

05-176-CD
Joyce Williams et al vs. John Kanis

Joyce Williams et al v. John Kanis
2005-176-CD

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, :
Plaintiffs : No. 05- 176 -CD
VS. : ACTION TO QUIET TITLE
JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants :
.

CASE NUMBER: 05- 176 -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: AFFIDAVIT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED NO
04/10/2005
APR 25 2005

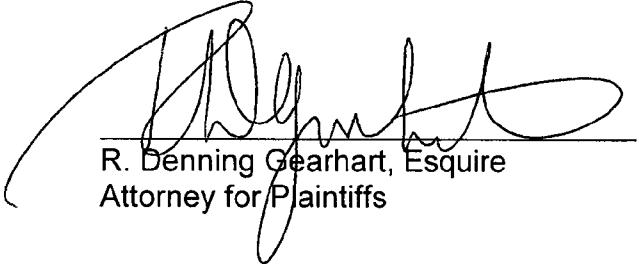
William A. Shaw
Prothonotary/Clerk of Courts

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

JOYCE WILLIAMS, an individual, :
and LINDA S. WRIGHT, an :
individual, :
Plaintiffs : No. 05-176-CD
vs. :
JOHN KANIS a/k/a JOHN KENNIS, : ACTION TO QUIET TITLE
a/k/a JNO KENNIS, His Heirs, :
Successors and Assigns, :
Defendants :
:

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in the The Progress the Notice for the Complaint with regard to the Quiet Title Action filed to the above on the Defendants, their heirs, successors and assigns, as evidenced by Exhibit 'A' attached hereto.



R. Denning Gearhart, Esquire
Attorney for Plaintiffs

Sworn to and subscribed
before me this 20 day
of April, 2005.

Kathleen A. Ricotta
Notary Public

NOTARIAL SEAL
KATHLEEN A. RICOTTA, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2005

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
(CIVIL DIVISION)
No. 05-176-CD
ACTION TO
QUIET TITLE
JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT,
an individual,
Plaintiffs
VS.
JOHN KANIS,
a/k/a JOHN KENNIS,
a/k/a JNO KENNIS,
His Heirs,
Successors and Assigns,
Defendants

NOTICE
TO THE ABOVE NAMED DEFENDANTS, their heirs, successors and assigns:

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 claim set forth against you. You are warned that if you fail to do so, the case may proceed without further notice for any money claimed in the Complaint or for any other claim or 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'S OFFICE
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land located in Cooper Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly described in a Deed dated November 20, 1992, from Louise A. Humpton, Brian P. Wright and Linda S. Wright, his wife, Anthony Williams and Joyce H. Williams, his wife, and Lee Charles Humpton, unmarried, to Louise A. Humpton, Brian P. Wright and Linda S. Wright, his wife, and Anthony Williams and Joyce H. Williams, his wife, and recorded in Clearfield County Deeds & Records Book Vol. 1498, Page 519. Also subject to this Action to Quiet Title are premises located in Cooper Township, Clearfield County, Pennsylvania, and more particularly described in a Deed dated April 19, 1899, from William B. Hampton to John Kanis, and recorded in Clearfield County Deed Book Vol. 106, Page 46. (Being Clearfield County Tax Map No. 110-T09-000-00022).

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed February 10, 2005, direct that notice of this action be served upon the Defendants and their heirs.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

On this 15th day of April, A.D. 2005, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of February 16, 2005. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

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

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

EXHIBIT "A"

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

JOYCE WILLIAMS, an individual, :
and LINDA S. WRIGHT, an
individual, :
Plaintiffs : No. 05- 1760 -CD
VS. : ACTION TO QUIET TITLE
JOHN KANIS a/k/a JOHN KENNIS, :
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants :
:

CASE NUMBER: No. 05- -CD
TYPE OF CASE: Quiet Title Action
TYPE OF PLEADING: COMPLAINT
FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED 2cc
01/31/05 Atty Gearhart
FEB 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs : No. 05- -CD

VS. : ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,

Defendants :

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you.

You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the 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'S OFFICE
Clearfield County Courthouse
Clearfield, PA 16830
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs : No. 05- -CD

VS. : ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

C O M P L A I N T

AND NOW, comes the Plaintiffs, Joyce Williams and Linda S. Wright, and by their attorney, R. Denning Gearhart, Esquire, sets forth the following:

