Type of Pleading:

**PRAECIPE FOR
STATUS CONFERENCE**

Filed on behalf of:

Plaintiffs

Counsel of Record for
this party:

James A. Naddeo, Esq.

Pa I.D. 06820

207 East Market Street

P.O. Box 552

(814) 765-1601

FILED NO
0111023761
JUL 17 2007 cc
RP

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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MICHAEL E. TOCIMAK and
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No. 04 - 982 - CD

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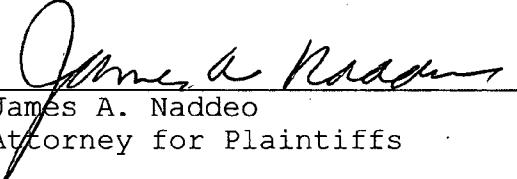
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PRAECIPE FOR STATUS CONFERENCE

Please schedule a status conference in the above-
captioned case.


James A. Naddeo
Attorney for Plaintiffs

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

MICHAEL E. TOCIMAK and *
ISABEL TOCIMAK, husband *
and wife, *
Plaintiffs, *
*
vs. * No. 04 - 982 - CD
*
EDWARD L. LONG, an *
individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Praecipe to Schedule Status Conference was served on the following and in the following manner on the 17th day of July, 2007:

First-Class Mail, Postage Prepaid

David C. Mason, Esquire
409 North Front Street
PO Box 28
Philipsburg, PA 16866



James A. Naddeo
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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MICHAEL E. TOCIMAK and
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* No. 04 - 982 - CD

* Type of Pleading:

* **CERTIFICATE OF SERVICE**

* Filed on behalf of:
* Plaintiffs

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 207 East Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED acc
93:29cm AM JUL 19 2007 Naddeo
22

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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MICHAEL E. TOCIMAK and *
ISABEL TOCIMAK, husband *
and wife, *
Plaintiffs, *
*
vs. * No. 04 - 982 - CD
*
EDWARD L. LONG, an *
individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Scheduling Order was served on the following and in the following manner on the 19th day of July, 2007:

First-Class Mail, Postage Prepaid

David C. Mason, Esquire
409 North Front Street
PO Box 28
Philipsburg, PA 16866



James A. Naddeo
Attorney for Plaintiffs

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
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* No. 04 - 982 - CD

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* Type of Pleading:

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SCHEDULING ORDER

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*
*

* Filed on behalf of:
* Plaintiffs

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* James A. Naddeo, Esq.
* Pa I.D. 06820

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* 207 East Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED ^{acc}
JUL 19 2007 Atty Naddeo

William A. Shaw
Prothonotary/Clerk of Courts

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
individual,

Defendant.

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No. 04 - 982 - CD

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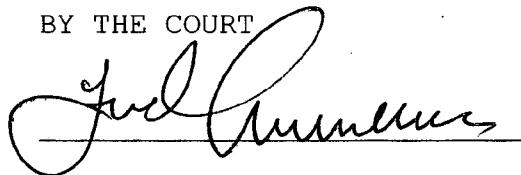
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ORDER

AND NOW, this 18th day of July, 2007, upon
consideration of the Praecipe for Status Conference filed by James
A. Naddeo, Esquire, Attorney for Plaintiff in the above-captioned
case, it is hereby ORDERED and DIRECTED that a status conference
be held on the 12th day of September, 2007 at 2:00 P.m.

BY THE COURT



FILED

JUL 19 2007

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

DATE: 7/19/07

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

EDWARD L. LONG, an individual,

Defendant

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* No. 04-982-CD

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* TYPE OF CASE: Civil Action
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* TYPE OF PLEADING: NOTICE OF
* DEATH

*

* FILED ON BEHALF OF: Defendant
*

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*

* COUNSEL OF RECORD FOR DEFENDANT:

*

* David C. Mason, Esquire
* ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

*

* COUNSEL OF RECORD FOR PLAINTIFF:

* James A. Naddeo, Esquire
* ID# 06820
* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED 11/18/07 SEP 12 2007
100 Atty Mason
GP

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

*
* No. 04-982-CD

Plaintiffs

*

vs.

