

05-60-CD
Re: Township of Karthaus

KARTHAUS

Karthaus Twp.,v. Elizabeth Potter et al
2005-060-CD

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

IN RE:

CONDEMNATION BY THE TOWNSHIP
OF KARTHAUS OF EASEMENTS FOR
ROAD RELOCATION AND BRIDGE
CONSTRUCTION OVER, ACROSS AND
THROUGH TWO TRACTS OF LAND
TOWNSHIP OF LOT SITUATE
IN KARTHAUS TOWNSHIP,
CLEARFIELD COUNTY, PENNSYLVANIA

*
*
*
*
* No. 2005-60 -CD
*
*
* ACTION IN REM
*
*

FILED

JAN 13 2005
01/12/05
William A. Shaw

Prothonotary/Clerk of Courts

4 sent to
ATTN

DECLARATION OF TAKING

The TOWNSHIP OF KARTHAUS by its Board of Supervisors does respectfully declare
that:

1. The Condemnor is the Township of Karthaus (hereafter known as the
"TOWNSHIP"), with its office being situate at 367 Market Street, Karthaus, Pennsylvania
16845.

2. The within condemnation is made pursuant to the powers vested in the Township
as an agency of the Commonwealth of Pennsylvania and in accordance with the provisions of the
2nd Class Township Code Act of May 1, 1933 P.L. 103 69 Sections 203, as amended (53 PA
C.S.A. Section 67301).

3. This Declaration of Taking is authorized by resolution of the Condemnor at a
regular meeting on December 13, 2004 , the record thereof may be examined at the office of the
Township of Karthaus.

4. The purpose of the condemnation is for the construction of a new bridge over
Mosquito Creek for access via Township Road T-748 to Pennsylvania State Route SR 879 in the
Village of Karthaus, Karthaus Township, and to include temporary and permanent easements for
the relocation of Township Road T-748 for said purpose and to include the approach surfaces to
both the north side and south side of Mosquito Creek.

5. The description of the property condemned, sufficient for identification, is as
follows:

A. DESCRIPTION OF A TEMPORARY CONSTRUCTION EASEMENT
ALONG TOWNSHIP ROAD T-748 ON A PARCEL OF GROUND OWNED BY
MERLYN L. MANEY, JR. & SHIRLEY A. MANEY AND IDENTIFIED BY
CLEARFIELD COUNTY AS TAX MAP NUMBER 121-T04-2

BEGINNING at a point, said point being the southeastern point of the easement Described herein; thence along the eastern bank of Mosquito Creek, North 53 Degrees 22 minutes 54 seconds West, a distance of 100.93 feet to a point; thence along land of Merlyn L. Maney, Jr. & Shirley A. Maney the following courses and distances: North 41 degrees 56 minutes 16 seconds East, a distance of 46.86 feet to a point, South 48 degrees 03 minutes 44 seconds East, a distance of 15.77 feet to a point, North 41 degrees 56 minutes 16 seconds East, a distance of 45.27 feet to a point, North 28 degrees 36 minutes 40 seconds West, a distance of 39.14 feet to a point, North 44 degrees 15 minutes 55 seconds East, a distance of 52.67 feet to a point, North 89 degrees 18 minutes 43 seconds East, a distance of 32.64 feet to a point, North 14 degrees 12 minutes 46 seconds East, a distance of 23.13 feet to a point, South 78 degrees 23 minutes 43 seconds East, a distance of 17.21 feet to a point within the right-of-way of existing T-748, thence within the right-of-way of existing T-748 the following courses and distances: South 12 degrees 26 minutes 07 seconds West, a distance of 109.73 feet to a point; thence along the centerline South 22 degrees 13 minutes 07 seconds West, a distance of 110.70 feet to a point, the place of beginning.

As shown on attached map titled "Plat Showing A Temporary Construction Easement for T-748 On Ground Owned by Merlyn L. Maney, Jr. and Shirley A. Maney, Karthaus Township, Clearfield County" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and being labeled Exhibit "B".

B. DESCRIPTION OF A PERMANENT RIGHT-OF-WAY FOR T-748 ON
A PARCEL OF GROUND OWNED BY MERLYN L. MANEY, JR. & SHIRLEY A.
MANEY AND IDENTIFIED BY CLEARFIELD COUNTY AS TAX MAP NUMBER
121-T04-2

BEGINNING at a point, said point being the southeastern point of the right-of-way described herein and within the right-of-way of existing T-748; thence along the eastern bank of Mosquito Creek North 53 degrees 22 minutes 54 seconds West a distance of 100.93 feet to a point; thence along land of Merlyn L. Maney, Jr. and Shirley A. Maney the following courses and distances: North 41 degrees 56 minutes 16 seconds East a distance of 46.86 feet to a point, South 48 degrees 03 minutes 44 seconds East a distance of 26.50 feet to a point, North 41 degrees 56 minutes 16 seconds East a distance of 54.88 feet to a point; thence by a curve to the left with a radius of 183.50 feet with a chord bearing North 26 degrees 46 minutes 16 seconds East, a distance of 96.02 feet to a point, North 11 degrees 36 minutes 16 seconds East, a distance of 8.74 feet to a point, South 78 degrees 23 minutes 43 seconds East, a distance of 14.07 feet to a point within the right-of-way of existing T-748; thence within the right-of-way of the existing location of

T-748, South 12 degrees 26 minutes 07 seconds West, a distance of 109.73 feet to a point; thence continuing within the right-of-way of the existing location of T-748, South 22 degrees 13 minutes 07 seconds West, a distance of 110.70 feet to a point, the place of beginning.

As shown on attached map titled "Plat Showing A Permanent Right-Of-Way For T-748 On A Parcel Of Ground Owned by Merlyn L. Maney, Jr. and Shirley A. Maney" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and being labeled Exhibit "B1".

C. DESCRIPTION OF A PERMANENT RIGHT-OF-WAY FOR T-748 ON A PARCEL OF GROUND IDENTIFIED BY CLEARFIELD COUNTY AS TAX PARCEL #T04-606-00050 ASSESSED TO "UNKNOWN" OWNER AND BELIEVED TO BE OWNED BY THE F. ELIZABETH POTTER HEIRS AND/OR CLEARFIELD COUNTY TAX CLAIM BUREAU DUE TO TAX SALE

BEGINNING at a point, said point being the southeastern point of the right-of-way described herein; thence along the northern right-of-way line of S.R. 879, North 48 degrees 09 minutes 51 seconds West, a distance of 90.00 feet to a point; thence along land of Potter Heirs, North 41 degrees 56 minutes 16 seconds East, a distance of 27.57 feet to a point; thence along the western bank of Mosquito Creek South 48 degrees 31 minutes 19 seconds East, a distance of 90.00 feet to a point; thence along the western right-of-way of existing Township Road T-748 South 41 degrees 56 minutes 16 seconds West, a distance of 28.14 feet to a point, the place of beginning.

As shown on attached map titled "Plat Showing A Permanent Right-Of-Way For T-748 On Ground Owned By The Potter Heirs, Karthaus Township, Clearfield County" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and labeled as Exhibit "C".

6. The nature of the title acquired is for road relocation and bridge construction easements.

7. Said plans as attached hereto showing the condemned property to be recorded in the Office of the Recorder of Deeds under caption NOTICE OF CONDEMNATION concurrently with the filing of the within Declaration of Taking. Further detailed construction plans are available for inspection at the office of the Township of Karthaus during regular business hours or of the office of Hess & Fisher Engineers, 36 North 2nd Street, Clearfield, Pennsylvania ((814) 765-7541) by appointment.

