

04-1996-CD
JOSEPH O. KORB vs FRANCES A. WILLIAMS. et al.

Joseph Korb vs Frances Williams et al
2004-1996-CD

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

JOSEPH O. KORB,
Plaintiff

vs.

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
JOSEPH GORZALKOWSKI,
JAMES WHITTLE, J. S. REITZ,
A. H. REITZ and MICHAEL A.
KWEDER, and any heir, persons
claiming or who might claim title under
the aforesaid defendants; and any other
person, persons, firms, partnerships
or corporate entities who might claim
title to the premises herein described,
Defendants

No.

04-1996-CD

ACTION TO QUIET TITLE

Type of Pleading: Complaint

Filed on behalf of: Joseph O. Korb,
Plaintiff

Counsel of Record for this party:

HOPKINS HELTZEL LLP

DAVID J. HOPKINS, ESQUIRE
Attorney at Law

Supreme Court No. 42519
900 Beaver Drive
DuBois, Pennsylvania 15801

(814) 375-0300

FILED

DEC 17 2004

William A. Shaw
Prothonotary/Clerk of Courts

01/3/5261L Atty Hopkins
Atty pd. 95.00

Original
to CD

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

JOSEPH O. KORB,
Plaintiff

vs.

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
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JAMES WHITTLE, J. S. REITZ,
A. H. REITZ and MICHAEL A.
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title to the premises herein described,
Defendants

No. 041996-CD

ACTION TO QUIET TITLE

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Filed on behalf of: Joseph O. Korb,
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Counsel of Record for this party:

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

JOSEPH O. KORB,	:	
Plaintiff	:	
	:	
vs.	:	No.
	:	
	:	
FRANCES A. WILLIAMS, MRS. PHILIP	:	
WILLIAMS, CHESTER G. BLOOM,	:	
W. L. HOOVER, HARRY BENDER, SR.,	:	
HARRY BENDER, JR.,	:	
JOSEPH GORZALKOWSKI,	:	
JAMES WHITTLE, J. S. REITZ,	:	
A. H. REITZ and MICHAEL A.	:	
KWEDER, and any heir, persons	:	
claiming or who might claim title under	:	
the aforesaid defendants; and any other	:	
person, persons, firms, partnerships	:	
or corporate entities who might claim	:	
title to the premises herein described,	:	
Defendants	:	

NOTICE

TO DEFENDANTS:

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.

Office of the Court Administrator
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830
(814) 765-2641 ext. 5982

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

JOSEPH O. KORB,	:	
Plaintiff	:	
	:	
vs.	:	No.
	:	
	:	
FRANCES A. WILLIAMS, MRS. PHILIP	:	
WILLIAMS, CHESTER G. BLOOM,	:	
W. L. HOOVER, HARRY BENDER, SR.,	:	
HARRY BENDER, JR.,	:	
JOSEPH GORZALKOWSKI,	:	
JAMES WHITTLE, J. S. REITZ,	:	
A. H. REITZ and MICHAEL A.	:	
KWEDER, and any heir, persons	:	
claiming or who might claim title under	:	
the aforesaid defendants; and any other	:	
person, persons, firms, partnerships	:	
or corporate entities who might claim	:	
title to the premises herein described,	:	
Defendants	:	

COMPLAINT

AND NOW, comes, Plaintiff, Joseph O. Korb, (hereinafter "Korb") by and through his attorneys, Hopkins Heltzel LLP, and says as follows:

1. Plaintiff Joseph O Korb is an adult individual who maintains a business address at 15-23 East Park Avenue, P.O. Box 623, DuBois, Pennsylvania 15801. The plaintiff is the owner of certain real property situated in the City of DuBois, Clearfield County, Pennsylvania and described in paragraph 2.

2. The property to be quieted is known as Lot 65 of the Henry Fireman's Addition to DuBois and Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois, recorded on September 27, 1911, in Miscellaneous Book No. 9, at page 277. Said properties are now identified as Lot A, Lot F, Lot G, Lot H and Lot I in a subdivision known as

the Rumbarger Avenue Estates, a survey plat which is dated October 15, 2003, revised December 11, 2003 and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania as Instrument No. 2004-02566.

