

04-1972-CD  
MADONNA ANN CLARKSON vs. SERA BIANCHO, et al.

Madonna Clarkson vs Sira Ciancho et al  
2004-1972-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

Original  
+ C.P.

FILED Aug 20, 2004  
1:07 PM No. 04  
DEC 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a SIRO  
BIANCHO a/k/a SIRO BIANCHI  
and ROSA BIANCHO a/k/a ROSA  
BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors  
trustees and assigns, known  
or unknown, and any other  
person who may claim title  
or an interest in the  
property subject to this  
action,  
Defendants

: No.: 2004-1972-CD  
: Type of Case: Quiet  
: Title Action  
: Type of Pleading:  
: Complaint  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651

FILED May 10, 2005  
01:07 AM No. C  
DEC 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

MADONNA ANN CLARKSON,	:	
Plaintiff	:	
vs.	:	No.: 2004- -CD
	:	QUIET TITLE ACTION
SIRA BIANCHO a/k/a SIRA	:	
BIANCHI a/k/a SERA BIANCHO	:	
a/k/a SERA BIANCHI a/k/a	:	
SIRO BIANCHO a/k/a SIRO	:	
BIANCHI and ROSA BIANCHO	:	
a/k/a ROSA BIANCHI, his wife;	:	
and their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown, and any other	:	
person who may claim title or	:	
an interest in the property	:	
subject to this action,	:	
Defendants	:	

**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.

David Meholic  
Court Administrator's Office  
Clearfield County Court House  
Clearfield, PA 16830  
(814) 765-2641

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

MADONNA ANN CLARKSON, :  
Plaintiff :  
vs. :  
No.: 2004- -CD  
SIRA BIANCHO a/k/a SIRA :  
BIANCHI a/k/a SERA BIANCHO :  
a/k/a SERA BIANCHI a/k/a :  
SIRO BIANCHO a/k/a SIRO :  
BIANCHI and ROSA BIANCHO :  
a/k/a ROSA BIANCHI, his wife; :  
and their heirs, executors, :  
administrators, successors, :  
trustees and assigns, known :  
or unknown, and any other :  
person who may claim title or :  
an interest in the property :  
subject to this action, :  
Defendants :

COMPLAINT

AND NOW comes, Madonna Ann Clarkson, by and through her attorney, Girard Kasubick, Esq., and files the following Complaint:

1. The Plaintiff is Madonna Ann Clarkson, who resides at 646 Hegarty Road, P.O. Box 27, Coalport PA 16627.

2. The Defendants are Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi and Rosa Biancho a/k/a Rosa Bianchi, his wife; and their heirs, executors,

administrators, successors, trustees and assigns, known or unknown, and any other person who may claim title under them, and who are deceased or their whereabouts are unknown.

3. The real property involved in and subject of this action is all that real property or parcel of land situate in Coalport Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the Southerly right of way line of Filbert Street and being the Northwest corner of land of now or formerly James Clarkson, et. ux.; thence along said line South 08 Deg. 14 Min. 37 Sec. East 247.60 feet to an iron pine located on line of land of now or formerly Dexter Carpenter Coal; thence along said land North 52 Deg. West 216.88 feet to an iron pin located on the Easterly right of way line of Forest Street; thence along said line North 8 Deg. 14 Min. 37 Sec. West 95.00 feet to an iron pin located on the Southerly line of Filbert Street; thence along said line North 83 Deg. 18 Min. 10 Sec. East 150.05 feet to an iron pin and place of beginning. Containing 0.59 acres.

The above property shown on the November 25, 2002 survey map of Stanley Dean Kimberly, R.S., attached hereto and marked Exhibit "A" and marked as the Area Of Action To Quiet Title.

The above property currently known by Clearfield County Tax Map No. 5-H17-347-86. The above property herein after referred to as "Premises".