8. Just compensation for the taking is secured by the taxing power of the Township of Karthaus.

ATTEST:

TOWNSHIP OF KARTHAUS

By:

Eugene Shadeck
Secretary

Eugene Shadeck
Chairman

Fester E. Wooster
Supervisor

William D. Moore
Supervisor

COMMONWEALTH OF PENNSYLVANIA :

:SS

COUNTY OF CLEARFIELD :

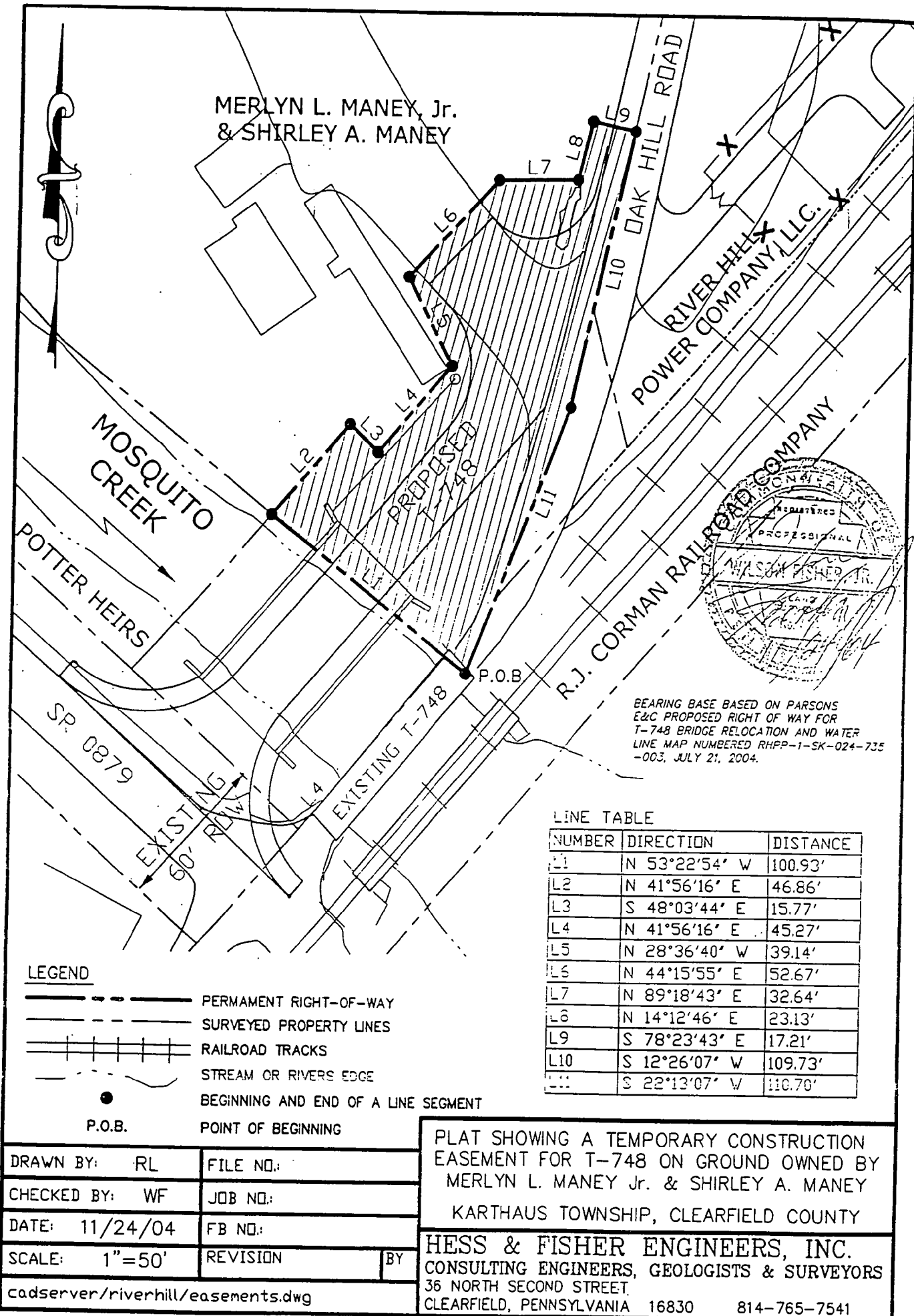
EUGENE SHADECK, being duly sworn according to law, deposes and says that he is Chairman of the Township of Karthaus Board of Supervisors, and makes this Affidavit on its behalf, being familiar with the facts and having authority so to do, and that all of the statements in the foregoing Declaration of Taking are true and correct to the best of his information, knowledge and belief.

Eugene Shadeck

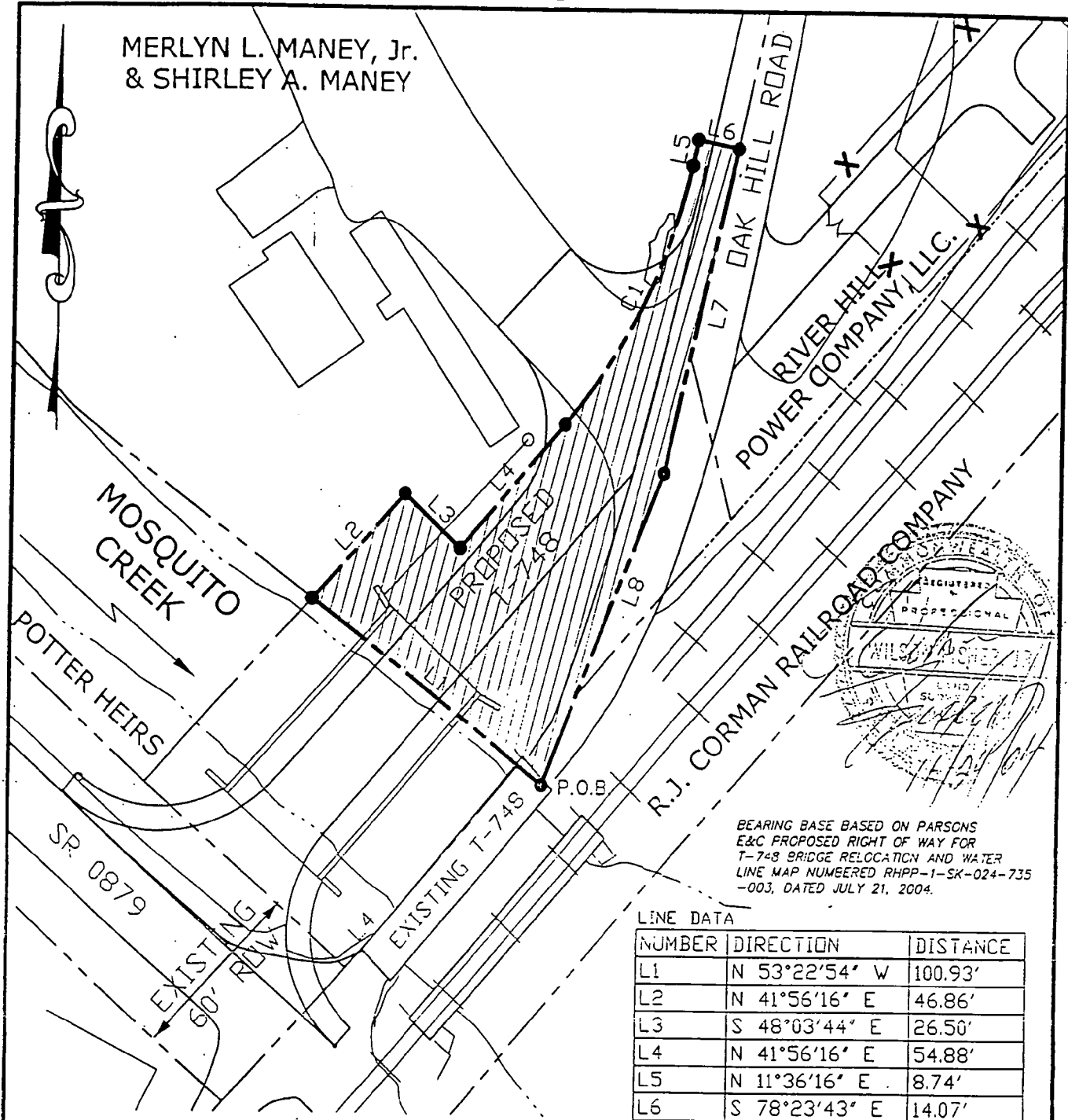
SWORN to and SUBSCRIBED before me
this 3RD day of JANUARY,
2008

