

04-1628-CD
ARTHUR TWIGG vs. JOHN SHUTACK, et al.

Arthur Twigg vs John Shutack et al
2004-1628-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

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No. 04-¹⁶²⁸-CD

ACTION IN QUIET TITLE

COMPLAINT

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED *icc Aug*
0/10:48 *Kubista*
OCT 18 2004 *Any pd.*
William A. Shaw *15.00*
Prothonotary/Clerk of Courts

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 1300

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heirs, executors and assigns; WASCO SHUTACK, his heirs, executors and assigns; MICHAEL SHUTACK, his heirs, executors and assigns. It is believed that all the Defendants are deceased and no estates have been located for them in Clearfield County.

3. That the premises which are the subject of this quiet title action are situate in Becarria Township, Clearfield County, Pennsylvania, and are more particularly described as follows:

ALL those certain lots or pieces of land situate in the Village of Smoke Run, in the Township of Beccaria, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: KNOWN and designated on the plot of the Village of Smoke Run as Lot Number Seven (7) in Block F. F., bounded and described as follows: BEGINNING at a post on the West side of Sixth Street; thence running back along Ninth Avenue one hundred fifty (150) feet to an Alley in a southerly direction; and thence West along said Alley fifty (50) feet to Lot No. Six (6); thence North along Lot No. Six (6) one hundred fifty (150) feet to Sixth Street; thence East along Sixth Street to Ninth Avenue and place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the South side of Sixth Street, and running South, one hundred fifty (150) feet to an Alley; thence West along said Alley, fifty (50) feet to Lot No. Five (5); thence North along said Lot No. Five (5), one hundred fifty (150) feet to Sixth Street; thence East along said Sixth Street, fifty (50) feet to place of beginning, being known as Lot No. Six (6), in Block F. F. in the plot of the aforesaid Village of Smoke Run.

4. That Plaintiff acquired title to the subject premises by virtue of an Order of Court in the Estate of Kenneth D. Stiles, dated May 3, 2004, recorded in the Office of the Recorder of Deeds for Clearfield County to Instrument No. 200407927.

5. That Kenneth D. Stiles acquired title to the

subject premises by deed from Eva Shutack Latosky, Katie Shutack Rynish and Mike Rynish, her husband; Mary Shutack Rudiak, Charles Shutack and Catherine Shutack, his wife, and Peter Shutack, dated October 31, 1972, recorded in the Office of the Recorder of Deeds for Clearfield County to Deed Book 611, page 253, being described in said deed as "The Second Thereof" and "The Third Thereof."

6. That Eva Shutack Latosky, Katie Shutack Rynish; Mary Shutack Rudiak, Charles Shutack, and Peter Shutack, acquired title to the subject premises by virtue of the Estate of Helen Shutack, also known as Helen Shoetack, which is filed in the Office of the Recorder of Deeds for Clearfield County, Pennsylvania.

7. That according to the Last Will and Testament of Helen Shutack, it was her wish that her two sons, Metro Shutack and John Shutack, inherit her estate.

8. That according to an Affidavit of Title which is dated October 17, 1994, executed by Kenneth D. Stiles, recorded in the Office of the Recorder of Deeds for Clearfield County to Deed and Record Book 1641, page 306, both John Shutack and Metro Shutack died prior to October 31, 1972, the date of the conveyance to Kenneth D. Stiles, without ever having married and having left no children.

9. That the Affidavit of Title referenced in Paragraph 8 above, does not indicate if Kenneth D. Stiles is related to the Shutacks nor how he had personal knowledge of the deaths of John Shutack and Metro Shutack, nor does it list the dates of death for either John Shutack or Metro Shutack.

10. That a purpose of this quiet title action is to extinguish any interest which John Shutack and Metro Shutack, their heirs, executors and assigns, may have in and to the subject premises.

11. That if in fact John Shutack and Metro Shutack predeceased their mother, their interest in the Estate of Helen Shutack would have passed to the brothers and sisters listed in the Last Will and Testament of Helen Shutack; namely, Michael, Peter, Wasco, Mary Shutack Ludiak, Eva Shutack Latosky, and Katie Shutack.