COUNT I

JOSEPH O. KORB vs. MICHAEL A. KWEDER,
J. S. REITZ and A. H. REITZ

Lot 65 of Henry Fireman's Addition - Lot A of the Rumbarger Avenue Estates

3. By deed dated February 3, 1921 and recorded in the Office of the Recorder of Deeds of Clearfield County in Deed Book 249 at Page 236 Julia Gillis and George Gillis conveyed property being known as Lot 65 in the Henry Fireman's Addition to DuBois to Michael A. Kevederavich and Frances R. Kevederavich, husband and wife.

4. Michael A. Kevederavich and Frances R. Kevederavich failed to pay real estate taxes on the property and as a result thereof a double assessment occurred on the books and records of Clearfield County.

5. To the best knowledge, information and belief of plaintiffs, J.S. Reitz and/or A.H. Reitz purchased the property at the tax sale. In addition thereto, Michael A. Kevederavich acquired a title to the property. Michael Kevederavich died conveying his interest in the property to Frances Kevederavich.

6. Frances Kevederavich died April 13, 1966 and an estate was opened in the Office of the Registrar of Wills of Clearfield County as Estate No. 26508 conveying the property to Michael A. Kweder.

7. Michael Kweder died April 2, 1977 and an estate was opened in the Registrar of Wills of Clearfield County under Estate No. 77-224.

8. The executor of the Estate of Michael Kweder was DuBois National Bank who conveyed the property to the City of DuBois.

9. The City of DuBois commenced a quiet title action in the Court of Common Pleas of Clearfield County at No. 77-854 but failed to identify Michael A. Kweder or J. S. Reitz or A. H. Reitz in said quiet title action.

10. Plaintiff and Plaintiff's predecessor in title have been in actual, open, notorious, visible, hostile and continuous possession of said premises set forth in paragraph 2 for a period far in excess of twenty one (21) years.

11. The purpose of Count I of this Quiet Title Complaint is to quiet title as to any interest the Defendants, Michael A. Kweder, A. H. Reitz and J. S. Reitz, their heirs, devisees, administrators, executors or assigns or any other person, persons, firms, partnerships, corporate entities in interest may have in Lot 65 in the Henry Fireman's Addition to DuBois (now known as Lot A of the Rumbarger Avenue Estates) because of any defect that may exist in the said tax sales of the said premises by the Treasurer of the City of DuBois or Clearfield County, Pennsylvania or because of the property being improperly assessed or not properly described or proper notice of said tax sales to the record owner or that said premises were sold as the property of one other than the record owner, or for any other reason that may raise some question as to the validity of the title. Another purpose of the action is to make the title to the premises known as Lot 65 in the Henry Fireman's Addition to DuBois (now known as Lot A of the Rumbarger Avenue Estates) marketable so that same can be certified.

WHEREFORE, Plaintiffs respectfully request the Court to decree that title to the premises formerly known as Lot 65 in the Henry Fireman's Addition to DuBois (now known as Lot A of the Rumbarger Avenue Estates) described herein be granted to the Plaintiffs in fee

simple and absolutely in that the Defendants or their legal representatives be forever barred from asserting any rights, lien, or interest inconsistent with the interest or claim of the Plaintiff.

COUNT II

**JOSEPH O. KORB vs. FRANCIS A. WILLIAMS,
MRS. PHILIP WILLIAMS, CHESTER C. BLOOM,
W. L. HOOVER, HARRY BENDER SR., HARRY BENDER JR.,
JAMES WHITTLE and JOSEPH GORZALKOWSKI**

Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois

Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates

12. By deed dated October 13, 1911, John H. Jenkins and Estellas Jenkins, his wife, conveyed real property and improvements known as Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois (now known as Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates) to Frances A. Williams. The deed is recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 189 at Page 95.

13. The 1921 Clearfield County Assessment identifies the owner of the property to be Mrs. Phillip Williams and the property is assessed as three-fourths of an acre from the James Whittle Estate.

14. Mrs. Phillip Williams failed to pay real estate taxes due and the property was sold by Clearfield County on November 12, 1937.

15. Clearfield County sold three lots to Chester G. Bloom by deed dated April 20, 1943. Clearfield County sold one lot to W. L. Hoover (Lot 20) by deed dated April 20, 1943. Clearfield County sold two lots to J. S. Reitz and A. H. Reitz by deed dated April 20, 1943.