4. The deeds and method by which Madonna Ann Clarkson obtained title to the real property described in Paragraph 3 above of this Complaint is as follows:

a). The Premises was conveyed to Madonna Ann Clarkson, by deed of Tax Claim Bureau of Clearfield

County, Pennsylvania in the name of "Unknown Owner" by deed dated October 8, 2004 and recorded in Clearfield County Instrument No. 200416831. The description in this deed is only by the Tax Map Number with no metes and bounds description.

b). The Premises has been assessed as unknown by the County Assessment Office since 1988, when the county commenced assessing the property in that manner because of no assessment to anyone for the Premises.

c). The Premises was conveyed to Sira Biancho, by deed from Joseph Pickering and Mary Pickering, his wife, et. al., dated January 20, 1920 and recorded in Clearfield County Deed Book 240, Page 176. The description in this deed is as follows:

All that certain piece or parcel of ground situated in the Borough of Coalport, County of Clearfield, and State of Pennsylvania, and being bounded and described as follows:

COMMENCING at a post or point at the intersection of the right of way of the Bellwood Division of the Pennsylvania Railroad Company and Filbert Street; thence by line of said Filbert Street, North 80 deg. East 233.8 feet to a post on Wood Street; thence by line of Wood Street South 10 deg. East 230.0 feet to right of way of the Bellwood Division of the Pennsylvania Railroad Company; thence by line of right of way of the said Railroad Company, North 55.24 deg. West 327.6 feet to the place of beginning. Containing 0.62 acres.

d). The property described in Deed Book 240, Page 176 is lots 225, 226, 227, and 282 as shown on the Plan of Coalport recorded July 20, 1910 in Clearfield County Miscellaneous Book 7, Page 247 being the Plan of the James Haines lots. It is averred the Premises subject of this action is Lots 225, 226, 227 as shown on this plan. Lot 282 is a small triangle as shown on the plan and is not subject of this action.

e). The Assessment Records for Coalport Borough, Clearfield County in 1921 shows 3L assessed to Siro Biancho and it states the 3L are from Pickering, et. al.

f). The 3L assessment to Siro Biancho are only assessed for 1921 and 1922 and then they are removed with no notions on whether they are transferred to another party or sold to the county for taxes.

g). The assessment records after 1923 do not show any assessment of 3L in Coalport Borough to Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi and records were checked up to 1947. The assessment records and other recorded documents of record in Clearfield County show the various spellings of the name Sira Biancho. These records also indicate that his wife was Rosa Biancho.

h). After diligent search of the Lands Sold to County Books from 1920 to 1936 in Books 3 and 4 no record could be found that the 3L in Coalport Borough assessed to Siro Biancho in 1921 and 1922 were sold to the county for unpaid taxes.

i). After diligent search of the records in the Clearfield County Recorder of Deeds Office no deed could be found wherein the 3L or the property described in Deed Book 240, Page 176 was conveyed out by Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi or by Rosa Biancho a/k/a Rosa Bianchi.

j). After diligent search of the records of estate indexes in the Clearfield County Register of Wills Office, no estates could be found on Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi or on Rosa Biancho a/k/a Rosa Bianchi.

k). The last record owner of the Premises appears to have been Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi.

1). From the Assessment Records of Coalport Borough, Clearfield County it appears that no assessment was on the books for the Premises subject of this action from 1923 until 1988 when assessed as unknown property.

5. The Plaintiff and her husband before his death have been in open, continuous, notorious, actual, exclusive, visible, distinct and hostile possession of the Premises described in Paragraph 3 of this Complaint since 1996 when they purchased adjacent lands by deed recorded in Clearfield County Deeds and Records Book 1786, Page 511.

6. This Quiet Title Action is necessary to establish a proper chain of title out of which the real property subject of this action comes, because of irregularities in the chain of title, including possible unrecorded deeds, variances in the descriptions, tax sale deeds, unclear tax assessments, no assessment and unknown assessment of the Premises at times, and no proof of deaths or estates of record proving heirs, all of which raise a question as to the chain of title to the property and create a cloud on title.