1. That the Plaintiff, Joyce Williams, is an adult individual who resides at 159 Apple Ridge Road, Loysville, PA 17047.
2. That the Plaintiff, Linda S. Wright, is an adult individual whose address is 22 Dead End Road, Millerstown, PA 17062.
3. That the Defendant John Kanis, a/k/a John Kennis, a/k/a Jno Kennis is believed to be deceased, and the heirs and assigns and any individuals claiming through him, whose addresses are unknown.
4. That Plaintiff, Joyce Williams, holds a 33% interest, and Plaintiff, Linda S. Wright, holds a 33% interest, in two certain parcels of land situate in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL those two certain parcels or tracts of land located in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a point on the easterly right of way of Township Road T-720 with said point also being on line of land now or formerly of Mildred I. Marcinko; thence North eighty-two degrees no minutes East (N 82 00 East) a distance of one thousand three hundred twenty-five (1,325) feet to a point on the line of lands now or formerly of the Fred Humpton Estate; thence by the same South eight degrees no minutes East (S 8 00 E) a distance of four hundred (400) feet to a point on line of lands now or formerly of Donald Harter, Jr.; thence by the same and along line of lands now or formerly of Anna M. Johnson heirs and land now or formerly of Clara and John Domzal South eighty-two degrees no minutes West (S 82 00 W) a distance of one thousand three hundred twenty-five (1,325) feet to a point on the easterly right of way line of Township Road T-720; thence by the same North eight degrees no minutes West (N 8 00 W) a distance of four hundred (400) feet to a point and place of beginning.

THE SECOND THEREOF: BEGINNING at a point on the Westerly right of way line of Township Road T-720 also being the northwest corner of parcel one previously described herein; thence North eight degrees no minutes West (N 8 00 W) a distance of four hundred (400) feet to a point on line of lands now or formerly of the Fred A. Humpton estate; thence along the same North eighty-two degrees no minutes East (N 82 00 E) a distance of one thousand three hundred twenty-five (1,325) feet to a point; thence South eight degrees no minutes East (S 8 00 E) a distance of four hundred (400) feet to a point also being the northeast corner of parcel one previously described herein; thence along parcel one a distance of one thousand three hundred twenty-five (1,325) feet to a point and place of beginning.

(Being Clearfield County Tax Map No. 110-T09-000-00022)

(The other one-third interest is owned by Louise A. Humpton who is not a party to this action and has not authorized this action. However, it is the intention of this action to resolve the title to the entire piece described immediately above.)

5. That the Plaintiffs each acquired their thirty-three percent interests in the title to the premises by Deed of Louise A. Humpton, et. al., dated November 20, 1992, and recorded in Clearfield County Deed and Records Book Vol. 1498, Page 519. The current

assessment shows the Assessment as follows: (a) Brian P. & Linda S. Wright - 33% interest in 12.16 A.; (b) Anthony & Joyce H. Williams - 33% interest in 12.16 A.; (c) Louise A. Humpton - 33% interest in 12.16 A. (Clearfield County Assessment Tax Map #110-T09-000-00022)

6. That the preceding Deed was a Deed from Mildred I. Marcinko, widow, to Louise A. Humpton (an undivided 1/4 interest); Brian P. Wright & Linda S. Wright (an undivided 1/2 interest); Anthony Williams and Joyce H. Williams (an undivided 1/4 interest).

7. That Mildred I. Marcinko obtained title to said premises by Deed of Mildred I. Marcinko, widow, dated February 15, 1983, and recorded in Clearfield County Deed Book Vol. 874, Page 155. This Deed consists of "The First Thereof" and "The Second Thereof".

8. "The First Thereof" recites the previous Deed being a Deed from Alverta M. Humpton, widow, to George J. Marcinko and Mildred I. Marcinko, his wife, dated August 15, 1977, and recorded in Clearfield County Deed Book Vol. 744, Page 105. George J. Marcinko died February 22, 1982, thereby vesting title in his wife, Mildred I. Marcinko. "The Second Thereof" recites a previous Deed being a Deed from Alverta M. Humpton, a widow, to George J. Marcinko and Mildred I. Marcinko, his wife, dated October 27, 1977, and recorded in Clearfield County Deed Book Vol. 750, Page 74. Both of these Deeds indicate that these parcels were a portion of a larger tract consisting of 75 Acres, more or less, that was vested in W. B. Humpton, by Deed dated March 17, 1890, and recorded in Clearfield County Deed Book Vol. 103, Page 415.

9. W. B. Humpton then died on March 26, 1935, and under his Will, which is of record in Clearfield County Estate File #15829, awarded the property to his son, Fred A. Humpton. Fred A. Humpton died January 18, 1977, and by his Last Will and Testament recorded in Clearfield County Will Book 31, Page 366, he gave his entire estate to his children. However, his widow, Alverta M. Humpton, elected to take against his Will and received the premises stated in these deeds as part of her family exemption.

10. The purpose of this Action to Quiet Title is to address a Deed recorded in Clearfield County Deed Book Vol. 106, Page 46, which was a Deed from William B. Hampton (Humpton) to John Kanis, dated April 19, 1899, and recorded May 22, 1899, for a piece of property consisting of two (2) Acres situate in Cooper Township, Clearfield County, Pennsylvania, as follows:

ALL that certain tract of land situate in Cooper Township, Clearfield County, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point by land of Andrew Rudfars; thence by same North eighty-five degrees West four hundred and twelve and one-half feet to post on line of land of Martha E. Snyder; thence by same North four degrees East two hundred and eleven and one-half feet to post; thence by land of grantors herein South eighty-five degrees East four hundred and twelve and one-half feet to a post; thence by same South four degrees West two hundred and eleven and one-half feet to post and place of beginning. Containing two acres.