[Signature]
Notary Public

Commonwealth of Pennsylvania
NOTARIAL SEAL
DAVID S. AMMERMAN, Notary Public
Clearfield Borough, Clearfield County
My Commission Expires Nov. 20, 2008



MERLYN L. MANEY, Jr.
& SHIRLEY A. MANEY



BEARING BASE BASED ON PARSONS
E&C PROPOSED RIGHT OF WAY FOR
T-748 BRIDGE RELOCATION AND WATER
LINE MAP NUMBERED RHPP-1-SK-024-735
-003, DATED JULY 21, 2004.

LINE DATA

NUMBER	DIRECTION	DISTANCE
L1	N 53°22'54" W	100.93'
L2	N 41°56'16" E	46.86'
L3	S 48°03'44" E	26.50'
L4	N 41°56'16" E	54.88'
L5	N 11°36'16" E	8.74'
L6	S 78°23'43" E	14.07'
L7	S 12°26'07" W	109.73'
L8	S 22°13'07" W	110.70'

CURVE DATA

NUMBER	CHORD DIRECTION	RADIUS	CHORD LENGTH
C1	N 26°46'16" E	183.50	96.02

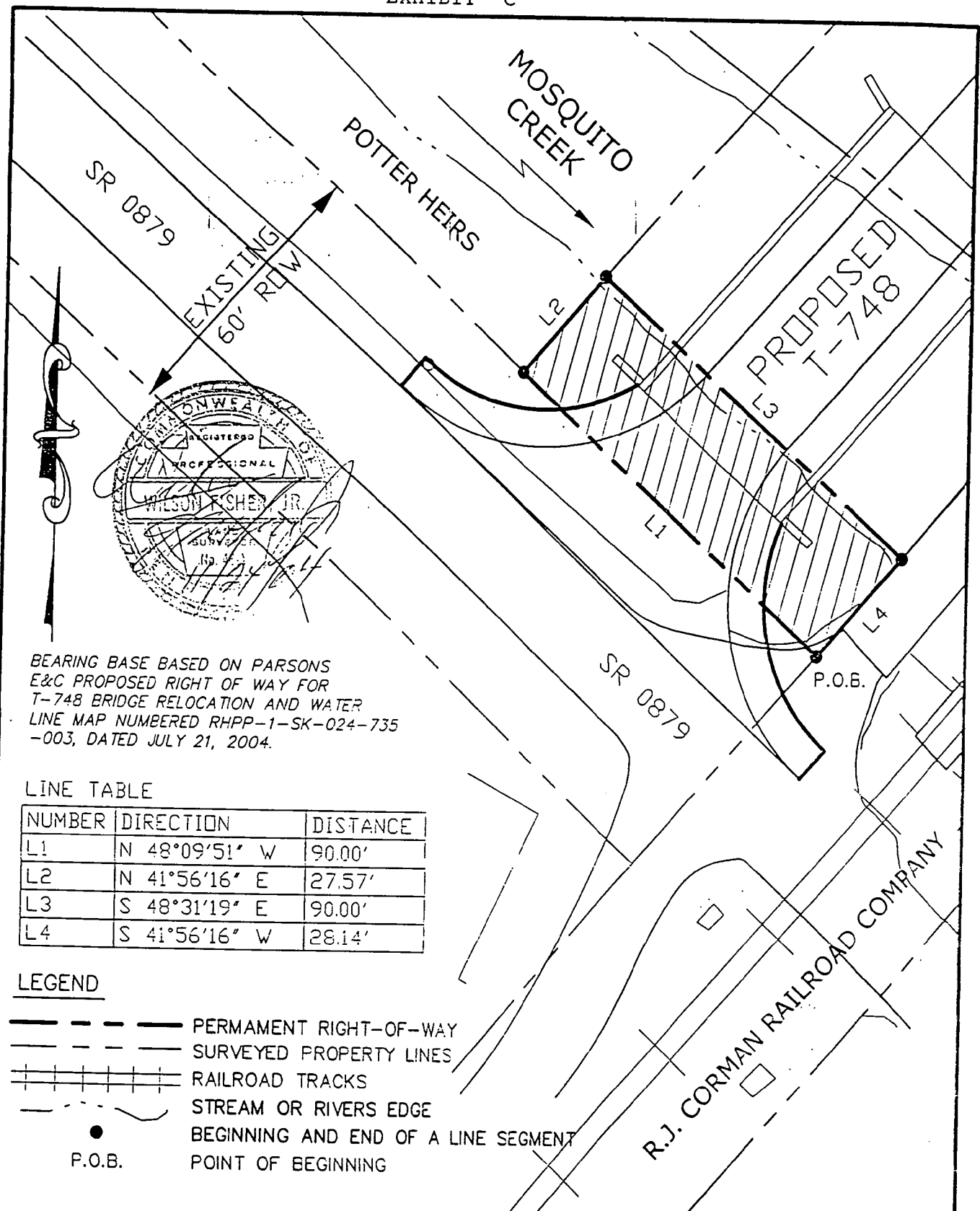
LEGEND

- PERMANENT RIGHT-OF-WAY
 - - - SURVEYED PROPERTY LINES
 |||| RAILROAD TRACKS
 ~~~~ STREAM OR RIVERS EDGE  
 ● BEGINNING AND END OF A LINE SEGMENT  
 P.O.B. POINT OF BEGINNING

|                                   |             |
|-----------------------------------|-------------|
| DRAWN BY: RL                      | FILE NO.:   |
| CHECKED BY: WF                    | JOB NO.:    |
| DATE: 11/24/04                    | FB NO.:     |
| SCALE: 1"=50'                     | REVISION BY |
| cadserver/riverhill/easements.dwg |             |

PLAT SHOWING A PERMANENT R-O-W  
FOR T-748 ON GROUND OWNED BY  
MERLYN L. MANEY Jr. & SHIRLEY A. MANEY  
KARTHAUS TOWNSHIP, CLEARFIELD COUNTY

HESS & FISHER ENGINEERS, INC.  
CONSULTING ENGINEERS, GEOLOGISTS & SURVEYORS  
36 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830 814-765-7541



|                |           |
|----------------|-----------|
| DRAWN BY: RL   | FILE NO.: |
| CHECKED BY: WF | JOB NO.:  |
| DATE: 11/24/04 | FB NO.:   |
| SCALE: 1"=30'  | REVISION  |
| BY             |           |

cadserver/riverhill/easements.dwg

PLAT SHOWING A PERMANENT R-O-W FOR  
T-748 ON A PARCEL OF GROUND  
OWNED BY POTTER HEIRS

KARTHAUS TOWNSHIP, CLEARFIELD COUNTY

HESS & FISHER ENGINEERS, INC.  
CONSULTING ENGINEERS, GEOLOGISTS & SURVEYORS  
36 NORTH SECOND STREET  
CLEARFIELD, PENNSYLVANIA 16830 814-765-7541



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

IN RE:

CONDEMNATION BY THE TOWNSHIP  
OF KARTHAUS OF EASEMENTS FOR  
ROAD RELOCATION AND BRIDGE  
CONSTRUCTION OVER, ACROSS AND  
THROUGH TWO TRACTS OF LAND  
TOWNSHIP OF LOT SITUATE  
IN KARTHAUS TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

No. 2005-60 -CD

ACTION IN REM

**FILED**

JAN 13 2005

012:00/c

William A. Shaw

Prothonotary/Clerk of Courts

4 COPIES TO ATT

**NOTICE OF CONDEMNATION**

A Declaration of Taking was filed this date, January 13, 2005, as of the above court, term and number wherein the following property was condemned:

1. The purpose of the condemnation is for the construction of a new bridge over Mosquito Creek for access via Township Road T-748 to Pennsylvania State Route SR 879 in the Village of Karthaus, Karthaus Township, and to include temporary and permanent easements for the relocation of Township Road T-748 for said purpose and to include the approach surfaces to both the north side and south side of Mosquito Creek. The description of the property condemned, sufficient for identification, is as follows:

A. DESCRIPTION OF A TEMPORARY CONSTRUCTION EASEMENT  
ALONG TOWNSHIP ROAD T-748 ON A PARCEL OF GROUND OWNED BY  
MERLYN L. MANEY, JR. & SHIRLEY A. MANEY AND IDENTIFIED BY  
CLEARFIELD COUNTY AS TAX MAP NUMBER 121-T04-2