16. Chester G. Bloom conveyed one lot to Harry Bender by deed dated April 24, 1950 who thereafter conveyed the property to his son, Harry Bender, by deed dated October 5, 1964. Said deed is recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 538 at Page 632. The property is assessed as a one half acre. The lot numbers were not identified on the deed and the exact location of the property is impossible to identify.

17. Chester G. Bloom also conveyed two lots to Joseph Gorzalkowski by deed dated April 24, 1950. The lot numbers were not identified on the deed and the exact location of the property is impossible to identify.

18. Thereafter, the Joseph Gorzalkowski lots were sold to the County and then to D. Edward Chaplin, Robert L. Kester, J. Richard Mattern and Thomas F. Morgan. The deed is dated October 8, 1973 and recorded in the Office of the Recorder of Deeds at Volume 765, at page 454.

19. Joseph Colavecchi acquired the two lots believed to be from J. S. Reitz and A. H. Reitz by deed recorded in Deed Book 752, at page 212.

20. Title to the property was then united in Ednie Fuels who conveyed the property to the City of DuBois by deed dated January 16, 1979 and recorded in the Office of the Recorder of Deeds in Volume 777 at Page 350.

21. The City of DuBois conveyed the property identified in paragraph 2 to Joseph O. Korb by deed dated February 20, 2004 and recorded in the Office of the Recorder of Deeds as Instrument No. 2004-02569.

22. Plaintiff and Plaintiff's predecessor in title has been in actual, open, notorious, visible, hostile and continuous procession of said procession of said premises known as Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois (now known

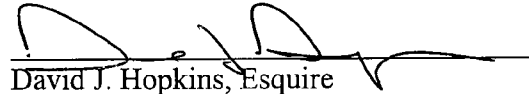
as Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates) for a period far in excess of twenty one (21) years.

23. The purpose of this action is to quiet title as to any interest the Defendants, Frances Williams, Mrs. Phillip Williams, the James Whittle Estate, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, W. L. Hoover, Chester G. Bloom, Michael A. Kweder, A. H. Reitz and J. S. Reitz, their heirs, devisees, administrators, executors or assigns or any other person, persons, firms, partnerships, corporate entities in interest may have in said premises known as Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois (now known as Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates) because of any defect that may exist in the said tax sales of the said premises by the Treasurer of the City of DuBois or Clearfield County, Pennsylvania or because of the property being improperly assessed or not properly described or proper notice of said tax sales to the record owner or that said premises were sold as the property of one other than the record owner, or for any other reason that may raise some question as to the validity of the title. Another purpose of the action is to make the title to the premises known as Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois (now known as Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates) marketable so that same can be certified.

WHEREFORE, Plaintiff requests the Court to decree that title to the premises described herein being known as Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois (now known as Lot F, Lot G, Lot H and Lot I in the Rumbarger Avenue Estates) be granted unto the Plaintiff in fee simple and absolute and that the Defendants, Frances Williams, Mrs. Phillip Williams, James Whittle, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, W. L. Hoover, Chester G. Bloom, A. H. Reitz and J. S. Reitz or their legal

representatives be forever barred from asserting any right, title or interest inconsistent with the interest or claim of the Plaintiff.

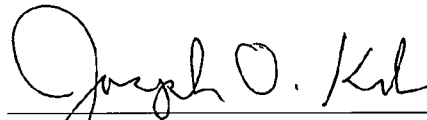
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David J. Hopkins', written over a horizontal line.

David J. Hopkins, Esquire
Attorney for Plaintiff

VERIFICATION

I hereby verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.



Joseph O. Korb

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

JOSEPH O. KORB,

Plaintiff

vs.

No. 04-1996-CD

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
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JAMES WHITTLE, J. S. REITZ,
A. H. REITZ and MICHAEL A.
KWEDER, and any heir, persons
claiming or who might claim title under
the aforesaid defendants; and any other
person, persons, firms, partnerships
or corporate entities who might claim
title to the premises herein described,
Defendants

FILED
DEC 17 2004
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Atty Hopkins

William A. Shaw
Prothonotary/Clerk of Courts

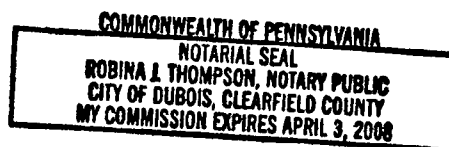
AFFIDAVIT OF UNKNOWN WHEREABOUTS

I, David J. Hopkins, Esquire, attorney for Plaintiff, Joseph O. Korb, being duly sworn according to law, deposes and says that to the best of my knowledge, information and belief, Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, whereabouts are unknown and all of the Defendants are deceased.

David J. Hopkins, Esquire

Sworn to and subscribed before
me this 17th day of
December 2004.

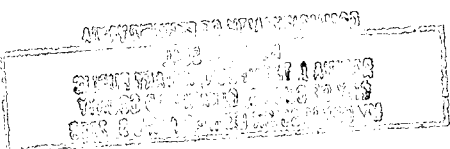
Robina J. Thompson
Notary Public



FILED

DEC 17 2004

William A. Shaw
Prothonotary/Clerk of Courts



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

JOSEPH O. KORB,

Plaintiff

vs.

No. 04-1996-CD

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
JOSEPH GORZALKOWSKI,
JAMES WHITTLE, J. S. REITZ,
A. H. REITZ and MICHAEL A.
KWEDER, and any heir, persons
claiming or who might claim title under
the aforesaid defendants; and any other
person, persons, firms, partnerships
or corporate entities who might claim
title to the premises herein described,
Defendants

ORDER FOR PUBLICATION

AND NOW, this 22nd day of December, 2004 upon the consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, their heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or their legal representatives, by publication one time in the Courier Express published in the City of DuBois and one time in the Clearfield County Legal Journal.

FILED

3:48 PM 1/11/04
DEC 22 2004

BY THE COURT,

Judith J. Curren
JUDGE

William A. Shaw
Prothonotary

HOPKINS HETZEL LLP

900 Beaver Drive, DuBois, Pennsylvania 15801
Voice: (814) 375-0300 FAX: (814) 375-5035

②

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

JOSEPH O. KORB,

Plaintiff

vs.

No. 04-1996 C.D.

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
JOSEPH GORZALKOWSKI,
JAMES WHITTLE, J. S. REITZ,
A. H. REITZ and MICHAEL A.
KWEDER, and any heir, persons
claiming or who might claim title under
the aforesaid defendants; and any other
person, persons, firms, partnerships
or corporate entities who might claim
title to the premises herein described,
Defendants

AFFIDAVIT

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019:40 Btl
FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

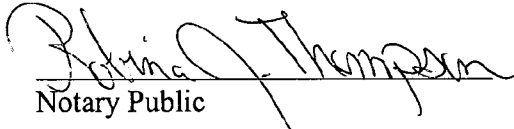
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

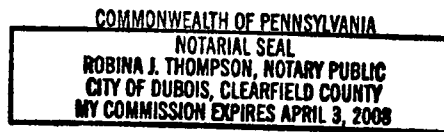
Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiff, Joseph O. Korb, who, being duly sworn according to law, deposes and says that the service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, and their heirs, devisees, administrators, executors

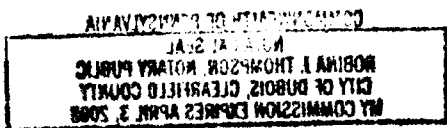
and assigns, by publication. Following publication, a Michael A. Kweder telephoned my office and told me he had seen the publication. I advised Mr. Kweder that if he had wished to pursue a claim against the property, he must file an answer to the Complaint. More than twenty (20) days have elapsed since said publication, and that the said Defendants have not filed an appearance or any answer to the Complaint, although the time in which to do so has expired.


David J. Hopkins, Esquire

Sworn to and subscribed before me this
17th day of February, 2005.


Notary Public





FILED

FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

JOSEPH O. KORB,

Plaintiff

vs.

No. 04-1996 C.D.

FRANCES A. WILLIAMS, MRS. PHILIP :
WILLIAMS, CHESTER G. BLOOM, :
W. L. HOOVER, HARRY BENDER, SR., :
HARRY BENDER, JR., :
JOSEPH GORZALKOWSKI, :
JAMES WHITTLE, J. S. REITZ, :
A. H. REITZ and MICHAEL A. :
KWEDER, and any heir, persons :
claiming or who might claim title under :
the aforesaid defendants; and any other :
person, persons, firms, partnerships :
or corporate entities who might claim :
title to the premises herein described, :
Defendants :

FILED ¹⁰⁰ ⁸⁰
01/4/00/81 ^{Atty Hopkins}
FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 18th day of February, 2005 appearing that service of the Complaint to Quiet Title in the above stated action was served upon Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, by publication and by Affidavit of David J. Hopkins, Attorney for Plaintiff, that no answer or appearance has been filed to said action, and on Motion of David J. Hopkins, Esquire, it is hereby ORDERED and DECREED:

1. This Order concerns real property described as:

All that certain piece or parcel of land, located in the City of DuBois, Clearfield County, identified as Lot 65 of the Henry Fireman's Addition to DuBois and Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois, recorded on September 27, 1911 in Miscellaneous Book No. 9, at page 277. Said properties are now identified as Lot A, Lot F, Lot G, Lot H and Lot I in a subdivision known as the Rumbarger Avenue Estates, a survey plat which is dated October 15, 2003, revised December 11, 2003 and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania as Instrument No. 2004-02566.

2. That the Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, and their heirs, devisees, persons, firms, partnerships, or corporate entities in interest, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of the Plaintiff to the property described in paragraph 1.

3. That title to said property is now vested in Joseph O. Korb as prayed.

4. That the rights of the Plaintiff are superior to the rights of the Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, and any heirs, persons claiming, or who might claim title under the aforesaid Defendants; and any other person, persons, firms, partnerships, or corporate entities who might claim title to the premises herein described.

5. That the Plaintiff has title in fee simple to said premises as described in the Complaint as against the Defendants, Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, and their heirs, devisees, administrators, executors, and assigns.

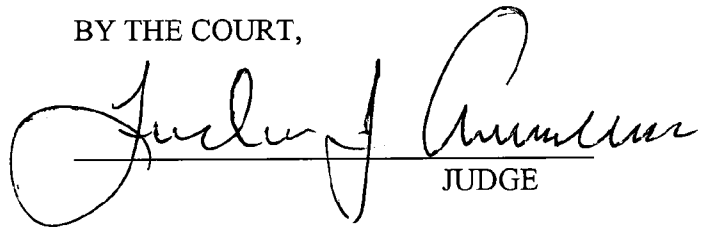
6. That the Defendants, Robert Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiff as set forth in his Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiff to the premises.

7. That the thirty (30) days provisions of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of Pennsylvania Rules of Civil Procedure 248 to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

8. That these proceedings or any authenticated copy thereof, shall at all times hereinafter be taken as evidence of the facts declared and established thereby.

9. That a certified copy of this Order shall be recorded in the Office of the Recorder of Deed of Clearfield County, Pennsylvania.

BY THE COURT,


JUDGE

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

JOSEPH O. KORB,

Plaintiff

vs.

No. 04-1996 C.D.

FRANCES A. WILLIAMS, MRS. PHILIP
WILLIAMS, CHESTER G. BLOOM,
W. L. HOOVER, HARRY BENDER, SR.,
HARRY BENDER, JR.,
JOSEPH GORZALKOWSKI,
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A. H. REITZ and MICHAEL A.
KWEDER, and any heir, persons
claiming or who might claim title under
the aforesaid defendants; and any other
person, persons, firms, partnerships
or corporate entities who might claim
title to the premises herein described,
Defendants

FILED^{NO CC}
019:40/61
FEB 18 2005


W. A. Shaw
Prothonotary/Clerk of Courts

MOTION FOR JUDGMENT

AND NOW, this 18th day of February, 2005, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiff, Joseph O. Korb, that the Complaint with Notice to Plead was served on Defendants. Defendants were served by publication pursuant to the Rules of Civil Procedure and Defendants have failed to file an answer. The Plaintiff, by and through his attorney, move the Court to enter judgment in favor of the Plaintiff and against the Defendants in the above named case and to grant to the Plaintiff the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiff further requests that the Honorable

Court modify in accordance with Rules of Civil Procedure, Rule 248, the thirty (30) day period provided Defendants by Rules of Civil Procedure, Rule 1066(b) to assert any right, lien, title or interest in the land inconsistent with the interest or claim Plaintiff set forth in his Complaint.

Respectfully submitted,


David J. Hopkins, Esquire

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

JOSEPH O. KORB, :
Plaintiff, :
vs. : ACTION TO QUIET TITLE
FRANCES A. WILLIAMS, MRS. :
PHILIP WILLIAMS, CHESTER G. :
BLOOM, W.L. HOOVER, HARRY :
BENDER, SR., HARRY BENDER, :
JR., JOSEPH GORZALKOWSKI, :
JAMES WHITTLE, J.S. REITZ, :
A.H. REITZ and MICHAEL A. : NO. 04-1996 C.D
KWEDER, and any heir, persons :
claiming or who might claim title :
under the aforesaid defendants; :
and any other person, persons, :
firms, partnerships or corporate :
entities who might claim title to the :
premises herein described, :
Defendants :

QUIET TITLE ACTION NOTICE

TO: Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W.L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzalkowski, James Whittle, J.S. Reitz, A.H. Reitz and Michael A. Kweder, their successors and assigns and any person or entity claiming, or who might claim title under the aforesaid defendants; and any other person, persons, firms, partnerships or corporate entities in interest.

You are hereby notified that an action to quiet title to the premises situate, lying and being in the Borough (now City) of DuBois, Clearfield County, Pennsylvania, has been filed against you. Said premises are described as follows:

Lot 65 of the Henry Fireman's Addition to DuBois and Lot 12, Lot 13, Lot 20, Lot 33 and Lot 35 in the Whittle Addition to the Borough of DuBois, recorded on September 27, 1911 in Miscellaneous Book No. 9, at page 277. Said properties are now identified as Lot A, Lot F, Lot G, Lot H and Lot I in a subdivision known as the Rumbarger Avenue Estates, a survey plat which is dated October 15, 2003, revised December 11, 2003 and recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania as Instrument No. 2004-02566.

You have been sued in Court. The purpose of this quiet title action is to extinguish any right or equity which the Defendants above named and their heirs, administrators, executors and assigns may have in the property as described above. The Plaintiff in this action, after a diligent search, has been unable to locate the Defendants or their devisees or heirs.

Whereupon the Court Ordered that notice of said action be served on the Defendants, and its heirs.

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.

YOU SHOULD TAKE THE 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
230 E. Market Street
Clearfield, Pennsylvania 16830
(814)765-2641

Hopkins Heltzel LLP
David J. Hopkins
Attorney for Plaintiff
900 Beaver Drive
DuBois, PA 15801
(814)375-0300

1/10/05

Emergency Department Nurse Manager

An acute care facility has an immediate opportunity for a Nurse Manager for its Emergency Department. Primary responsibilities include development and evaluation of nursing staff, the coordination and implementation of quality of care initiatives. A B.S. degree in nursing is necessary, as well as the ability to establish and maintain relationships with providers at all levels. A B.S. degree in nursing, leadership and interpersonal skills are a must. A competitive salary package is available.

Interested persons are encouraged to submit a letter of interest, resume, list of references and salary history to:

Drawer# 403
McLean Publishing Company
PO Box 407
DuBois, PA 15801

E.O.E

Health Care 097 Health Care 097

Med./Surg. Unit Nurse Manager

An acute care facility has an immediate opportunity for a Nurse Manager for its Med./Surg. Unit. Primary responsibilities include development and evaluation of nursing staff, the coordination and implementation of quality of care initiatives. A B.S. degree in nursing is necessary, as well as the ability to establish and maintain relationships with providers at all levels. A B.S. degree in nursing, leadership and interpersonal skills are a must. A competitive salary package is available.

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Drawer# 404
McLean Publishing Company
PO Box 407
DuBois, PA 15801

E.O.E

Pickles by Brian Cranston



STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

SS:

Linda Smith, Advertising Director of Dory Ferra, Classified Advertising Supervisor of the **Courier-Express/Tri-County Sunday/Jeffersonian Democrat** of the County and State aforesaid, being duly sworn, deposes and says that the **Courier Express**, a daily newspaper, the **Tri-County Sunday**, a weekly newspaper and **Jeffersonian Democrat**, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

10th day of **January** A.D., **2005**

Affidavit further deposes that he is an officer duly authorized by the **Courier-Express**, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**McLEAN PUBLISHING COMPANY Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By Sandra Smith

Sworn and subscribed to before me this 2nd day of Feb., 2005

NOTARY PUBLIC

THIS IS
NOT A
BILL

Statement of Advertising Cost
McLEAN PUBLISHING COMPANY
 Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/
JEFFERSONIAN DEMOCRAT
 DuBois, PA

NOTARIAL SEAL
ROBIN M. DUTTRY, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 16, 2006

TO **Hopkins Heltzel LLP**

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$287.28</u>
Probating same.....	<u>\$4.25</u>
Total.....	<u>\$291.53</u>

Publisher's Receipt for Advertising Costs

The Courier-Express, a daily newspaper, **Tri-County Sunday**, a weekly newspaper, and/or **Jeffersonian Democrat**, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801
Established 1879, Phone 814-371-4200
McLEAN PUBLISHING COMPANY
Publisher of
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By _____

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

Clearfield County Legal Journal

The Official Legal Journal of the Courts of Clearfield County, PA

CLEARFIELD COUNTY

LEGAL JOURNAL

P. O. Box 521, Clearfield, PA
Owned and Published Weekly

by the

Clearfield County
Bar Association

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Paul Cherry Judge

Earle D. Lees, Jr. President
Robin Foor Vice President
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All advertisements must be in the hands
of the editor by 4:00 P.M. Friday of each
week.

Annual Subscription \$35.00
Single Copies \$75

REPORT OF DEEDS

January 17, 2005

Clearfield Co Sheriff, to County National
Bank, 05-711, \$30,000
James Renninger, to Marie Serfass, 05-
732, \$95,000
Robert Russell, to Robert Russell, 05-
737, \$1
Ellen Barr, to Robert Barr, 05-741, \$1
Dana Wiseman, to Daniel Granite, 05-
743, \$6,000
Ben Hummel, to Richard Hummel, 05-
747, \$1

REPORT OF DEEDS

January 18, 2005

Russell Shaffer, to Holli Bash, 05-748,
\$1
Theodore Williams, to Lori Little, 05-754,
\$1
Josephine Peterson, to Josephine
Peterson, 05-757, \$1
Richard Maseto, to Richard Maseto II,
05-758, \$1
Fredrick London, to Fredrick London,
05-771, \$1
Wilbur Lewis, to Ruth Leonard, 05-782,
\$1
Edward Llewellyn, to Lorena Ramos,
05-792, \$10
Veronica Humenay, to William
Thompson, 05-814, \$30,500
Raymond Robbins, to Denise Burkett,
05-815, \$1
ICP Asset Management Inc, to ICP
Asset Management Inc, 05-818, \$1
ICP Global Holdings Inc, to ICP Global
Holdings Inc, 05-819, \$1
International Custom Products Inc, to
ICP Global Holdings Inc, 05-820, \$1
International Customer Products Inc, to
ICP Global Holdings Inc, 05-821, \$1
Two Suns Development, to Samuel
Casher Jr., 05-837, \$1
Rudy Battistelli, to John King, 05-838,
\$45,000

REPORT OF DEEDS

January 19, 2005

Bank of New York Trustee, to Michael
Rudella, 05-843, \$15,000
Thomas Little, to Eugene Sedlak, 05-
853, \$6,000
Harry Burr, to Donald Fridley, 05-854,
\$1,000
Michael Martino, to Randy Neill, 05-858,
\$62,500
Clearfield Co Sheriff, to Bank of New
York Trustee, 05-862, \$1

REPORT OF DEEDS

January 20, 2005

Theresa Papale, to Theresa Papale,
05-871, \$1
Richard Burnsworth, to Richard
Burnsworth, 05-882, \$1

KOWSKI, JAMES WHITTLE, J. S. REITZ, A. H. REITZ and MICHAEL A. KWEDER, and any heir, persons claiming or who might claim title under the aforesaid defendants; and any other person, persons, firms, partnerships or corporate entities who might claim title to the premises herein described, Defendants.

No. 04-1996 C.D

QUIET TITLE ACTION NOTICE

TO: Frances A. Williams, Mrs. Philip Williams, Chester G. Bloom, W. L. Hoover, Harry Bender, Sr., Harry Bender, Jr., Joseph Gorzelowski, James Whittle, J. S. Reitz, A. H. Reitz and Michael A. Kweder, their successors and assigns and any person or entity claiming, or who might claim title under the aforesaid defendants; and any other person, persons, firms, partnerships or corporate entities in interest.

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Court Administrator, Clearfield County Courthouse, 230 E. Market Street, Clearfield, Pennsylvania 16830. (814) 765-2641.

David J. Hopkins, Attorney for Plaintiff, 900 Beaver Drive, DuBois, PA 16801. (814) 375-0300.