12. That in the deed into Kenneth D. Stiles, all the Grantees listed in Paragraph 5 above executed the deed; however, only the signatures of Eva Shutack Latosky and Katie Shutack Rynish and Mike Rynish were notarized.

13. That a purpose of this quiet title action is to extinguish any interest which Mary Shutack, Rudiak, Charles Shutack, Catherine Shutack and Peter Shutack, their heirs, executors and assigns, may have in and to the subject premises as a result of the lack of notarization of their signatures.

14. That the Last Will and Testament of Helen Shutack, a/k/a Helen Shoetack, lists a child known as "Wasco." It is believed and therefore averred that Wasco Shutack was also known as Charles Shutack, who, along with his wife, did in fact sign the deed dated October 31, 1972, into Kenneth D. Stiles.

15. That a purpose of this quiet title action is to extinguish any interest which Wasco Shutack, also known as Charles Shutack, his heirs, executors and assigns, may have in and to the subject premises.

16. That the Last Will and Testament of Helen Shutack, a/k/a Helen Shoetack also lists "Michael" as a child. The deed dated October 31, 1972, into Kenneth D. Stiles, is not signed by Michael Shutack, and the Affidavit of Title referenced above does not specifically indicate anything about Michael Shutack.

17. That the final purpose of this quiet title action is to extinguish any interest which Michael Shutack, his heirs, executors and assigns, may have in and to the subject premises.

18. That Plaintiff and his predecessors in title have exercised open, continuous, exclusive, adverse and notorious possession and control over the subject premises for a period in excess of twenty-one (21) years.

19. That the Plaintiff and Defendants are the only possible persons who have an interest in the subject property.

WHEREFORE, Plaintiff requests:

(a) that by decree of Your Honorable Court it may be declared that title to the premises set forth in Paragraph 3 hereof is in the Plaintiff and that he shall be allowed to enjoy said property in peace; and

(b) that the Defendants, within twenty (20) days from the receipt of the Complaint, institute an action of ejectment against the Plaintiff and that otherwise the Defendants be perpetually enjoined from setting up any title to said property; from impeaching, denying or in any way attacking the Plaintiff's title to said property, from issuing or maintaining an ejectment of said premises and from encumbering, mortgaging or conveying

the said premises or any part thereof.

BELIN & KUBISTA

By 

Kimberly M. Kubista
Attorney for Plaintiff

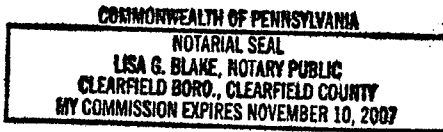
COMMONWEALTH OF PENNSYLVANIA))
COUNTY OF CLEARFIELD) ss.

Before me, the undersigned officer, personally appeared ARTHUR TWIGG, known to me (or satisfactorily proven) who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

ARTHUR TWIGG

SWORN AND SUBSCRIBED before me this 15th day of October, 2004.

Anna B Blake
Notary public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
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executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

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No. 04-1628 -CD

ACTION IN QUIET TITLE ✓

AFFIDAVIT

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

EGF
FILED
012:4234
OCT 19 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors
And Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
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SHUTACK, his heirs, executors and
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his heirs, executors and assigns.

Defendants.

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No. 04-1628-CD

ACTION IN QUIET TITLE

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

: ss.

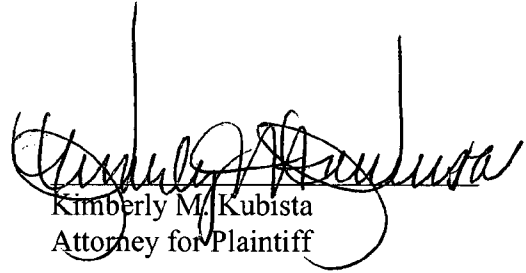
COUNTY OF CLEARFIELD

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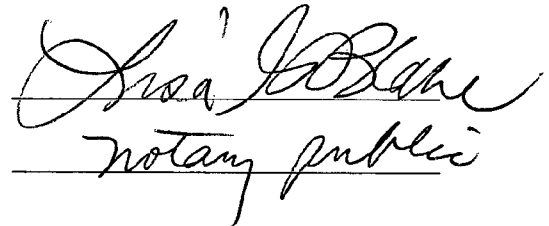
KIMBERLY M. KUBISTA, being duly sworn according to law, deposes and
states that she is the attorney for the Plaintiff in the above-captioned case and that the last
known and current addresses of all Defendants are unknown.

She further avers that she attempted to locate said Defendants by checking the
local telephone directories, estate files for Clearfield County and all other available listings, but
as a result of the search, no information outside the existing records set forth in the quiet title

action was attainable.


Kimberly M. Kubista
Attorney for Plaintiff

Subscribed and sworn to before me this 19th day of October, 2004.


notary public

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

Oct 19 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
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Defendants.

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No. 04-1628 -CD

ACTION IN QUIET TITLE

MOTION FOR PUBLICATION
AND ORDER FOR PUBLICATION

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED ^{icc}

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OCT 19 2004

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors
And Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
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executors and assigns; MICHAEL SHUTACK,
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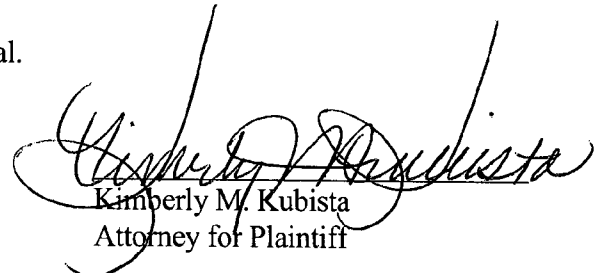
Defendants.

No. 04-1628-CD

ACTION IN QUIET TITLE

MOTION FOR PUBLICATION

AND NOW, to wit: October 19, 2004, an affidavit having been
executed and filed on behalf of the Plaintiff that the whereabouts of all Defendants are unknown
and that, the Plaintiff, by his attorney, Kimberly M. Kubista, moves the Court for leave to serve
the complaint on Defendants by publication one (1) time in *The Progress*, and by publication one
(1) time in the Clearfield County Legal Journal.


Kimberly M. Kubista
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

No. 04-1628-CD

JOHN SHUTACK; his heirs, executors
And Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors,
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SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

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ACTION IN QUIET TITLE

ORDER FOR PUBLICATION

AND NOW, to wit: October 22, 2004, upon consideration of the
foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on all
Defendants by general publication one (1) time in *The Progress* and one (1) time in the
Clearfield County Legal Journal, the last insertion to appear not less than thirty (30) days prior
to November 29, 2004, the date set for hearing of said Complaint in Courtroom
No. __ of the Clearfield County Courthouse, Clearfield, Pennsylvania at 9:30 Am.

BY THE COURT:

FILED cc
013:5164
001 22 04
Amy Kubista

Paul E. Cherry
Judge

William
Prothonotary/Clerk of Court

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
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Defendants.

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No. 04-1628 -CD

ACTION IN QUIET TITLE

AMENDED ORDER FOR
PUBLICATION

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

2016
FILED *ice*
01:10:49 PM *Aug Kubista*
OCT 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors
And Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
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his heirs, executors and assigns.

Defendants.

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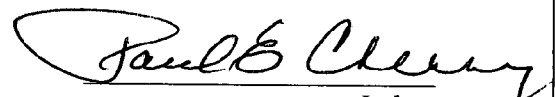
No. 04-1628-CD

ACTION IN QUIET TITLE

AMENDED ORDER FOR PUBLICATION

AND NOW, to wit: October 26, 2004, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on all Defendants by general publication one (1) time in *The Progress* and one (1) time in the *Clearfield County Legal Journal*, the last insertion to appear not less than thirty (30) days prior to December 15, 2004, the date set for hearing of said Complaint in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania at 1:30 Pm.