BEGINNING at a point, said point being the southeastern point of the easement Described herein; thence along the eastern bank of Mosquito Creek, North 53 Degrees 22 minutes 54 seconds West, a distance of 100.93 feet to a point; thence along land of Merlyn L. Maney, Jr. & Shirley A. Maney the following courses and distances: North 41 degrees 56 minutes 16 seconds East, a distance of 46.86 feet to a point, South 48 degrees 03 minutes 44 seconds East, a distance of 15.77 feet to a point, North 41 degrees 56 minutes 16 seconds East, a distance of 45.27 feet to a point, North 28 degrees 36 minutes 40 seconds West, a distance of 39.14 feet to a point, North 44 degrees 15 minutes 55 seconds East, a distance of 52.67 feet to a point, North 89 degrees 18 minutes 43 seconds East, a distance of 32.64 feet to a point, North 14 degrees 12 minutes 46 seconds East, a distance of 23.13 feet to a point, South 78 degrees 23 minutes 43 seconds East, a distance of 17.21 feet to a point within the right-of-way of existing T-748, thence within the right-

of-way of existing T-748 the following courses and distances: South 12 degrees 26 minutes 07 seconds West, a distance of 109.73 feet to a point; thence along the centerline South 22 degrees 13 minutes 07 seconds West, a distance of 110.70 feet to a point, the place of beginning.

As shown on attached map titled "Plat Showing A Temporary Construction Easement for T-748 On Ground Owned by Merlyn L. Maney, Jr. and Shirley A. Maney, Karthaus Township, Clearfield County" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and being labeled Exhibit "B".

**B. DESCRIPTION OF A PERMANENT RIGHT-OF-WAY FOR T-748 ON A PARCEL OF GROUND OWNED BY MERLYN L. MANEY, JR. & SHIRLEY A. MANEY AND IDENTIFIED BY CLEARFIELD COUNTY AS TAX MAP NUMBER 121-T04-2**

BEGINNING at a point, said point being the southeastern point of the right-of-way described herein and within the right-of-way of existing T-748; thence along the eastern bank of Mosquito Creek North 53 degrees 22 minutes 54 seconds West a distance of 100.93 feet to a point; thence along land of Merlyn L. Maney, Jr. and Shirley A. Maney the following courses and distances: North 41 degrees 56 minutes 16 seconds East a distance of 46.86 feet to a point, South 48 degrees 03 minutes 44 seconds East a distance of 26.50 feet to a point, North 41 degrees 56 minutes 16 seconds East a distance of 54.88 feet to a point; thence by a curve to the left with a radius of 183.50 feet with a chord bearing North 26 degrees 46 minutes 16 seconds East, a distance of 96.02 feet to a point, North 11 degrees 36 minutes 16 seconds East, a distance of 8.74 feet to a point, South 78 degrees 23 minutes 43 seconds East, a distance of 14.07 feet to a point within the right-of-way of existing T-748; thence within the right-of-way of the existing location of T-748, South 12 degrees 26 minutes 07 seconds West, a distance of 109.73 feet to a point; thence continuing within the right-of-way of the existing location of T-748, South 22 degrees 13 minutes 07 seconds West, a distance of 110.70 feet to a point, the place of beginning.

As shown on attached map titled "Plat Showing A Permanent Right-Of-Way For T-748 On A Parcel Of Ground Owned by Merlyn L. Maney, Jr. and Shirley A. Maney" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and being labeled Exhibit "B1".

**C. DESCRIPTION OF A PERMANENT RIGHT-OF-WAY FOR T-748 ON A PARCEL OF GROUND IDENTIFIED BY CLEARFIELD COUNTY AS TAX PARCEL #T04-606-00050 ASSESSED TO "UNKNOWN" OWNER AND BELIEVED TO BE OWNED BY THE F. ELIZABETH POTTER HEIRS AND/OR CLEARFIELD COUNTY TAX CLAIM BUREAU DUE TO TAX SALE**

BEGINNING at a point, said point being the southeastern point of the right-of-way described herein; thence along the northern right-of-way line of S.R. 879,

North 48 degrees 09 minutes 51 seconds West, a distance of 90.00 feet to a point; thence along land of Potter Heirs, North 41 degrees 56 minutes 16 seconds East, a distance of 27.57 feet to a point; thence along the western bank of Mosquito Creek South 48 degrees 31 minutes 19 seconds East, a distance of 90.00 feet to a point; thence along the western right-of-way of existing Township Road T-748 South 41 degrees 56 minutes 16 seconds West, a distance of 28.14 feet to a point, the place of beginning.

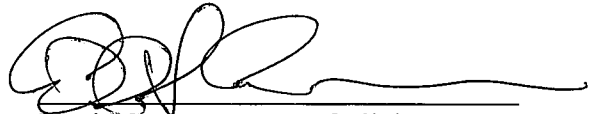
As shown on attached map titled "Plat Showing A Permanent Right-Of-Way For T-748 On Ground Owned By The Potter Heirs, Karthaus Township, Clearfield County" as prepared by Hess & Fisher Engineers, Inc. dated November 24, 2004 and labeled as Exhibit "C".

2. The names of the owners of the property interests condemned as reasonably known to the Condemnor, the Township of Karthaus, are as follows:

Merlyn L. Maney, Jr. & Shirley A. Maney  
2218 Keewaydin Road  
Karthaus, Pennsylvania 16845

F. Elizabeth Potter Heirs  
address unknown

Clearfield County c/o  
Clearfield County Tax Claim Bureau  
Clearfield County Courthouse Annex  
1 North 2<sup>nd</sup> Street  
Clearfield, Pennsylvania 16830

  
David S. Ammerman, Solicitor  
Karthaus Township

COMMONWEALTH OF PENNSYLVANIA


:  
:SS

COUNTY OF CLEARFIELD

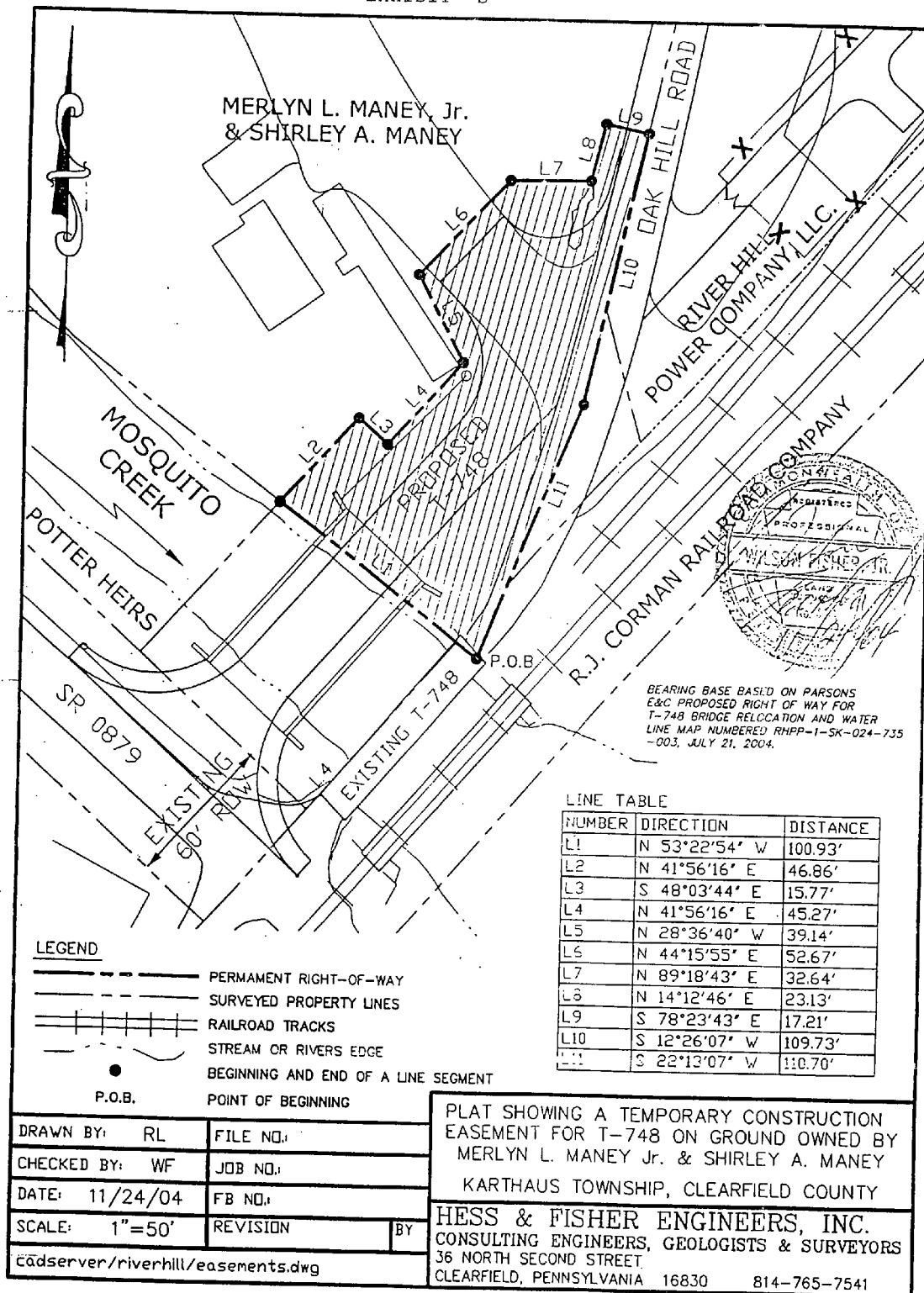
:

On this the 13<sup>th</sup> day of January, 2005, before me, the undersigned officer, personally appeared DAVID S. AMMERMAN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

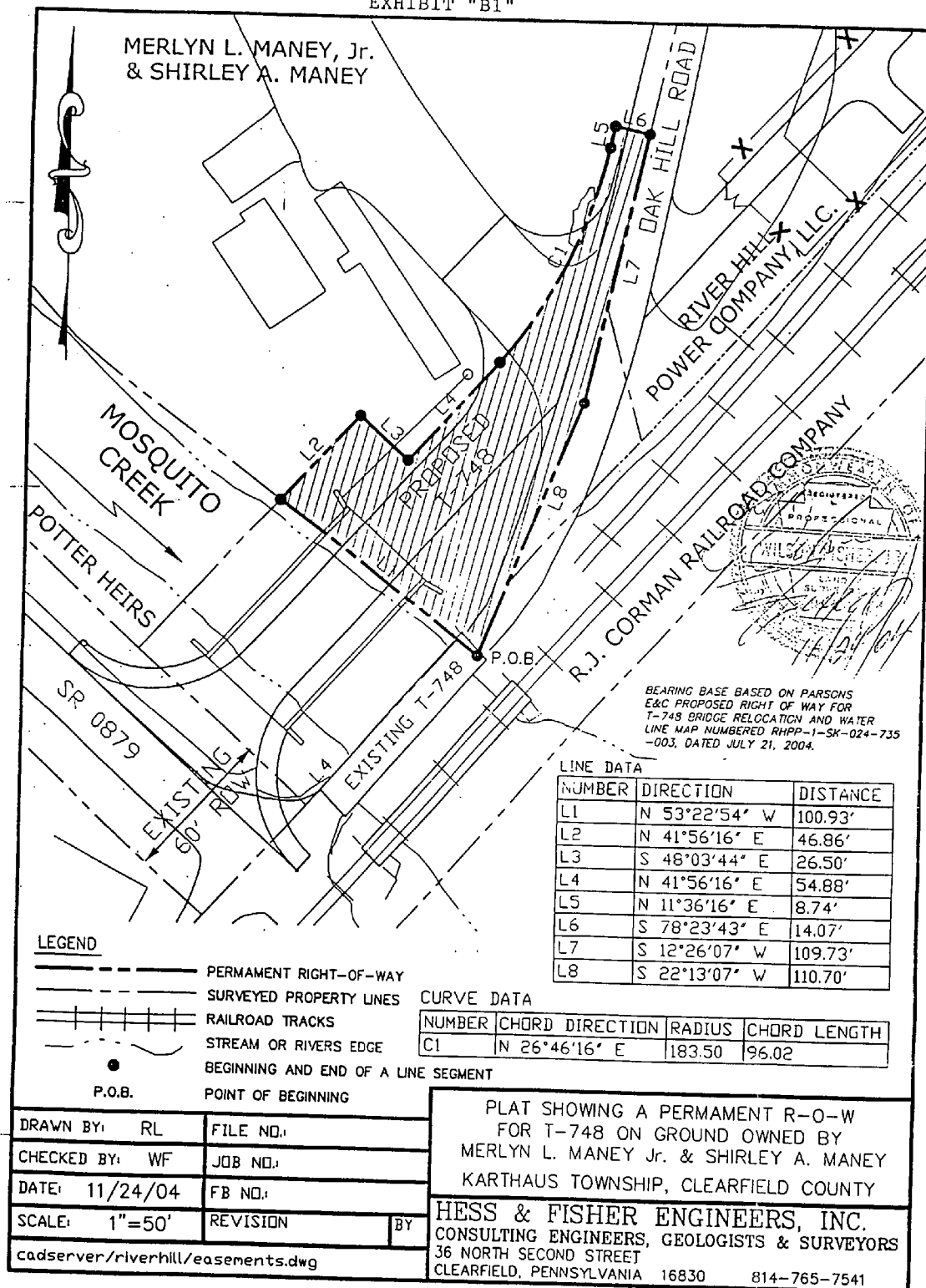
  
Notary Public

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

CONDEMNATION

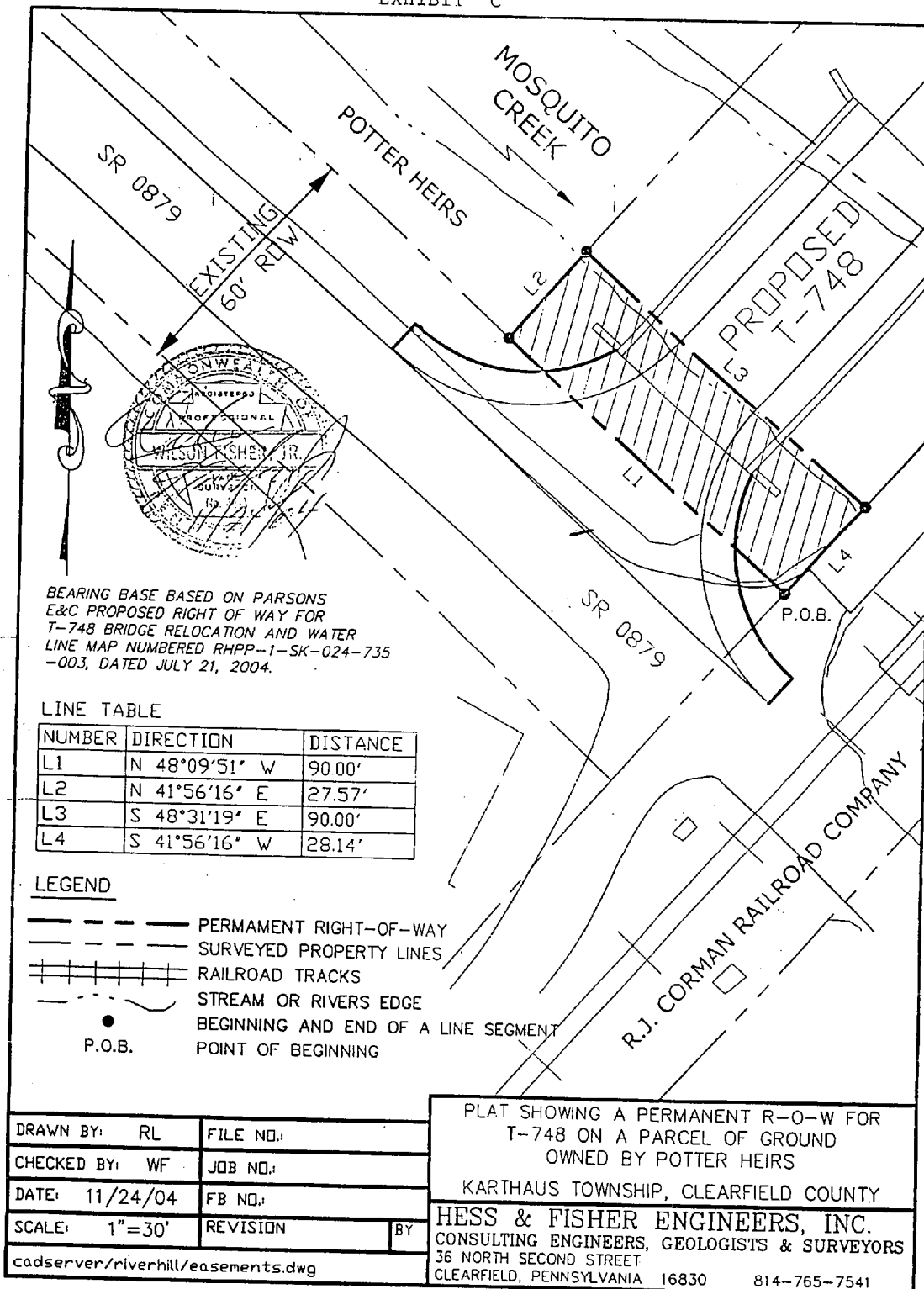
Condemnor: Karthaus Township  
Condemnee: Merlyn L. Maney, Jr. & Shirley A. Maney

PLAN OF TEMPORARY CONSTRUCTION EASEMENT CONDEMNED BY  
KARTHAUS TOWNSHIP FOR CONSTRUCTION OF BRIDGE FOR T-748  
OVER MOSQUITO CREEK IN VILLAGE OF KARTHAUS. DECLARATION  
OF TAKING FILED JANUARY 13, 2005 TO NO. \_\_\_\_\_ CD

**CONDEMNATION**

Condemnor: Karthaus Township  
Condemnee: Merlyn L. Maney, Jr. & Shirley A. Maney

PLAN OF A PERMANENT EASEMENT CONDEMNED BY KARTHAUS TOWNSHIP  
FOR CONSTRUCTION OF BRIDGE FOR TOWNSHIP ROAD T-748 OVER  
MOSQUITO CREEK IN VILLAGE OF KARTHAUS. DECLARATION OF  
TAKING FILED JANUARY 13, 2005 TO NO. \_\_\_\_\_ CD

**CONDEMNATION**

Condemnor: Karthaus Township  
 Condemnee: F. Elizabeth Potter Heirs

PLAN OF PERMANENT EASEMENT CONDEMNED BY KARTHAUS TOWNSHIP FOR CONSTRUCTION OF BRIDGE FOR TOWNSHIP ROAD T-748 OVER MOSQUITO CREEK IN VILLAGE OF KARTHAUS. DECLARATION OF TAKING FILED JANUARY 13, 2005 TO NO. \_\_\_\_\_ CD

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

IN RE:

CONDEMNATION BY THE TOWNSHIP  
OF KARTHAUS OF EASEMENTS FOR  
ROAD RELOCATION AND BRIDGE  
CONSTRUCTION OVER, ACROSS AND  
THROUGH TWO TRACTS OF LAND  
TOWNSHIP OF LOT SITUATE  
IN KARTHAUS TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA

\*  
\*  
\*  
\*  
\* No.2005-60-CD  
\*  
\*  
\* ACTION IN REM  
\*  
\*

**MEMORANDUM OF RECORDING**

NOW, this 13<sup>th</sup> day of January, 2005, the undersigned, David S. Ammerman, Esquire, being the duly appointed Solicitor of Karthaus Township, does hereby certify that the Notice of Condemnation of easements over and upon the lands described on the Declaration of Taking, filed January 13, 2005, to the above year and number has been recorded on January 13, 2005, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, to Instrument #200500616.



David S. Ammerman  
Solicitor for Karthaus Township,  
Clearfield County, Pennsylvania

FILED

JAN 21 2005

8/9:45/m  
William A. Shaw

Prothonotary/Clerk of Courts

2 Cent. TO ATT7

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

IN RE:

CONDEMNATION BY THE TOWNSHIP  