*

EDWARD L. LONG, an individual,

*

Defendant

*

NOTICE OF DEATH

TO THE PROTHONOTARY OF SAID COURT:

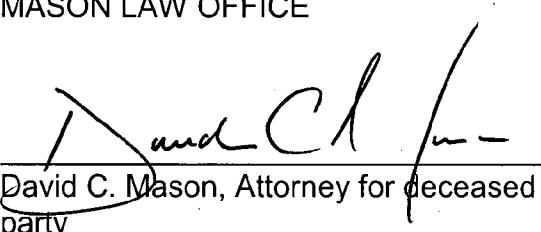
The death of Edward L. Long, a party to the above action during the pendency of this action is noted upon the record.

Kindly substitute the personal representative of Edward L. Long as Defendant.

The personal representative is David C. Mason, Executor under the Will of Edward L. Long, P.O. Box 28, Philipsburg, Pennsylvania, 16866.

MASON LAW OFFICE

Sept 12, 2007



David C. Mason, Attorney for deceased
party

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

*
* No. 04-982-CD
*

Plaintiffs

*

vs.

*

EDWARD L. LONG, an individual,

*

Defendant

*

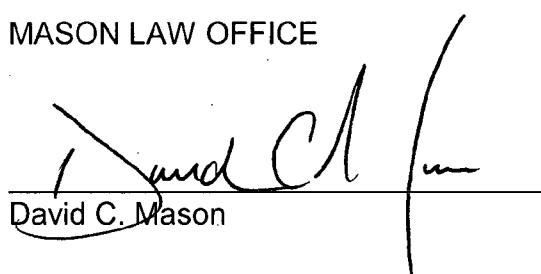
PRAECIPE TO AMEND CAPTION

TO THE PROTHONOTARY OF SAID COURT:

As the result of the death of Edward L. Long, please amend the caption to substitute
David C. Mason, Personal Representative of the Estate of Edward L. Long, as successor,
pursuant to Pa. R.C. P. 2352.

MASON LAW OFFICE

DATED: 9-12-7



David C. Mason

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

EDWARD L. LONG, an individual,

Defendant

*
* No. 04-982-CD

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* TYPE OF CASE: Civil Action
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* TYPE OF PLEADING: CERTIFICATE
* OF SERVICE

*

* FILED ON BEHALF OF: Defendant

*

*

* COUNSEL OF RECORD FOR DEFENDANT:

*

* David C. Mason, Esquire
* ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

*

* COUNSEL OF RECORD FOR PLAINTIFF:

* James A. Naddeo, Esquire
* ID# 06820
* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED *ICC*
01/18/07 *Atty Mason*
SEP 12 2007
JK

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

*
* No. 04-982-CD
*

Plaintiffs

*

vs.

*

EDWARD L. LONG, an individual,

*

Defendant

*

CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct copy
of a NOTICE OF DEATH and a PRAECIPE TO AMEND CAPTION, filed in the above
captioned matter, by hand-delivering the same to the following:

James A. Naddeo, Esquire
207 E. Market Street
P.O. Box 552
Clearfield, PA 16830

MASON LAW OFFICE

DATED:

9-12-7

By:

David C. Mason, Esquire

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

MICHAEL E. TOCIMAK and ISABEL TOCIMAK,
husband & wife,

Plaintiffs

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vs.

NO. 04-982-CD

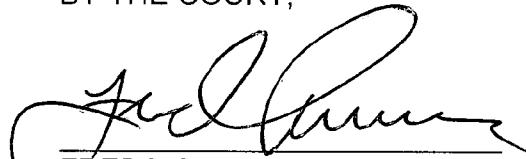
DAVID C. MASON, Esquire
Defendant

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ORDER

AND NOW, this 18th day of September, 2007, it is the ORDER of the Court that
a Pre-Trial Conference in the above matter shall be held on the **13th day of December,**
2007, in Chambers at 9:30 o'clock a.m.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED
07/17/07 ICC Atty's:
SEP 18 2007 Nadine
Mason

William A. Shaw
Prothonotary/Clerk of Courts

(6K)

FILED

SEP 18 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 9/18/07

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

DAVID C. MASON, Personal
Representative of the Estate of
Edward L. Long, as successor,

Defendant

*
* No. 04-982-CD

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* TYPE OF CASE: Civil Action

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* TYPE OF PLEADING: CERTIFICATE OF
* SERVICE

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* FILED ON BEHALF OF: Defendant

*

*

* COUNSEL OF RECORD FOR DEFENDANT:

*

* David C. Mason, Esquire
* ID #39180
* MASON LAW OFFICE
* P.O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

*

* COUNSEL OF RECORD FOR PLAINTIFF:

* James A. Naddeo, Esquire
* ID# 06820
* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

SEP 27 2007

WMA/11/01/07
William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO FILE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

DAVID C. MASON, Personal
Representative of the Estate of
Edward L. Long, as successor,

Defendant

*
* No. 04-982-CD
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CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct copy
of a PETITION FOR COURT APPROVAL OF COMPROMISE OF ACTION TO QUIET
TITLE TO REAL PROPERTY filed in the above captioned matter, by hand-delivering the
same to the following:

James A. Naddeo, Esquire
207 E. Market Street
P.O. Box 552
Clearfield, PA 16830

MASON LAW OFFICE

By:


David C. Mason, Esquire

DATED: 9-26-07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

DAVID C. MASON, Personal
Representative of the Estate of
Edward L. Long, as successor,

Defendant

*
* No. 04-982-CD
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ORDER

AND NOW, this 28 day of September, 2007, upon consideration
of the within Petition of David C. Mason, Esquire, as Personal Representative of the Estate
of L. Long and as Petitioner, it is hereby ORDERED AND DECREED that the above
captioned action shall be settled by the delivery of a fully executed, acknowledged,
fiduciary Deed from the Personal Representative of the Estate of Edward L. Long to
Plaintiffs herein in the form noted as Exhibit "A" and attached to said Petition.

BY THE COURT:



FILED ^{cc}
M 11-48604 SEP 28 2007 Atty Mason
GK

William A. Shaw
Prothonotary/Clerk of Courts

FILED

SEP 28 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 9/28/07

You are responsible for serving all appropriate parties.
 The Prothonotary's office has provided service to the following parties:
 Plaintiff(s) Plaintiff(s) Attorney Other
 Defendant(s) Defendant(s) Attorney
 Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs

vs.

DAVID C. MASON, Personal
Representative of the Estate of
Edward L. Long, as successor,

Defendant

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* No. 04-982-CD

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

*
* No. 04-982-CD

Plaintiffs

*

vs.

*

DAVID C. MASON, Personal
Representative of the Estate of
Edward L. Long, as successor,

*

Defendant

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PETITION FOR COURT APPROVAL
OF COMPROMISE OF ACTION
TO QUIET TITLE TO REAL PROPERTY

AND NOW, this 26th day of SEPTEMBER 2007, the Petition of David C. Mason, Esquire, Personal Representative of the Estate of Edward L. Long, and as Petitioner respectfully represents as follows:

1. Edward L. Long died January 2, 2007, a resident of Rush Township, Centre County, Pennsylvania.
2. At the time of his death the instant action was pending.
3. Your petitioner, David C. Mason, Esquire, served as legal counsel for the decedent in the instant action, and pursuant to Letters Testamentary issued January 18, 2007, is the lawfully appointed Personal Representative.
4. The area sought to be secured by Plaintiffs' action to Quiet Title was a portion of a commercial property in Morris Township, Clearfield County, Pennsylvania, used by the decedent and his son, Edward T. Long, for the conduct of various business endeavors.

2007, and observed the area claimed by the Plaintiffs.

6. The "disputed" area which is the subject of the Action to Quiet Title appears to be occupied by the Plaintiff, and erected thereon are three (3) utility buildings or out buildings which appear to have been constructed over thirty (30) years ago. The lands surrounding these out buildings has been maintained by the Plaintiffs and are physically separate from Defendant's commercial lands by a steep embankment and drainage ditch.