BY THE COURT:


Judge

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

(12)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

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No. 04-1628 -CD

ACTION IN QUIET TITLE

FILED

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William A. Shaw

Prothonotary/Clerk of Courts

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AFFIDAVIT OF SERVICE

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

No. 04-1628-CD

ACTION IN QUIET TITLE

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA)
) SS.
COUNTY OF CLEARFIELD)

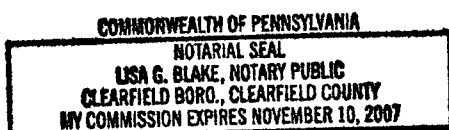
Kimberly M. Kubista, Attorney for the above named Plaintiff, being duly sworn according to law, deposes and states that Notice of the Quiet Title Action was served on all Defendants by publication in *The Progress* on October 29, 2004, and *Clearfield County Legal Journal* on November 5, 2004, as evidenced by the proofs of publication attached hereto.


Kimberly M. Kubista

SWORN AND SUBSCRIBED TO before me this 9th day of December, 2004.

My commission expires:


Notary Public



PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

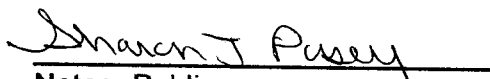
:

COUNTY OF CLEARFIELD :

On this 5th day of November AD 2004, 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 November 5, 2004, No. 45. 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

Belin & Kubista
PO Box 1
Clearfield PA 16830

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

ARTHUR TWIGG, an individual,
Plaintiff, v. JOHN SHUTACK; his
heirs, executors, and assigns;
METRO SHUTACK, his heirs, exe-
cutors and assigns; MARY SHU-
TACK RUDIAK, her heirs, execu-
tors and assigns; CHARLES SHU-
TACK, his heirs, executors and as-
signs; CATHERINE SHUTACK, her
heirs, executors and assigns; PE-
TER SHUTACK, his heirs, execu-
tors and assigns; WASCO SHU-
TACK, his heirs, executors and as-
signs; MICHAEL SHUTACK, his
heirs, executors and assigns, De-
fendants.

No. 04-1628-CD; ACTION IN
QUIET TITLE

TO: JOHN SHUTACK; his heirs,
executors and assigns, METRO
SHUTACK, his heirs, executors
and assigns; MARY SHUTACK RU-
DIAK, her heirs, executors and as-
signs; CHARLES SHUTACK, his
heirs, executors and assigns;
CATHERINE SHUTACK, her heirs,
executors and assigns; PETER
SHUTACK, his heirs, executors
and assigns; WASCO SHUTACK,
his heirs, executors and assigns;
MICHAEL SHUTACK, his heirs,
executors and assigns, Defen-
dants.

NOTICE -- If you wish to defend,
you must enter a written appear-
ance personally or by attorney and
file your defenses or objections in
writing with the Court. You are
warned that if you fail to do so, the
case may proceed without you and
a judgment may be entered against
you without further notice for the re-
lief requested by the Plaintiffs. You
may lose money or property or
other rights important to you. 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, Clearfield,
Pennsylvania (814) 765-2641,
ext. 1300.

You are hereby notified that An
Action in Quiet Title to the following
premises situate in Beccaria Town-
ship, Clearfield County, Pennsylva-
nia, has been filed against you. Said
premises are more particularly
bounded and described as follows:

ALL those certain lots or pieces of
land situate in the Village of Smoke
Run, in the Township of Beccaria,
County of Clearfield and State of
Pennsylvania, bounded and de-
scribed as follows:

THE FIRST THEREOF: KNOWN
and designated on the plot of the
Village of Smoke Run as Lot Num-
ber Seven (7) in Block F. F.,
bounded and described as follows:
BEGINNING at a post on the West
side of Sixth Street; thence running
back along Ninth Avenue one hun-
dred fifty (150) feet to an Alley in a
southerly direction; and thence
West along said Alley fifty (50) feet
to Lot No. Six (6); thence North
along Lot No. Six (6) one hundred
fifty (150) feet to Sixth Street;
thence East along Sixth Street to
Ninth Avenue and place of begin-

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 3rd day of November, A.D. 20 04,
before me, the subscriber, a Notary Public in and for said County and
State, personally appeared Margaret E. Krebs, who being duly sworn
according to law, deposes and says that she is the President of The
Progressive Publishing Company, Inc., and Associate Publisher of The
Progress, a daily newspaper published at Clearfield, in the County of
Clearfield and State of Pennsylvania, and established April 5, 1913, and
that the annexed is a true copy of a notice or advertisement published in
said publication in

the regular issues of October 29, 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.

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

Cheryl J. Robison
Notary Public Clearfield, Pa.

My Commission Expires
October 31, 2007

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

ning.
THE SECOND THEREOF: BE-
GINNING at a post on the South
side of Sixth Street, and running
South, one hundred fifty (150) feet
to an Alley; thence West along said
Alley, fifty (50) feet to Lot No. Five
(5); thence North along said Lot No.
Five (5), one hundred fifty (150)
feet to Sixth Street; thence East
along said Sixth Street, fifty (50)
feet to place of beginning, being
known as Lot No. Six (6), in Block F.
F. in the plot of the aforesaid Village
of Smoke Run.

That a purpose of this quiet title
action is to extinguish any interest
which John Shutack and Metro
Shutack, their heirs, executors and
assigns, may have in and to the sub-
ject premises.

That a purpose of this quiet title
action is to extinguish any interest
which Mary Shutack RudiaK,
Charles Shutack, Catherine Shu-
tack and Peter Shutack, their heirs,
executors and assigns, may have in
and to the subject premises as a re-
sult of the lack of notarization of
their signatures.

That a purpose of this quiet title
action is to extinguish any interest
which Wasco Shutack, also known
as Charles Shutack, his heirs, exe-
cutors and assigns, may have in
and to the subject premises.

That the final purpose of this quiet
title action is to extinguish any inter-
est which Michael Shutack, his
heirs, executors and assigns, may
have in and to the subject premises.

WHEREUPON said Court or-
dered that notice of said action and
the facts thereto be served on De-
fendants JOHN SHUTACK; his
heirs, executors, and assigns,
METRO SHUTACK, his heirs, exe-
cutors and assigns; MARY SHU-

TACK RUDIAK, her heirs, execu-
tors and assigns; CHARLES SHU-
TACK, his heirs, executors and as-
signs; CATHERINE SHUTACK, her
heirs, executors and assigns; PE-
TER SHUTACK, his heirs, execu-
tors and assigns; WASCO SHU-
TACK, his heirs, executors and as-
signs; MICHAEL SHUTACK, his
heirs, executors and assigns, by
the Plaintiff by advertisement re-
quiring Defendants above named,
their heirs, executors and assigns,
to answer the said Complaint within
twenty (20) days from the date of
this publication. For failure to com-
ply, a judgment will be taken by ap-
plication of Plaintiff before the Court
at a hearing to be held on December
15, 2004, at 1:30 p.m. at the
Clearfield County Courthouse,
Courtroom No. 2, Clearfield, Penn-
sylvania.

BELIN & KUBISTA, Attorneys at
Law, 15 North Front Street, Clear-
field, Pennsylvania, Attorneys for
Plaintiff

10:29-1d-b

RUDIAK, her heirs, executors and assigns; CHARLES SHUTACK, his heirs, executors and assigns; CATHERINE SHUTACK, her heirs, executors and assigns; PETER SHUTACK, his heirs, executors and assigns; WASCO SHUTACK, his heirs, executors and assigns; MICHAEL SHUTACK, his heirs, executors and assigns, Defendants.

No. 04-1628-CD

ACTION TO QUIET TITLE

TO: JOHN SHUTACK; his heirs, executors, and Assigns, METRO SHUTACK, his heirs, executors and assigns; MARY SHUTACK RUDIAK, her heirs, executors and assigns; CHARLES SHUTACK, his heirs, executors and assigns; CATHERINE SHUTACK, her heirs, executors and assigns; PETER SHUTACK, his heirs, executors and assigns; WASCO SHUTACK, his heirs, executors and assigns; MICHAEL SHUTACK, his heirs, executors and assigns, Defendants

NOTICE - IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY TO FILE YOUR DEFENSE OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU. 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, Clearfield, PA 16830 (814) 765-2641 Ext. 1,300.

You are hereby notified that an Action to Quiet Title to the following premises situate in Beccaria Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly bounded and described as follows:

ALL those certain lots or pieces of land situate in the Village of Smoke Run, in the Township of Beccaria, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: KNOWN and designated on the plot of the Village of Smoke Run as Lot Number Seven (7) in Block F. F., bounded and described as follows:

BEGINNING at a post on the West side of Sixth Street; thence running back along Ninth Avenue one hundred fifty (150) feet to an alley; in a southerly direction; and thence

West along said Alley fifty (50) feet to Lot No. Six (6); thence North along Lot No. Six (6) one hundred fifty (150) feet to Sixth Street; thence East along Sixth Street to Ninth Avenue and place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the South side of Sixth Street, and running South, one hundred fifty (150) feet to an Alley; thence West along said Alley, fifty (50) feet to Lot No. Five (5); thence North along said Lot No. Five (5), one hundred fifty (150) feet to Sixth Street; thence East along said Sixth Street, fifty (50) feet to place of beginning, being known as Lot No. Six (6) in Block F.F. in the Plot of the aforesaid Village of Smoke Run.

That a purpose of this quiet title action is to extinguish any interest which John Shutack and Metro Shutack, their heirs, executors and assigns, may have in and to the subject premises.

That a purpose of this quiet title action is to extinguish any interest which Mary Shutack Rudiak, Charles Shutack, Catherine Shutack and Peter Shutack, their heirs, executors and assigns, may have in and to the subject premises as a result of the lack of notarization of their signatures.

That a purpose of this quiet title action is to extinguish any interest which Wasco Shutack, also known as Charles Shutack, his heirs, executors and assigns, may have in and to the subject premises.

WHEREUPON the Court ordered that notice of said action and the facts thereof be served on the Defendants, JOHN SHUTACK; his heirs, executors, and Assigns, METRO SHUTACK, his heirs, executors and assigns; MARY SHUTACK RUDIAK, her heirs, executors and assigns; CHARLES SHUTACK, his heirs, executors and assigns; CATHERINE SHUTACK, her heirs, executors and assigns; PETER SHUTACK, his heirs, executors and assigns; WASCO SHUTACK, his heirs, executors and assigns; MICHAEL SHUTACK, his heirs, executors and assigns to answer the said Complaint to within twenty (20) days from the date of this publication. For failure to comply, a judgment will be taken by application of Plaintiff before the Court at a hearing to be held on December 15, 2004, at 1:30 P.M., at the Clearfield County Courthouse, Courtroom No. 2, Clearfield, Pennsylvania.

BELIN & KUBISTA, Attorneys at Law,
15 North Front Street, Clearfield, PA 16830
Attorneys for Plaintiff.

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

FILED

DEC 09 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

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No. 04-1628 -CD

ACTION IN QUIET TITLE

MOTION AND ORDER

Filed on behalf of
Plaintiff

Counsel of Record for this Party:

Kimberly M. Kubista

PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED
DEC 15 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

No. 04-1628-CD

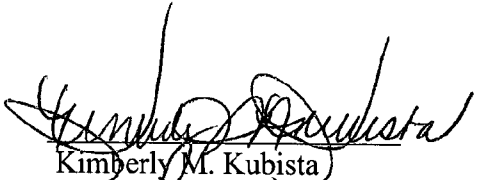
ACTION IN QUIET TITLE

MOTION

AND NOW, this 15th day of December, 2004, an affidavit having been executed and filed on behalf of the Plaintiff that the Complaint with Notice to Defend was served on all Defendants by publication, and none of the defendants having answered, the Plaintiff, by his attorney, Kimberly M. Kubista, hereby moves the Court to enter judgment in favor of the Plaintiff and against the Defendants.

BELIN & KUBISTA

By:


Kimberly M. Kubista
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns, METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

No. 04-1628-CD

ACTION IN QUIET TITLE

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William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 15 day of December, 2004, an Affidavit of Service of the
Complaint with Notice to Defend having been filed stating that the complaint was served on all
Defendants by publication, and no response to pleading having been filed by said Defendants,
the Court, upon motion of Kimberly M. Kubista, Attorney for Plaintiff, hereby ORDERS that
title to said premises is in the Plaintiff and that he be allowed to enjoy said property in peace.
Said property is situate in Beccaria Township, Clearfield County, Pennsylvania, being more
fully described as follows:

ALL those certain lots or pieces of land situate in the Village of Smoke Run, in the Township
of Beccaria, County of Clearfield and State of Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: KNOWN and designated on the plot of the Village of
Smoke Run as Lot Number Seven (7) in Block F. F., bounded and described as

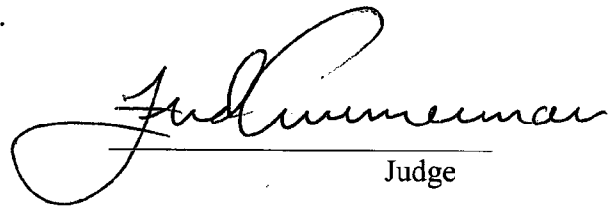
follows: BEGINNING at a post on the West side of Sixth Street; thence running back along Ninth Avenue one hundred fifty (150) feet to an Alley in a southerly direction; and thence West along said Alley fifty (50) feet to Lot No. Six (6); thence North along Lot No. Six (6) one hundred fifty (150) feet to Sixth Street; thence East along Sixth Street to Ninth Avenue and place of beginning.

THE SECOND THEREOF: BEGINNING at a post on the South side of Sixth Street, and running South, one hundred fifty (150) feet to an Alley; thence West along said Alley, fifty (50) feet to Lot No. Five (5); thence North along said Lot No. Five (5), one hundred fifty (150) feet to Sixth Street; thence East along said Sixth Street, fifty (50) feet to place of beginning, being known as Lot No. Six (6), in Block F. F. in the plot of the aforesaid Village of Smoke Run.

BEARING Clearfield County Assessment No. 101-K15-504-13.

It is FURTHER ORDERED that the Defendants are forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest of claim of the Plaintiff set forth in his Complaint, unless the Defendants take such action as the Order directs within Thirty (30) days thereafter. If such action is not taken within the thirty-day period, the Prothonotary on Praeceptum of the Plaintiff shall enter final judgment. Defendants shall file an Answer within thirty days of the date hereof or judgment will be entered in accordance with this Order.

BY THE COURT:


Judge

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P.O. BOX 3
CLEARFIELD, PENNSYLVANIA 16830



DEC 15 2004

William A. Shaw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

ARTHUR TWIGG, an individual,

Plaintiff,

v.

JOHN SHUTACK; his heirs, executors and
Assigns; METRO SHUTACK, his heirs,
executors and assigns; MARY SHUTACK
RUDIAK, her heirs, executors and
CHARLES SHUTACK, his heirs, executors
and assigns; CATHERINE SHUTACK, her
heirs, executors and assigns; PETER
SHUTACK, his heirs, executors and
assigns; WASCO SHUTACK, his heirs,
executors and assigns; MICHAEL SHUTACK,
his heirs, executors and assigns.

Defendants.

No. 04-1628-CD

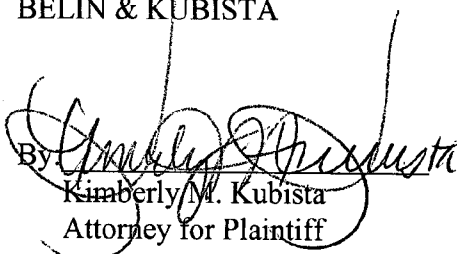
ACTION IN QUIET TITLE

PRAECIPE FOR FINAL JUDGMENT

TO: PROTHONOTARY, CLEARFIELD COUNTY

Please enter final judgment against all Defendants in the above-captioned case for failure to comply with the Order of Court directing Defendants to file a responsive pleading within thirty (30) days from the entry of Order of judgment in favor of Plaintiff.

BELIN & KUBISTA

By 
Kimberly M. Kubista
Attorney for Plaintiff

BELIN & KUBISTA
ATTORNEYS AT LAW
15 NORTH FRONT STREET
P. O. BOX 1
CLEARFIELD, PENNSYLVANIA 16830

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