04-1998-CD
ANGEL C. ALONSO vs. ROBERT C. COGDELL, Etal.

Angel Alonso et al vs Robert Cogdell et al
2004-1998-CD

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

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	
vs.	No. 2004- 1998-C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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	Type of Pleading: Complaint Filed on behalf of: Angel C. Alonso and Daisy Alonso, Plaintiffs Counsel of Record for this party: DAVID J. HOPKINS, ESQUIRE Attorney at Law Supreme Court No. 42519 900 Beaver Drive DuBois, Pennsylvania 15801 (814) 375-0300

Original to C/A
w/order

FILED
DEC 20 2004
William A. Shaw
Prothonotary/Clerk of Courts
1 cert to Atty

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- 1998-C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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	:	Type of Pleading: Complaint Filed on behalf of: Angel C. Alonso and Daisy Alonso, Plaintiffs
	:	Counsel of Record for this party: DAVID J. HOPKINS, ESQUIRE Attorney at Law Supreme Court No. 42519 900 Beaver Drive DuBois, Pennsylvania 15801 (814) 375-0300

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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 judgement 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)

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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

NOW COMES, Plaintiffs, Angel C. Alonso and Daisy Alonso, by and through their attorneys, Hopkins Heltzel LLP and avers as follows:

COUNT I

1. Plaintiffs are married individuals who reside at 2316 South Second Street, Arlington, Virginia 22204.-2010

2. The property to be quieted is Section 11, Lot 133 in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, identified as Tax Parcel No. 128-0-C02-011-00133-00-21.

3. By Deed dated March 3, 1971, Treasure Lake, Inc. conveyed the property described in paragraph 2 to Ralph R. Currey and Marjorie Currey, husband and wife. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 573, at page 187.

4. By Deed dated June 14, 1971, Ralph R. Currey and Marjorie Currey, husband and wife, conveyed the property described in paragraph 2 to Treasure Lake, Inc. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 582, at page 001.

5. By Deed dated January 4, 1973, Treasure Lake, Inc. and Great Northern Development Company conveyed the property described in paragraph 2 to Treasure Lake of Pennsylvania, Inc. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 629, at page 125.

6. By Deed dated March 13, 1974, Treasure Lake of Pennsylvania, Inc. conveyed the property described in paragraph 2 to Defendants, Robert C. Cogdell and Anna A. Cogdell, husband and wife. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 683, at page 188.

7. Defendants, Robert C. Cogdell and Anna A. Cogdell, failed to pay the real estate taxes due upon the property and by Deed dated December 15, 1980, the Tax Claim Bureau of Clearfield County, Pennsylvania, Trustee under the provision of the Act of July 7, 1947, P. L. 1368, and amendments thereto, conveyed the property to Jack McGinnis and Betty McGinnis. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County in Volume 806, at page 238.

8. Jack McGinnis died on January 3, 1996 vesting sole title in Betty McGinnis.

9. By Deed dated November 4, 2004, Betty McGinnis, widow, conveyed the property described in paragraph 2 to Plaintiffs, Angel C. Alonso and Daisy Alonso. The Deed was recorded in the Office of the Recorder of Deeds of Clearfield County as Instrument No. 2004-18096.

10. A cloud exists upon the title to the property described in paragraph 2 and the purpose of this quiet title action is to clear any and all possible clouds from the title of the property resulting from the ownership of the property by Defendants, Robert C. Cogdell and Anna A. Cogdell.

11. The whereabouts of the Defendants are unknown but believed to be in Allegheny County.

12. WHEREFORE, the Plaintiffs request the Court to decree that title to the premises described in paragraph two of the Complaint be granted unto Plaintiffs, Angel Alonso and Daisy Alonso, in fee simple absolute; and that the Defendants, Robert C. Cogdell and Anna A. Cogdell, their heirs, devisees, executors, administrators and assigns, and all other person, persons, partnerships, limited liability companies or corporate entities in interest, or their legal representatives be forever barred from asserting any right, lien or interest inconsistent with the interest or claim of the Plaintiffs as set forth in and to the property known as Section 11, Lot 133 in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania.