7. Petitioner has reviewed the matter with the Decedent's son and business partner, Edward T. Long, who recognized and acknowledged that the disputed area is not used as part of the commercial lands, appears to be occupied by the Plaintiffs, and that the buildings erected on the disputed lands have been there for an extended period of time.

8. Petitioner believes that it is in the best interest of the estate to settle and compromise the instant civil action by the execution, acknowledgment and delivery of a fiduciary deed from the Personal Representative, Petitioner herein, to Plaintiffs herein.

9. Attached as Exhibit "A" is a copy of the proposed Deed.

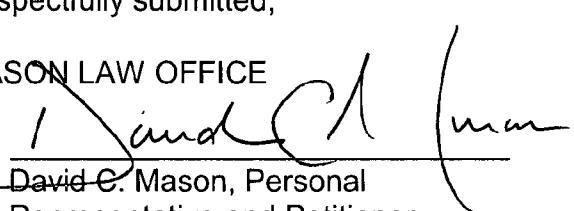
10. Attached as Exhibit "B" is the Consent and Joinder of Edward T. Long, individually and as parent and natural guardian of his son Aaron Long.

WHEREFORE, Petitioner prays your Honorable Court for the entry of an Order authorizing the Petitioner to settle the case by the execution, acknowledgment and delivery of the Deed attached as Exhibit "A".

Respectfully submitted,

MASON LAW OFFICE

By:


David C. Mason, Personal
Representative and Petitioner

DRAFT

DEED

n.t.s.

MADE the _____ day of _____, 2007 by and between
DAVID C. MASON, Executor of the ESTATE OF EDWARD L. LONG,
deceased, Late of Rush Township, Centre County, Pennsylvania,
hereinafter referred to as "GRANTOR",

A
N
D

MICHAEL E. TOCIMAK and ISABEL TOCIMAK, husband and wife, of 771
Troy Hawk Run Hwy, Philipsburg, Pennsylvania, as tenants by the
entireties, hereinafter referred to as "GRANTEES"

WHEREAS, the said Edward T. Long was vested in his
lifetime with title to premises hereinafter described; and

WHEREAS, the said Edward T. Long died testate on
January 2, 2007 a resident of Rush Township, Centre County,
Pennsylvania, and

WHEREAS, the Will of Edward L. Long was filed for
probate and David C. Mason was appointed Executor of the Estate of
Edward T. Long by the Register of Wills of Centre County,
Pennsylvania, on January 18, 2007; and

WHEREAS, a quiet title action was filed in the Court of
Common Pleas, Clearfield County, Pennsylvania, to No. 04-982-CD;
and

Ex "A"

WHEREAS, the parties have reached an agreement over the disputed parcel of land; and

WHEREAS, it is the intention of this deed to convey to Grantees the disputed land.

NOW, THIS INDENTURE WITNESSETH that David C. Mason, Executor, for and in consideration of the sum of One (\$1.00) Dollar, lawful money of the United States to him in hand paid by the said Grantees at and before the ensealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, released and confirmed, and by these presents, does grant, bargain, sell, alien, release and confirm unto the said Grantees, their heirs, executors and assigns, All that certain lot or parcel of ground situate in Morris Township, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the thirty foot right of way of Howard Street said point being 171.18 feet from the corner of Howard Street and Township Road No. 967; thence South 32° 16' 40.0" East 171.18 feet to point on corner of Howard Street and Township Road No. 967; thence along Township Route 967 South 46° 3' 45.0" West 33.70 feet to a point; thence North 47° 14' 30.0 " West 57.52 feet to a point; thence North 22° 11' 10" West 123.96 feet to a point; thence North 56° 53' 35" East 26.14 feet to a point and place of beginning. Containing 0.1528 acres.

A copy of the survey map prepared by Shirokey Surveys dated November 3, 2004 is attached hereto.

BEING a portion of the same premises conveyed to Edward T. Long by Deed of Power Land Company, Inc. dated July 27, 1984 and recorded in Clearfield County Deed and Record Book 963, page 163.

TO HAVE AND TO HOLD the said messuage or tenement and tract of land, hereditaments and premises hereby granted and released, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs, executors and assigns, to and for the only proper use and behoof of the Grantees, their heirs, executors and assigns forever.

AND the said Grantor, as aforesaid, his heirs, executors, and assigns, does covenant, promise and agree to and with the said Grantees, their heirs and assigns, by these presents, that the Grantor has not done, committed any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or encumbered in title, or otherwise howsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

WITNESS:

(SEAL)

David C. Mason, Executor, of the
Estate of Edward T. Long

COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the ____ day of _____, 2007, before me, the undersigned officer, personally appeared DAVID C. MASON, Executor of the Estate of Edward T. Long, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

CERTIFICATE OF RESIDENCE

I, James A. Naddeo, Esquire, do hereby certify the
precise residence of the Grantees to be as follows:
771 Troy Hawk Run Hwy., Philipsburg, PA 16866

ASHNOCK

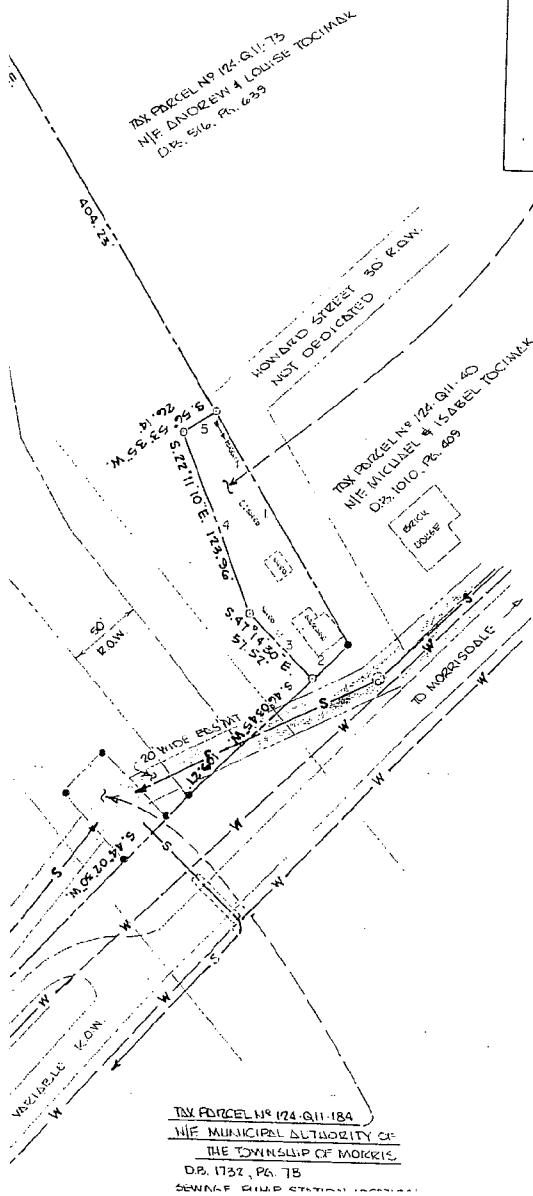
PROPOSED PARCEL OF TAKING BY ADVERSE POS

OUT OF TAX PARCEL NO 124-Q11-159 - EDWARD L. LONG - DB 963
TO BE CONVEYED TO: MICHAEL & ISABEL TOCHIMAK

1	thence S 32 16 40.0 E	121.180 ft.
2	thence S 46 3 45.0 W	33.700 ft.
3	thence N 47 14 30.0 W	57.520 ft.
4	thence N 22 11 10.0 W	123.960 ft.
5	thence N 56 52 35.0 E	26.140 ft.

True Point of Beginning

Proportion Ratio: 1 part in 295272
Length to Close = 0.001 Perimeter Length = 4.
Bearings of Closing Line = N 84 10 29.8 W
Enclosed Area = 2251.4 Sq. Ft. or 0.1520 Acres



CLEARFIELD COUNTY PLANNING COMMISSION'S]

The Clearfield County Planning Department, as required by the Planning Code, Act 247 of 1968, as amended, reviewed this plan or copy of the review is on file at the office of the Planning Department. This certificate does not indicate approval or disapproval of the plan by the Planning Department, and the Department does not represent nor does it guarantee that the plan complies with the various ordinances, rules, regulations, or laws of the Commonwealth, or the Federal government.

Signature of Director

PLAN RECORDING NOTATION

After all required signatures are obtained, the Subdivision (The Clearfield County Recorder of Deeds recopies the original signatures.) with the Record of Deeds Office at the Court House within ninety (90) days from the date of the a Board of Supervisors as per the Pennsylvania Municipal Act 247 of 1968 as amended, Section 513.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

*
* No. 04-982-CD
*

Plaintiffs

*

vs.

*

EDWARD L. LONG, an individual,

*

Defendant

*

CONSENT AND JOINDER

AND NOW comes Edward T. Long, individually, and as parent and natural guardian of his son, Aaron Long, who joins in the prayer for relief contained in the Petition for Court Approval of Compromise of Action to Quiet Title to Real Property, and upon notice of an Order of Court, consents to the tender of a fully executed, acknowledged Fiduciary Deed from the Personal Representative and Petitioner herein to Plaintiffs' counsel.

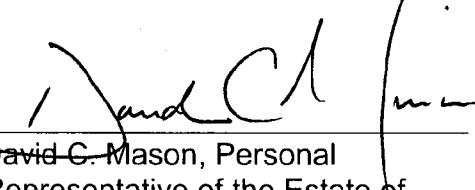
Edward T. Long

Edward T. Long, individually, and as Parent and Natural Guardian of Aaron Long

Ex "B"

VERIFICATION

I hereby certify that the facts set forth in the foregoing PETITION are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.



David C. Mason, Personal
Representative of the Estate of
Edward L. Long and Petitioner

DATED: 9-26-7

FILED

SEP 27 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
individual,

Defendant.

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No. 04 - 982 - CD

Type of Pleading:

**PRAECIPE TO SETTLE
AND DISCONTINUE**

Filed on behalf of:

Plaintiffs

Counsel of Record for
this party:

James A. Naddeo, Esq.

Pa I.D. 06820

207 East Market Street

P.O. Box 552

Clearfield, PA 16830

(814) 765-1601

FILED 1CC A/H
OCT 22 2007
Naddeo

William A. Shaw
Prothonotary/Clerk of Courts

Copy to e/A

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

MICHAEL E. TOCIMAK and
ISABEL TOCIMAK, husband
and wife,

Plaintiffs,

vs.

EDWARD L. LONG, an
individual,

Defendant.

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No. 04 - 982 - CD

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above-captioned case settled and discontinued.

James A. Naddeo

James A. Naddeo
Attorney for Plaintiffs

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

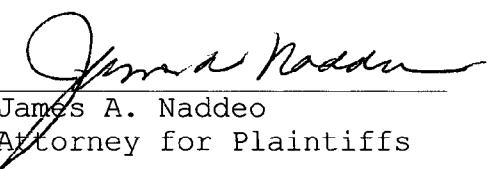
MICHAEL E. TOCIMAK and *
ISABEL TOCIMAK, husband *
and wife, *
Plaintiffs, *
*
vs. * No. 04 - 982 - CD
*
EDWARD L. LONG, an *
individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Praeclipe to Settle and Discontinue was served on the following and in the following manner on the 22nd day of October, 2007:

First-Class Mail, Postage Prepaid

David C. Mason, Esquire
409 North Front Street
PO Box 28
Philipsburg, PA 16866


James A. Naddeo
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Michael E. Tocimak
Isabel Tocimak

Vs.
David C. Mason

No. 2004-00982-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on October 22, 2007, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by James A. Naddeo Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 23rd day of October A.D. 2007.

William A. Shaw

William A. Shaw, Prothonotary