OF KARTHAUS OF EASEMENTS FOR  
ROAD RELOCATION AND BRIDGE  
CONSTRUCTION OVER, ACROSS AND  
THROUGH TWO TRACTS OF LAND  
IN KARTHAUS TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA

\*

\*

\*

\*

\*

\*

\*

\*

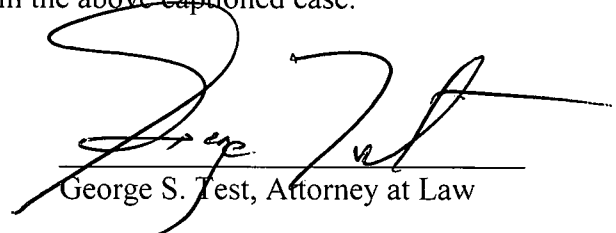
\*

No. 2005-60-CD

ACTION IN REM

ACCEPTANCE OF SERVICE

NOW, this 31<sup>st</sup> day of January, 2005, the undersigned, **GEORGE S. TEST**, Attorney  
at Law, does hereby accept service of the Notice to Condemnees on behalf of Merlyn L. Maney,  
Jr. and Shirley A. Maney, named Condemnees, in the above captioned case.



George S. Test, Attorney at Law

FILED<sup>OK</sup> 2cc  
013:1001 Atty Ammerman  
FEB 02 2005

William A. Shaw  
Prothonotary/Clerk of Courts



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

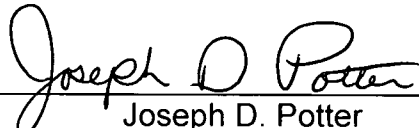
IN RE:

CONDEMNATION BY THE TOWNSHIP  
OF KARTHAUS OF EASEMENTS FOR  
ROAD RELOCATION AND BRIDGE  
CONSTRUCTION OVER, ACROSS AND  
THROUGH TWO TRACTS OF LAND  
SITUATE IN KARTHAUS TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA

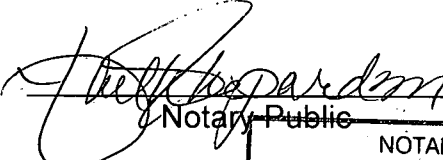
\*  
\*  
\*  
\*  
\* No.2005-60-CD  
\*  
\* ACTION IN REM  
\*  
\*

**AFFIDAVIT OF SERVICE OF NOTICE TO CONDEMNEE**

NOW, this 5<sup>th</sup> day of FEBRUARY, 2005, the undersigned,  
JOSEPH D. POTTER, does hereby depose and say that the undersigned  
personally served a Notice to Condemnee, F. ELIZABETH POTTER HEIRS,  
in the above action by handing a copy thereof to Condemnee's personal representative,  
MARY POTTER, also known as MARY M. POTTER, in person, on the 26<sup>TH</sup> day of  
January, 2005, at 5:15 P.M. EST at 3559 Main Street, Karthaus, Pennsylvania 16848.

  
Joseph D. Potter

SWORN TO AND SUBSCRIBED before me this 5<sup>th</sup> day of FEB,  
2005.

  
Notary Public

FILED

FEB 08 2005

013:48/1  
William A. Shaw

Prothonotary/Clerk of Courts

2 CENT. TO ARTY AMMEND

NOTARIAL SEAL  
FAITH J. SHEPARDSON, NOTARY PUBLIC  
KARTHAUS TWP., COUNTY OF CLEARFIELD  
MY COMMISSION EXPIRES DECEMBER 4, 2006

**DAVID S. AMMERMAN**

ATTORNEY AT LAW  
310 EAST CHERRY STREET  
CLEARFIELD, PENNSYLVANIA 16830  
-----

PHONE: (814) 765-1701

FAX: (814) 765-1703

April 1, 2005

William A. Shaw, Prothonotary  
Clearfield County Courthouse  
Clearfield, Pennsylvania 16830

Re: F. Elizabeth Potter Heirs –  
Condemnees – Karthaus  
Township Condemnation  
Action in Rem  
No. 2005-60-CD  
Just Compensation Payment

Dear Mr. Shaw:

By appraisal, Karthaus Township, Condemnor, has determined that the sum of \$125 is just compensation for the road easement over the lands of F. Elizabeth Potter Heirs in Karthaus Township, Clearfield County, Pennsylvania, as described in the Declaration of Taking filed on January 13, 2005, to the above term and number.

Pursuant to the Eminent Domain Code of Pennsylvania, the said sum of \$125 is to be held by your office and may be withdrawn at any time by the Condemnee, F. Elizabeth Potter Heirs, represented by Mary M. Potter of Main Street, Karthaus, Pennsylvania.

Enclosed is our trust check #4460 made payable to you as Prothonotary of Clearfield County in behalf of Karthaus Township in the amount of \$125.

Sincerely,

  
DAVID S. AMMERMAN

DSA/tja

cc: Ms. Mary M. Potter

**FILED**

APR 01 2005

6/3:00/10 E  
William A. Shaw,  
Prothonotary  
CLEARFIELD COUNTY

**FILED**

APR 01 2005

William A. Shaw  
Prothonotary

DAVID S AMMERMAN  
ATTORNEY-AT-LAW  
IOLTA TRUST ACCOUNT  
310 E CHERRY ST PH 814-765-1701  
CLEARFIELD, PA 16830-2319

4460

60-627/313

DATE April 1, 2005

PAY TO THE ORDER OF William A. Shaw, Clearfield County Prothonotary

\$ 125.00

One Hundred Twenty-five and 00/100 ----- DOLLARS

**CNB**  
COUNTY NATIONAL BANK  
MAIN OFFICE, CLEARFIELD, PA

FOR F. Elizabeth Potter Heirs Just  
Compensation - Karthaus Twp.

2005-60-CD 004460 031306278 1 28585 7

Date: 4/1/2005

Clearfield County Court of Common Pleas

NO. 1898638

Time: 04:52 PM

Receipt

Received of: David S. Ammerman

\$ 125.00

One Hundred Twenty-Five and 00/100 Dollars

Case: 2005-00060-CD

Other Party: IN RE: Karthaus Township

Trust account:

125.00

DEPOSITED  
IN ESCROW  
ACCT.

81151947

**DAVID S. AMMERMAN**

ATTORNEY AT LAW  
310 EAST CHERRY STREET  
CLEARFIELD, PENNSYLVANIA 16830  
-----

PHONE: (814) 765-1701

FAX: (814) 765-1703

April 1, 2005

**FILED**

APR 01 2005

013-001

**William A. Shaw  
Prothonotary**

William A. Shaw, Prothonotary  
Clearfield County Courthouse  
Clearfield, Pennsylvania 16830

Re: Merlyn L. Maney, Jr. and Shirley A.  
Maney – Condemnees - Karthaus  
Township Condemnation  
Action in Rem  
No. 2005-60-CD  
Just Compensation Payment

*sent to Mr. Shaw*

Dear Mr. Shaw:

By appraisal, Karthaus Township, Condemnor, has determined that the sum of \$1500 is just compensation for the road easements over the lands of Merlyn L. Maney, Jr. and Shirley A. Maney in Karthaus Township, Clearfield County, Pennsylvania, as described in the Declaration of Taking filed on January 13, 2005, to the above term and number.

Pursuant to the Eminent Domain Code of Pennsylvania, the said sum of \$1500 is to be held by your office and may be withdrawn at any time by the Condemnees, Merlyn L. Maney, Jr. and Shirley A. Maney

Enclosed is our trust check #4461 made payable to you as Prothonotary of Clearfield County in behalf of Karthaus Township in the amount of \$1500.

Sincerely,



DAVID S. AMMERMAN

DSA/tja  
Enclosure

cc: George S. Test, Esquire

DAVID S AMMERMAN  
ATTORNEY-AT-LAW  
IOLTA TRUST ACCOUNT  
310 E CHERRY ST PH 814-765-1701  
CLEARFIELD, PA 16830-2319

DATE April 1, 2005

PAY TO THE ORDER OF William A. Shaw, Clearfield County Prothonotary

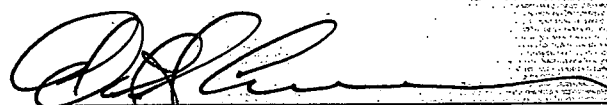
\$ 1500.00

Fifteen Hundred and 00/100

DOLLARS

**CNB**  
COUNTY NATIONAL BANK  
MAIN OFFICE, CLEARFIELD, PA

FOR Merlyn L. Jr. & Shirley A. Maney -  
Just Compansation - Karthaus Twp.



2005-60-CP004461 031306278 1 28585 7

Date: 4/1/2005

Clearfield County Court of Common Pleas

NO. 1898637

Time: 04:48 PM

Receipt

Received of: David S. Ammerman

\$ 1500.00

One Thousand Five Hundred and 00/100 Dollars

Case: 2005-00060-CD

Other Party: IN RE: Karthaus Township

Trust account:

1500.00

DEPOSITED

IN

ESCHOW ACCT;

AT CASH

# 81151948



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

IN RE:


\* 2005-60-CD  
\*  
\*

CONDEMNATION BY THE TOWNSHIP OF  
KARTHAUS OF EASEMENTS FOR ROAD  
RELOCATION AND BRIDGE CONSTRUCTION  
OVER, ACROSS AND THROUGH TWO TRACTS  
OF LAND, TOWNSHIP OF LOT SITUATE IN  
KARTHAUS TOWNSHIP, CLEARFIELD COUNTY,  
PENNSYLVANIA, \*

ORDER

NOW, this 19<sup>th</sup> day of April, 2012, it is the ORDER of this Court that the  
Treasurer of Clearfield County issue a check to Shirley A. and Merlyn J. Maney, Jr.  
(2218 Keewaydin Road, Frenchville, PA 16836) in the amount of \$1,569.41, relative the  
monies previously posted by the Township of Karthaus in the above-captioned  
condemnation matter.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
Resident Judge

FILED

010:3561  
APR 23 2012

William A. Shaw  
Prothonotary/Clerk of Courts

1 CC Treasurer OK

1 CC Karthaus Twp.

367 Market St.

Karthaus, PA 16845

1 CC Shirley & Merlyn Maney  
at address in order

OK

CLEARFIELD COUNTY PROTHONOTARY 7-83

1324

~~WILLIAM A. SHAW~~  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA. 16830

60-629/313

PAY.  
TO THE  
ORDER OF Clearfield County Treasurer