Respectfully submitted,

David J. Hopkins, Esquire
Attorney for Plaintiffs

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

Angel Alonso

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

Daisy Alonso

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004-1998 - C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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 20 2004

William A. Shaw
Prothonotary

AFFIDAVIT OF UNKNOWN WHEREABOUTS

I, David J. Hopkins, Esquire, attorney for Plaintiffs, Angel C. Alonso and Daisy Alonso, being duly sworn according to law, deposes and says that to the best of my knowledge, information and belief, the Defendants', Robert C. Cogdell and Anna A. Cogdell, whereabouts are unknown but believed to be living in the Pittsburgh area.

Your Affiant has made a search of the Pittsburgh phone directory and neither of the Defendants' names appear in the directory. Your Affiant then caused an internet search to be completed and no individual by the name of Anna A. Cogdell appears in the Commonwealth of Pennsylvania. The name of Robert C. Cogdell that appeared in the internet search is not the Defendant, Robert C. Cogdell.

Your Affiant spoke telephonically with Defendant, Robert C. Cogdell. He would not give his address or the address of his ex-wife. He further indicated both he and Ms. Cogdell resided in the Pittsburgh area.

As a result of the foregoing unsuccessful search, the whereabouts of Robert C. Cogdell and Anna A. Cogdell are unknown and your Affiant respectfully requests they be served by publication.

David J. Hopkins, Esquire

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

Robina J. Thompson
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
ROBINA J. THOMPSON, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 3, 2008

FILED

DEC 20 2004

William A. Shaw
Prothonotary

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004-1998 C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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 Plaintiffs are granted leave to make service of the Complaint on Defendant, Anna A. Cogdell, her heirs, devisees, administrators, executors, assigns, and all other person, persons, firms, partnerships, or corporate entities in interest, or her legal representatives, by publication one time in the Pittsburgh Post Gazette published in the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania and one time in the Clearfield County Legal Journal.

BY THE COURT,

Fredric J. Ammerman
JUDGE

FILED
0 3.50 BY 1CC Atty Hopkins
DEC 22 2004
William A. Shaw
Prothonotary

HOPKINS HELTZEL LLP

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

CA

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- 1998 C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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	:	

MOTION FOR JUDGMENT

AND NOW, this 18th day of February, 2005, an Affidavit having been filed by David J. Hopkins, Esquire, Attorney for Plaintiffs, Angel C. Alonso and Daisy Alonso, 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 Plaintiffs, by and through their attorney, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above named case and to grant to the Plaintiffs the relief prayed for in accordance with Rules of Civil Procedure 1066. Plaintiffs 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 Plaintiffs set forth in their Complaint.

Respectfully submitted,

David J. Hopkins, Esquire

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

COUNTY OF CLEARFIELD :

On this 26th day of January AD 2005, 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 January 21, 2005. Vol. 17, No. 3 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.

Sharon J Pusey
Notary Public
My Commission Expires

NOTARIAL SEAL
SHARON J. PUSEY, Notary Public
Clearfield, Clearfield County, PA
My Commission Expires APRIL 7, 2007

David J Hopkins Esquire
900 Beaver Drive
DuBois PA 15801

Konica Minolta Business vs. Batcho Business Machines, 04-1774, $18,475.30

Altegra Credit Corporation, American Loan Centers vs. Robert W. Bressler, Tammy J. Bressler, 05-1848, $55,589.17

REPORT OF JUDGMENTS
January 11, 2005

Internal Revenue Service vs. Howard L. Burnett, Sherri L. Burnett, 05-49, $17,612.50