7. It is finally averred that this Quiet Title Action is necessary to determine the validity or discharge of any document, obligation, assessment or deed affecting

any right, title and interest in the property subject of this action, which may affect the rights of the Defendants and their heirs.

8. All of the named Defendants to this Action are deceased or their whereabouts are unknown and Plaintiff has made a diligent and reasonable search to locate the whereabouts of the Defendants, Sira Biancho a/k/a Sira Bianchi a/k/a Sera Biancho a/k/a Sera Bianchi a/k/a Siro Biancho a/k/a Siro Bianchi and Rosa Biancho a/k/a Rosa Bianchi, his wife, but they are deceased or their whereabouts are unknown.

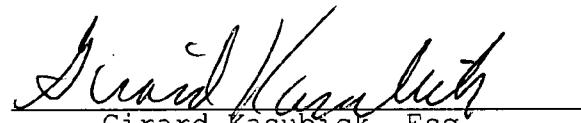
WHEREFORE, Plaintiff brings this action and respectfully requests the Court to decree as follows:

a). That the Plaintiff, her heirs, executors, personal representatives and assigns are seized of an indefeasible title to the property situated in Coalport Borough, Clearfield County, Pennsylvania, described herein and that an Order and Decree be entered adjudicating that each of the Defendants and any of their heirs, successors, trustees, personal representatives, or assigns be forever barred from asserting any right, title, lien or interest in the within described parcel of land.

b). That such other relief be granted as may be necessary in establishing Plaintiffs' title, including

determinations on the validity or discharge of any documents, obligations or deeds affecting right, title and interest in the property described herein.

c). Such other and further relief as the Court deems proper.

  
\_\_\_\_\_  
Girard Kasubick, Esq.  
Attorney for Plaintiff

VERIFICATION

I, the undersigned, verify that the statements made in the foregoing Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Madonna Ann Clarkson

SURVEY DRAFT OF AREA OF ACTION TO QUIET TITLE

SITUATE COALPORT BOROUGH, CLEARFIELD COUNTY, PENNSYLVANIA

DRAWN BY

SDK

SCALE

80 FT/In

DATE

11-25-02

JOB

REVISION

1/1

SHEET

1/1

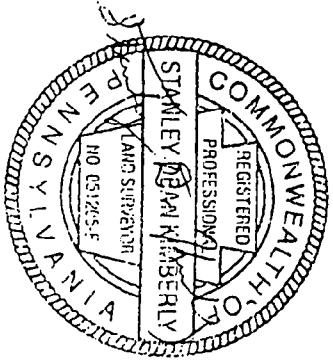
This map drawn with TRAVERSE PC. Software

LEGEND	
△	Traverse
●	Set Rebar

NOTES:

1. All bearings based on magnetic north
2. Please refer to Coalport Borough Plan of Lots
3. Please refer to DB155 pg 35
4. Area of Action to Quiet Title = 0.59 acres
5. Property assessed as unknown
6. Please refer to lots 225, 226, 227, 282
7. Please refer to a Kimberly Surveying Draft dated 11-25-02

KIMBERLY SURVEYING  
1873 BEAVER VALLEY ROAD  
FLINTON, PENNSYLVANIA 16640  
814.687.4278 / 935.9396  
SDK3NRK@AOL.COM



PROFESSIONAL  
LAND SURVEYOR  
NO. 051255  
STANLEY R. KIMBERLY  
NORTHWESTERN BRANCH  
365 PENNSYLVANIA  
ROAD

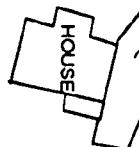
NF  
WEAKLAND

ST 47 02 E  
405.00

JAMES CLARKSON ET UX  
DB 1786  
PG 511  
2.144 Acres

[AREA OF ACTION TO  
QUIET TITLE]  
N 8° 14' 37" W  
247-60  
247-00  
21-60  
16-00  
ALLEY  
N 8° 14' 37" W  
247-60  
247-00  
21-60  
16-00

WALTER  
CARPENTER  
COAL  
RS 331



SB 47 00 00 E  
296.24

1-537 HEGARTY ROAD

0  
80'



NF  
DEXTER  
COAL CO.

NF  
RYDBOM

FOREST STREET

FILBERT STREET

N 83° 18' 10" E  
150.05'

4m

22.5

Drive

22.5

296.24'

1-537 HEGARTY ROAD

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

No.: 2004-1972-CD

QUIET TITLE ACTION

FILED <sup>NO</sup>  
*9/10/04*  
cc  
DEC 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**MOTION FOR SERVICE BY PUBLICATION**

1. Your Petitioner is Madonna Ann Clarkson, Plaintiff in the above captioned matter.

2. Petitioner, by attached affidavit incorporated herein by reference thereto, believe that the named Defendants are deceased or their whereabouts are unknown.

WHEREFORE, Petitioner, by her attorney, Girard Kasubick, Esq., requests that Your Honorable Court grant an order that all of the herein named Defendants be served by publication as required by law.

  
Girard Kasubick, Esq.  
Attorney for Plaintiff

FILED

DEC 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

MADONNA ANN CLARKSON, :  
Plaintiff :  
vs. : No.: 2004-1972-CD  
: QUIET TITLE ACTION  
SIRA BIANCHO a/k/a SIRA :  
BIANCHI a/k/a SERA BIANCHO :  
a/k/a SERA BIANCHI a/k/a :  
SIRO BIANCHO a/k/a SIRO :  
BIANCHI and ROSA BIANCHO :  
a/k/a ROSA BIANCHI, his wife; :  
and their heirs, executors, :  
administrators, successors, :  
trustees and assigns, known :  
or unknown, and any other :  
person who may claim title or :  
an interest in the property :  
subject to this action, :  
Defendants :

FILED NO  
01/10/2004  
DEC 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA : :  
COUNTY OF CLEARFIELD : \$:

Before me, the undersigned officer, personally  
appeared MADONNA ANN CLARKSON, who being duly sworn  
according to law, deposes and says that the names of the  
Defendants, SIRA BIANCHO a/k/a SIRA BIANCHI a/k/a SERA  
BIANCHO a/k/a SERA BIANCHI a/k/a SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO a/k/a ROSA BIANCHI, his wife,  
their heirs, executors, administrators, successors,  
trustees, assigns and successors, known or unknown, are

all deceased or their whereabouts are unknown to the Plaintiff.

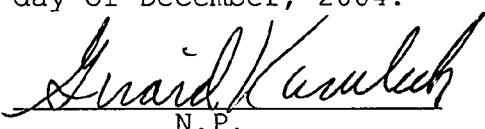
Plaintiff and her attorney have made an investigation to locate the aforesaid Defendants that are unknown, by checking the records of Clearfield County and by review of the telephone directories in the area, contacting the election office, tax rolls, and voting records, however none of the above were found because they are deceased or their whereabouts are unknown.



Madonna Ann Clarkson

Madonna Ann Clarkson

Sworn to and subscribed  
before me this 9<sup>th</sup>  
day of December, 2004.



Girard Keselick  
N.P.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Girard Keselick, Notary Public  
Houtzdale Boro, Clearfield County  
My Commission Expires June 8, 2007

Member, Pennsylvania Association Of Notaries

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

No.: 2004-1972-CD

QUIET TITLE ACTION

66K  
**FILED**  
01/10/2005  
DEC 17 2004  
Girard Kasubick

William A. Shaw  
Prothonotary/Clerk of Courts

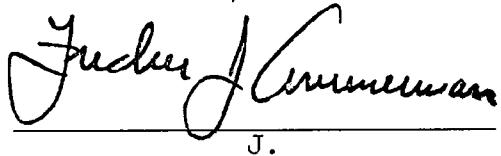
**ORDER DIRECTING COMPLAINT TO BE SERVED**

**BY ADVERTISEMENT ON DEFENDANTS**

NOW, this 17<sup>th</sup> day of December, 2004, the within  
Action being an Action to Quiet Title and the Plaintiff  
having made Affidavit that the addresses of Defendants are  
unknown and cannot be ascertained, and therefore upon  
Motion of Girard Kasubick, Esq., Attorney for Plaintiff,  
it is Ordered and Decreed that substitute service by  
publication be made upon the Defendants whose addresses  
are unknown, or may be deceased, by giving notice in the  
Progress, a newspaper of general circulation published in

the Clearfield County area and in the Clearfield County Legal Journal, to the above named Defendants whose addresses are unknown, or may be deceased; such publication to be one (1) time only stating that this action has been filed, and that this Complaint must be pleaded to within twenty (20) days after publication of notice; otherwise judgment will be taken against all of the Defendants by default.

BY THE COURT,



Judge J. Zimmerman

J.

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

: No.: 2004-1972-CD  
: Type of Case: Quiet  
: Title Action  
: Type of Pleading:  
: Affidavit of Service  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record for  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651

77-64  
NO  
CC  
01/16/05  
JAN 25 2005

William A. Zajc  
Prothonotary, Clerk of Courts

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

MADONNA ANN CLARKSON, :  
Plaintiff :  
vs. : No.: 2004-1972-CD  
: QUIET TITLE ACTION  
SIRA BIANCHO a/k/a SIRA :  
BIANCHI a/k/a SERA BIANCHO :  
a/k/a SERA BIANCHI a/k/a :  
SIRO BIANCHO a/k/a SIRO :  
BIANCHI and ROSA BIANCHO :  
a/k/a ROSA BIANCHI, his wife; :  
and their heirs, executors, :  
administrators, successors, :  
trustees and assigns, known :  
or unknown, and any other :  
person who may claim title or :  
an interest in the property :  
subject to this action, :  
Defendants :

AFFIDAVIT OF SERVICE

Before me, William A. Shaw, Prothonotary, personally appeared Girard Kasubick, Esq., who being duly sworn according to law, deposes and says that service was made in this case by publication in the Clearfield Progress one time only on December 23, 2004 and in the Clearfield County Legal Journal one time only for the week of December 31, 2004, as appears by sworn proofs hereto attached, and that all the named Defendants who are deceased or their whereabouts are unknown were served by publication and not by any other manner. No appearance having been entered on behalf of any of the Defendants

served by publication, nor any answer filed by any of them after service of a Complaint containing a notice to defend. Plaintiff has caused this Affidavit to be made for the purpose of obtaining a decree or Order of Court under Pa. R.C.P. 1066.

WHEREFORE, this Affidavit of Service made by the manner aforesaid is made for the purpose of obtaining a Decree of Court.



Girard Kasubick  
Girard Kasubick, Esq.,  
Attorney for Plaintiff

Sworn to and subscribed  
before me this 25<sup>th</sup>  
day of January, 2005.



N. P.  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

LEGAL NOTICE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION  
No.: 2004-1972-CD  
QUIET TITLE ACTION  
MADONNA ANN CLAHKSON,  
Plaintiff

vs.  
SIRA BIANCHO,  
a/k/a SIRA BIANCHI,  
a/k/a SERA BIANCHO,  
a/k/a SIRO BIANCHI,  
a/k/a SIRO BIANCHO,  
a/k/a SIRO BIANCHI,  
and ROSA BIANCHO,  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors, administrators, successors, trustees and assigns, known or unknown, and any other person who may claim title or an interest in the property subject to this action, Defendants

ACTION TO QUIET TITLE  
NOTICE

TO: SIRA BIANCHO, a/k/a SIRA BIANCHI, a/k/a SERA BIANCHO, a/k/a SERA BIANCHI, a/k/a SIRO BIANCHO, a/k/a SIRO BIANCHI and ROSA BIANCHO, a/k/a ROSA BIANCHI, his wife, and their heirs, executors, administrators, successors, trustees, successors and assigns, known or unknown:

You have been sued in Court. You are hereby notified that an Action to Quiet Title to that tract or parcel of land located in Coalport Borough, Clearfield County, Pennsylvania, has been filed against you. Said land is bounded and described as follows:

BEGINNING at an iron pin located on the Southerly right of way line of Filbert Street and being the Northwest corner of land of now or formerly James Clarkson, et. ux.; thence along said line South 08 Deg. 14 Min. 37 Sec. East 247.60 feet to an iron pin located on line of land of now or formerly Dexter Carpenter Coal; thence along said line North 52 Deg. West 216.88 feet to an iron pin located on the Easterly right of way line of Forest Street; thence along said line North 8 Deg. 14 Min. 37 Sec. West 95.00 feet to an iron pin located on the Southwesterly line of Filbert Street; thence along said line North 83 Deg. 18 Min. 10 Sec. East 150.05 feet to an iron pin and place of beginning. Containing 0.59 acres.

The above property currently known by Clearfield County Tax Map No. 5-H17-347-86.

You are further notified to appear and answer the Complaint in said Action within twenty (20) days from the date of this publication, otherwise judgment will be entered against you barring you from all claims, rights and interest inconsistent with the Plaintiffs' claim of title as set forth in the Complaint.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 27th day of December, A.D. 2004, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of December 23, 2004. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

*Margaret E. Krebs*

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

*Cheryl J. 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

NOTICE

TO: SIRA BIANCHO, a/k/a SIRA BIANCHI, a/k/a SERA BIANCHO, a/k/a SERA BIANCHI, a/k/a SIRO BIANCHO, a/k/a SIRO BIANCHI and ROSA BIANCHO, a/k/a ROSA BIANCHI, his wife, and their heirs, executors, administrators, successors, trustees and assigns, known or unknown.

If you wish to defend, you must enter a written appearance personally or by attorney and 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 judgement may be entered against you without further notice for the 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's Office  
Clearfield County Court House  
Clearfield, PA 16830  
(814) 765-2641  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

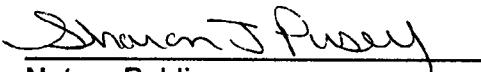
:

On this 31st day of December 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 December 31, 2004. No. 53. 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

Lehman & Kasubick  
611 Brisbin Street  
Houtzdale PA 16651

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

MADONNA ANN CLARKSON, Plaintiff  
vs. SIRA BIANCHO a/k/a SIRA BIANCHI  
a/k/a SERA BIANCHO a/k/a SERA  
BIANCHI a/k/a SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO a/k/a ROSA  
BIANCHI, his wife; and their heirs,  
executors, administrators, successors,  
trustees and assigns, known or unknown  
and any other person who may claim title in  
the property subject to this action,  
Defendants

No. 04-1972 -CD  
ACTION TO QUIET TITLE  
NOTICE

TO: SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO a/k/a  
SERA BIANCHI a/k/a SIRO BIANCHO a/k/a  
SIRO BIANCHI and ROSA BIANCHO a/k/a  
ROSA BIANCHI, his wife; and their heirs,  
executors, administrators, successors,  
trustees and assigns, known or unknown:

You have been sued in court. You are  
hereby notified that an Action to Quiet Title  
to that tract or parcel of land located in  
Coalport Borough, Clearfield County,  
Pennsylvania, has been filed against you.  
Said land is bounded and described as  
follows:

BEGINNING at an iron pin located on  
the Southerly right of way line of Filbert  
Street and being the Northwest corner of  
land of now or formerly James Clarkson, et.  
ux.; thence along said line South 08 Deg. 14  
Min. 37 Sec. East 247.60 feet to an iron pin  
located on line of land of now or formerly  
Dexter Carpenter Coal; thence along said  
land North 52 Deg. West 216.88 feet to an  
iron pin located on the Easterly right of way  
line of Forest Street; thence along said line  
North 8 Deg. 14 Min. 37 Sec. West 95.00  
feet to an iron pin located on the Southerly  
line of Filbert Street; thence along said line  
North 83 Deg. 18 Min. 10 Sec. East 150.05  
feet to an iron pin and place of beginning.  
Containing 0.59 acres. The above property  
currently known by Clearfield County Tax  
Map No. 5-H17-347-86.

You are further notified to appear and  
answer the Complaint in said Action within  
twenty (20) days from the date of this  
publication, otherwise judgment will be  
entered against you barring you from all  
claims, rights and interest inconsistent with  
the Plaintiffs' claim of title as set forth in the  
Complaint.

NOTICE

TO: SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO a/k/a  
SERA BIANCHI a/k/a SIRO BIANCHO a/k/a

SIRO BIANCHI and ROSA BIANCHO a/k/a  
ROSA BIANCHI, his wife; and their heirs,  
executors, administrators, successors,  
trustees and assigns, known or unknown.

If you wish to defend, you must enter a  
written appearance personally or by attorney  
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 relief  
requested by the Plaintiffs. You may lose  
money or property or other rights important  
to you.

YOU SHOULD TAKE THIS NOTICE 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's Office, Clearfield  
County Courthouse, One North Second  
Street, Clearfield, PA 16830 (814) 765-2641.

LEHMAN & KASUBICK, 611 Brisbin  
Street, Houtzdale, PA 16651.

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

: No.: 2004-1972-CD  
: Type of Case: Quiet  
: Title Action  
: Type of Pleading:  
: Order of Court  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record for  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:

**FILED**  
09:31 AM 10/05/2004  
Kasubick

JAN 26 2005

William A. Shaw  
Prothonotary

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

MADONNA ANN CLARKSON, Plaintiff	:	
vs.	:	No.: 2004-1972-CD
SIRA BIANCHO a/k/a SIRA BIANCHI a/k/a SERA BIANCHO a/k/a SERA BIANCHI a/k/a SIRO BIANCHO a/k/a SIRO BIANCHI and ROSA BIANCHO a/k/a ROSA BIANCHI, his wife; and their heirs, executors, administrators, successors, trustees and assigns, known or unknown, and any other person who may claim title or an interest in the property subject to this action, Defendants	:	QUIET TITLE ACTION

ORDER OF COURT

NOW, this 25<sup>th</sup> day of January, 2005, an Affidavit having been made that service was made by publication on unknown Defendants in the Clearfield Progress on December 23, 2004, and in the Clearfield County Legal Journal the week of December 31, 2004, and it appearing that it was impossible to serve any other Defendants by any other means,

IT IS ORDERED AND DECREED that Defendants file suit in ejectment or otherwise enter a proceeding to contest the case within thirty (30) days, or this Order of Court shall become final upon praecipe by Plaintiff, which

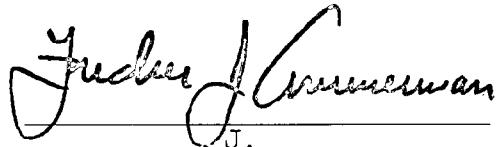
hereby Orders and Decrees that title to the land subject of this action is vested absolutely in the Plaintiff, her heirs and assigns, free and clear of any and all claims of any nature by any of the named Defendants, their heirs, executors, administrators, trustees, successors and assigns or by anyone claiming by, through or under them or any of them, and that the Plaintiff is seized of an indefeasible title to that certain piece or parcel of land located in Coalport Borough, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the Southerly right of way line of Filbert Street and being the Northwest corner of land of now or formerly James Clarkson, et. ux.; thence along said line South 08 Deg. 14 Min. 37 Sec. East 247.60 feet to an iron pine located on line of land of now or formerly Dexter Carpenter Coal; thence along said land North 52 Deg. West 216.88 feet to an iron pin located on the Easterly right of way line of Forest Street; thence along said line North 8 Deg. 14 Min. 37 Sec. West 95.00 feet to an iron pin located on the Southerly line of Filbert Street; thence along said line North 83 Deg. 18 Min. 10 Sec. East 150.05 feet to an iron pin and place of beginning. Containing 0.59 acres.

The above property shown on the November 25, 2002 survey map of Stanley Dean Kimberly, R.S., filed with the Complaint in this matter.

The above property currently known by Clearfield County Tax Map No. 5-H17-347-86.

BY THE COURT,



J. C. Cummiskey

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

: No.: 2004-1972-CD  
: Type of Case: Quiet  
: Title Action  
: Type of Pleading:  
: Motion for Judgment  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record for  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651

FILED NO  
0/03/05 (6)  
JAN 25 2005 6K

William A. Straw  
Prothonotary/Clerk of Courts

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

MADONNA ANN CLARKSON, Plaintiff	:	
vs.	:	No.: 2004-1972-CD
	:	QUIET TITLE ACTION
SIRA BIANCHO a/k/a SIRA BIANCHI a/k/a SERA BIANCHO	:	
a/k/a SERA BIANCHI a/k/a	:	
SIRO BIANCHO a/k/a SIRO	:	
BIANCHI and ROSA BIANCHO	:	
a/k/a ROSA BIANCHI, his wife;	:	
and their heirs, executors,	:	
administrators, successors,	:	
trustees and assigns, known	:	
or unknown, and any other	:	
person who may claim title or	:	
an interest in the property	:	
subject to this action,	:	
Defendants	:	

MOTION FOR JUDGMENT

NOW, this 25<sup>th</sup> day of January, 2005, an Affidavit having been executed and presented herewith on behalf of the Plaintiff showing that the Complaint was served by publication on all of the Defendants, one time only, to wit: December 23, 2004 in the Clearfield Progress and the week of December 31, 2004 in the Clearfield County Legal Journal, and further that all the named Defendants who are deceased or their whereabouts are unknown were not served in any other manner, and no Defendants served by publication having entered an appearance or filed an Answer or having expressed any purpose of intent to be

heard or desire to assert title to said property, and twenty (20) days having elapsed since the last publication, and it appearing that it was impossible to serve any of the Defendants by any other means.

WHEREFORE, Girard Kasubick, Esq., prays Your Honorable Court, as attorney for the Plaintiff, that judgment be entered in favor of the Plaintiff and against the Defendants, their heirs and assigns, with direction that they file suit in ejectment or otherwise enter proceedings to contest the case within thirty (30) days, or judgment may be entered against them forever barring them from asserting any title or claim to the real estate in this action.

  
\_\_\_\_\_  
Girard Kasubick, Esq.,  
Attorney for Plaintiff

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

MADONNA ANN CLARKSON,  
Plaintiff

vs.

SIRA BIANCHO a/k/a SIRA  
BIANCHI a/k/a SERA BIANCHO  
a/k/a SERA BIANCHI a/k/a  
SIRO BIANCHO a/k/a SIRO  
BIANCHI and ROSA BIANCHO  
a/k/a ROSA BIANCHI, his wife;  
and their heirs, executors,  
administrators, successors,  
trustees and assigns, known  
or unknown, and any other  
person who may claim title or  
an interest in the property  
subject to this action,  
Defendants

: No.: 2004-1972-CD  
: Type of Case: Quiet  
: Title Action  
: Type of Pleading:  
: Final Praecipe  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record for  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651

FILED  
01/13/2005  
MAR 08 2005  
cc

Commonwealth  
Prothonotary, Clerk of Courts

RECEIVED

**FILED**

MAR 08 2005

William A. Shaw  
Prothonotary/Clerk of Courts