April 7, 2011 19

\$ 15,589.66

Fifteen Thousand Five Hundred Eighty-nine and 66/100 DOLLARS



Main Office  
11 North 2nd Street  
Clearfield, PA 16830

IMMA

FOR Escheat Funds

05-60-CO+99-643-CO  
05-60-CO  
05-1084-CO

+10313062941 1 2 26577 211 1324

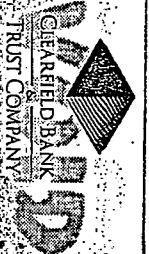
04-07-2011

ESCROW MONEY ESCHEATED  
FROM  
PROTHONOTARY ESCROW ACCOUNT

| <u>Case #</u> | <u>Amount Dep.</u> | <u>Date Dep.</u> | <u>Name/Address</u>                                                             | <u>Account #</u> | <u>Total Escheated</u> |
|---------------|--------------------|------------------|---------------------------------------------------------------------------------|------------------|------------------------|
| 2005-60-CD    | \$ 125.00          | 04/01/05         | F. Elizabeth Potter,<br>Heirs, Karthaus Twp.<br>Clearfield County               | 81151947         | \$ 130.78              |
| 2005-60-CD    | \$1,500.00         | 04/01/05         | Meryl L. Maney, Jr. &<br>Shirley A. Maney<br>Karthaus Twp.<br>Clearfield County | 81151948         | \$ 1,569.41            |
| 2005-1084-CD  | \$ 107.00          | 12-20-05         | Lawrence Berzanski<br>Bigler Township<br>Clearfield County                      | 81151926         | \$ 111.16              |
| 1999-643-CD   | \$12,752.47        | 01/31/05         | Unknown Heirs of<br>Joseph Paul Kitko,<br>Deceased                              | 81151949         | \$13,778.31            |
| TOTAL         |                    |                  |                                                                                 |                  | \$15,589.66            |

Check #1324 Issued from Prothonotary's Escrow Account in the amount of \$15,589.66.

**VOID VOID VOID**



REMITTER: MERLYN L JR AND SHIRLEY A MANEY

4/07/11

**VOID VOID VOID**



EXACTLY \*\*1,569 AND 41/100 DOLLARS

\$ 1,569.41

**CASHIER'S CHECK**



*Barbara Edelberg*  
AUTHORIZED SIGNATURE

⑈0000183297⑈ ⑈031306294⑈ ⑈9000027⑈

183297

CLEARFIELD BANK  
&  
TRUST COMPANY



REMITTER: MERLYN L JR AND SHIRLEY A MANEY DATE 4/07/11

CLEARFIELD CO PROTHONOTARY  
EXACTLY \*\*1,569 AND 41/100 DOLLARS \$ 1,569.41

CUSTOMER - FILE COPY

*Be*

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE  
NOT NEGOTIABLE

Merlyn L. Maney, Jr.  
Shirley Maney  
2218 Keewaydin Road  
Frenchville, PA 16836

April 12, 2012

Clearfield County Prothonotary  
P.O. Box 549  
Clearfield, PA 16830

ATTN: Bill Shaw

RE: 2005-60-CD

Dear Mr. Shaw:

As per my phone conversation with you, I am requesting that funds that were put in escrow April 2005, for the condemnation of our property located in Karthaus Township in the amount of \$1500.00 plus interest be released and payable to Merlyn Jr. and Shirley Maney.

Should you need anything further, please contact me. Thank you for your assistance in this matter.

*Shirley Maney*  
Shirley Maney

**Pennsylvania**  
visitPA.com

COMMERCIAL DRIVER'S LICENSE 017

No: 19 933 300 Dups: 00  
 DOB: 12/30/1962 Sex: M  
 Class: A Eyes: BLU  
 Endorse: -PTN Height: 6'00"  
 Com/Med Rstr: B1  
 Issued: 12/08/2008  
 Expires: 12/31/2012

*Merlyn E. Maney Jr.*

MERLYN E. MANEY JR  
 2218 KEEWAYDIN RD  
 FRENCHVILLE PA 16836

**CDL**

**Pennsylvania**  
visitPA.com

DRIVER'S LICENSE 102

No: 20 890 631 Dups: 00  
 DOB: 03/13/1965 Sex: F  
 Class: C Eyes: BRO  
 Endorse: --- Height: 5'04"  
 Com/Med Rstr: \*F  
 Issued: 01/22/2010  
 Expires: 03/14/2014

*Shirley A. Maney*

SHIRLEY A MANEY  
 2218 KEEWAYDIN ROAD  
 FRENCHVILLE PA 16836

**DL**

Merlyn Maney Jr  
2818 Kewmaddin Road  
Frenchville, PA 16836

ALTOONA, PA 166



Clearfield County Prothonotary  
P.O. Box 549  
Clearfield, PA  
16830

Attn: Bill Shaw