Internal Revenue Service vs. Dennis S. Horner, 05-50, $1,303.49

Internal Revenue Service vs. Hallstrom Inc., 05-51, $15,489.45

REPORT OF JUDGMENTS
January 13, 2005

Wells Fargo Bank vs. Rhonda Dixon, 04-1260, $50,012.77

Erie Insurance vs. Jerry L. Luke, 05-56, $4,739.28

REPORT OF JUDGMENTS
January 14, 2005

Ameriquest Mortgage Company vs. Christine D. Delong, 04-1794, $91,815.78

Remit Corporation vs. Valorie D. Erickson, 05-1839, $3,063.74

Wells Fargo Bank vs. Thomas E. Carfley, Barbara B. Carfley, 05-1843, $52,580.69

Commonwealth Financial Systems vs. Linda Mackey, 05-64, $8,118.50

Discover Bank vs. Rodney K. Rougeux, 05-65, $7,918.12

Linda B. Smyers vs. Janice Fye, 05-67, $2,086

Clearfield Bank & Trust Co. vs. Andrew G. Batcho Sr., Andrew G. Batcho Jr., Linda L. Batcho, 05-73, $182,352.02

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

Third Publication

CALLAHAN, CHARLES H., Dec'd
Late of Clearfield
Executrix: **SANDRA L. SLOPPY**

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs vs. ROBERT C. COGDELL and ANNA A. COGDELL, 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. 2004-1998-CD

QUIET TITLE ACTION NOTICE

TO: Robert C. Cogdell and Anna A. Cogdell, 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 Sandy Township, Clearfield County, Pennsylvania. Said premises are described as follows:

Section 11, Lot 133 in the Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania, identified as Tax Parcel No. 128-0-C02-011-00133-00-21.

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 his heirs, administrators, executors and assigns may have in the property as described above. The Plaintiffs 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 their 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 THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Clearfield County

FILED

FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

HOPKINS HELTZEL LLP

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

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

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- 1998 C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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
0/4:00 BY
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, Robert C. Cogdell and Anna A. Cogdell, by publication and by Affidavit of David J. Hopkins, Attorney for Plaintiffs, 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. That the Defendants, Robert C. Cogdell and Anna A. Cogdell, 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 Plaintiffs as set forth in their Complaint in and to:

Section 11, Lot 133, Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania.

No. 128-0-C02-011-00133-00-21.

3. That title to said property is now vested in Angel C. Alonso and Daisy Alonso as prayed.

4. That the rights of the Plaintiffs are superior to the rights of the Defendants, Robert C. Cogdell and Anna A. Cogdell, 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 Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, Robert C. Cogdell and Anna A. Cogdell, and their heirs, devisees, administrators, executors, and assigns.

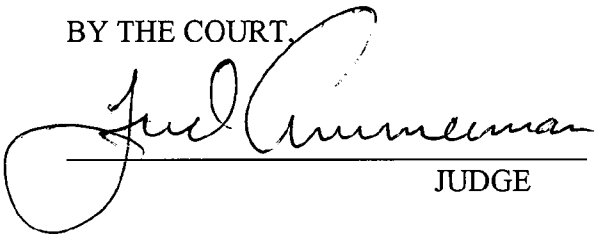
6. That the Defendants, Robert C. Cogdell and Anna A. Cogdell, and their heirs, devisees, administrators, executors and assigns are enjoined and forever barred from asserting any right, title or interest in or to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs 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)

ANGEL C. ALONSO and DAISY ALONSO, Plaintiffs	:	
vs.	:	No. 2004- 1998 C.D.
ROBERT C. COGDELL and ANNA A. COGDELL, 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

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, the undersigned officer, David J. Hopkins, Attorney for Plaintiffs, Angel C. Alonso and Daisy Alonso, who, being duly sworn according to law, deposes and says that the service of the aforegoing Complaint to Quiet Title, endorsed with Notice to Plead, has been served upon all Defendants, Robert C. Cogdell and Anna A. Cogdell, and their

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019:40 BY
FEB 18 2005
William A. Shaw
Prothonotary/Clerk of Courts

heirs, devisees, administrators, executors and assigns, by publication, and more than twenty (20) days have elapsed since said service, 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
16th day of February, 2005.

Robina J. Thompson
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
ROBINA J. THOMPSON, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES APRIL 3, 2008

FILED

FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts