

DOCKET NO. 173

NUMBER	TERM	YEAR
126	February	1961

Edgar F. Brasseur and

Margaret F. Brasseur

VERSUS

Edward Kennedy

Ora Kennedy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Edgar F. Brassen and : No. 126 February Term, 1961  
Margaret F. Bassen :

vs :

Edward Kennedy and :  
Ora Kennedy : Complaint Action To Quiet Title

\*\*\*\*\*  
(SHERIFF'S RETURN)

NOW, February 23, 1961 at 2:25 o'clock P.M. served the Complaint Action To Quiet Title on Edward Kennedy at place of residence 105 Spring Avenue, DuBois, Pennsylvania by handing to Ora Kennedy an adult member of the family being the wife of Edward Kennedy a true and attested copy of the original Complaint Action To Quiet Title and made known to her the contents thereof.

NOW, February 23, 1961 at 2:25 o'clock P.M. served the within Complaint Action To Quiet Title on Ora Kennedy at place of residence 105 Spring Avenue, DuBois, Pennsylvania by handing to her personally a true and attested copy of the original Complaint Action To Quiet Title and made known to her the contents thereof.

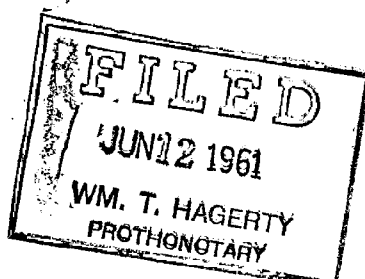
COSTS: Sheriff Ammerman \$13.10  
(Paid by Attys A & B)

So answers,

*Charles G. Ammerman*  
CHARLES G. AMMERMAN  
Sheriff

Sworn to before me this 23rd  
day of February A. D. 1961.

*Wm. T. Hagerty*  
Prothonotary



EDGAR F. BRASSEUR and

MARGARET F. BRASSEUR

VERSUS

EDWARD KENNEDY and

ORA KENNEDY

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

No. 126 Term Feb 19 61

To Wm. T. Hagerty,

Prothonotary.

Sir: ~~Entire~~ appearance for

Mark the above settled, discontinued and ended.

in above case.

AMMERMAN & BLAKLEY

BY

Attorney for Plaintiff

No. \_\_\_\_\_ Term \_\_\_\_\_ 19 \_\_\_\_\_

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vs.

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\_\_\_\_\_

APPEARANCE

For \_\_\_\_\_  
\_\_\_\_\_

*Office*  
**FILED**  
JUN 16 1961  
Wm. T. HAGERTY  
PROTHONOTARY  
*200*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDGAR F. BRASSEUR and  
MARGARET F. BRASSEUR

vs

EDWARD KENNEDY and  
ORA KENNEDY

No. 126, Sup. Term, 1961

ACTION TO QUIET TITLE

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\*

COMPLAINT

NOW comes the plaintiffs above named, by their attorneys, Ammerman & Blakley, and files this complaint in the form of an action to quiet title against the defendants above named:

1. The plaintiffs are Edgar F. Brasseur and Margaret F. Brasseur, husband and wife, who reside at 36 Pentz Run Avenue, (sandy Township) DuBois, Clearfield County, Pennsylvania, both of whom are of full age and competent.

2. The defendants are Edward Kennedy and Ora Kennedy, who are husband and wife, and who reside at 105 Spring Avenue, DuBois, Clearfield County, Pennsylvania, both of whom are of full age and competent.

3. At all times material to the plaintiffs' cause of action, the plaintiffs have been the owner of a tract of land and buildings thereon hereinafter described.

4. The land which is the subject of this action is more particularly described as follows:

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

BEGINNING at a stone corner in line of land of Sarah Zartman; thence by line of land of A. E. Bogle due North 1,798.7 feet to a corner; thence South 89° 35' East 1,297.1 feet to the line of land of A. E. Bogle; thence South 1° 1' West 648.7 feet to a post; thence by line of land of W. C. Dunlap South 21° 0' West

1,035 feet to an old post on line of land of John E. Lines; thence South 79° 12' West 931.2 feet to the place of beginning. Containing 45.5992 acres more or less.

BEING the same premises which became vested in the plaintiffs herein by deed of Robert Moore dated July 29, 1949 and recorded in Clearfield County Deed Book 400, page 133.

5. On September 28, 1951, the plaintiffs executed and delivered to the defendants, a bond secured by a mortgage on the land above described, obligating the plaintiffs to pay the defendants the amount of Two Thousand (\$2,000.00) Dollars without interest. The mortgage was recorded in Clearfield County Mortgage book 142, page 271.

6. The debt due to the defendants by the plaintiffs at that time, and which debt was evidenced by the above referred to bond and mortgage, was the purchase price of certain restaurant equipment and fixtures which was purchased from the defendants by the plaintiffs.

7. The plaintiffs herein did, during the month of July, 1954, resell to the defendants the restaurant fixtures and equipment above referred to, the sale price being the amount of said mortgage and it was agreed between the parties hereto that said resale was complete payment in full of the mortgage and that the mortgage was discharged thereby.

8. That the defendants did retake possession of said restaurant and fixtures and equipment and did utilize the same.

9. The defendants have not at any time entered a satisfaction note of the mortgage.

10. The plaintiffs have requested the defendants to enter a satisfaction of the mortgage, but the defendants refuse to do so.

WHEREFORE, plaintiffs herein request that the Court:

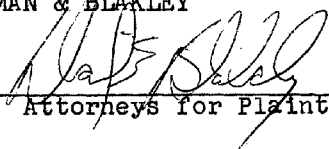
(a) Determine that the mortgage has been satisfied.

(b) Order the defendants to surrender the bond and mortgage to the plaintiffs within ten (10) days after the entry of the Order of Court;

(c) Order and direct the Recorder of Deeds of Clearfield County to mark the mortgage satisfied on the record upon payment of his proper fees.

AMMERMAN & BLAKLEY

BY

  
Attorneys for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned  
officer, EDGAR F. BRASSEUR and MARGARET F. BRASSEUR, plaintiffs  
above named, who being duly sworn according to law, depose and  
say that the facts set forth in the foregoing complaint are true  
and correct to the best of their knowledge, information and  
belief.

Edgar F. Brasseur

Margaret F. Brasseur

Sworn to and subscribed  
before me this 2nd day of  
February, 1961.

Mrs. Della W. Egan

MRS. DELLA W. EGAN, Notary Public  
DU BOIS, CLEARFIELD CO., PA.  
My Commission expires Sept. 30, 1962



No. 126, 2d Term, 1961

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
ACTION TO QUIET TITLE

EDGAR F. BRASSEUR and  
MARGARET F. BRASSEUR

VS

EDWARD KENNEDY and  
ORA KENNEDY

COMPLAINT

TO THE WITHIN DEFENDANTS:  
You are hereby notified to  
plead to the within Com-  
plaint within twenty (20)  
days from the service hereof.

AMMERMAN & BLAKLEY  
BY Wm. T. Macerty  
Attorneys for Plaintiffs

RECEIVED  
JAN 13 1961  
Wm. T. MACERTY  
PROCTER

LAW OFFICES  
AMMERMAN & BLAKLEY  
DUBOIS, PENNA.

400 atty