This Deed indicates that this two (2) Acres was part of a larger piece of property deeded into William B. Hampton (Humpton) by deed recorded in Clearfield County Deed Book Vol. 103, Page 415. (See Item 8 above) This two (2) Acre piece is believed to now be part of Clearfield County Assessment Tax Map No. 110-T09-000-00022.

11. The Clearfield County Assessment Records for the year 1899 indicate as follows: "W.B. Hampton - 2 Acres & house to John Kennis". The Assessment Records for that same year (1899) under the name of John Kennis indicate: 2 Acres (From W. B. Hampton). John Kennis continues to be assessed with this 2 Acres for the years 1900 and 1901.

12. For the years 1902 through 1905 this property is assessed as 2 Acres under the name "Jno Kennis".

13. In 1906 the Clearfield County Assessment Records are as follows:

"Jno Kennis - 2 Acres (Stamped - EXONERATED Dec. 29, 1913 - Comm. Office) (Can't find this property)"

14. In 1907, the Clearfield County Assessment Records indicate "Jno Kennis - 2 Acres", but there is a line drawn through it crossing it out. There is no other assessments under the names "John Kennis", "John Kanis", or "Jno Kennis" from 1907 to present.

15. The Clearfield County Deed records do not indicate any deeds from John Kennis, John Kanis or Jno Kennis between the years 1899 and the present time transferring this two Acres to another individual.

16. The Clearfield County Assessment Records from the years 1907 through 1916 under the name of W.B. Hampton (Humpton) remain the same as previously, which was 38 Acres timber and 35 acres cleared. However, in 1917, W.B. Hampton begins being assessed with an additional 2 Acres (sawmill), but the Deed records do not show any deeds into W. B. Hampton for an additional 2 Acres

17. W. B. Hampton continues to be assessed as such through 1935. Then in 1936, according to the Clearfield County Assessment Records, under W. B. Hampton, it notes "to Fred Hampton (Humpton), 38 Acres timber and 37 Acres cleared". (W. B. Hampton /Humpton died March 26, 1935 - See Item 9 above)

18. Fred Hampton (Humpton) is assessed with this 75 Acres (together with a H, B Shed) through 1961, at which time Fred Humpton is given an Assessment Number for the House, Barn, Shed, Garage & 75 Acres, being Assessment No. 110-T9-000-00007.

19. That as stated in Item 10 above, the purpose of this Action to Quiet Title is to address the transfer of two (2) Acres of land by Deed Book Vol. 106, Page 46, to John Kanis.

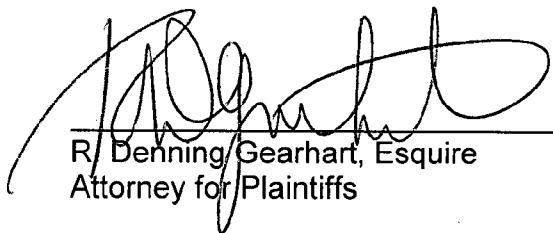
20. That the Plaintiffs and their predecessors in title have exercised adverse, continuous, visible, notorious, exclusive and hostile possession over the premises and have continued such possession in excess of twenty-one (21) years.

21. The Plaintiffs aver that they and/or their predecessors in title have acted as owners, and that the two (2) acre piece of property described in Item 10 above, has been part of the larger piece acquired and described in the present Deed dated November 20, 1992, and entered for record in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, in Deeds & Records Book Vol. 1498, Page 519, in that they have maintained the property and have paid all of the taxes thereon in excess of twenty-one (21) years.

WHEREFORE, Plaintiffs request:

- (a) That by Decree of your Honorable Court, it may be declared that title to the premises set forth in Paragraph 4 hereof is in the Plaintiffs and that they shall be allowed to enjoy such property in peace; and
- (b) That the Defendants, their heirs, successors and assigns, within thirty (30) days from the receipt of this Complaint, institute an action of ejectment against the Plaintiffs and that otherwise the Defendants, their heirs, successors and assigns be perpetually enjoined from setting up any title to said property from impeaching, denying or in any way attaching the Plaintiff's title to said property, from issuing or maintaining an ejectment from said premises and from encumbering, mortgaging or conveying the said premises or any party thereof.
- (c) Such other relief as the Court determines to be equitable and just.

Respectfully submitted,

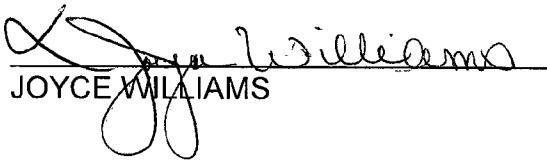


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF

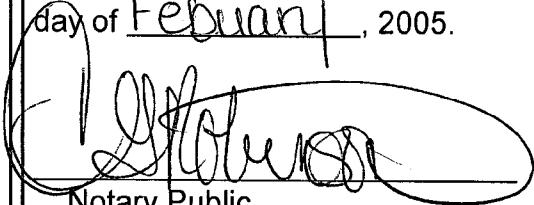
SS.

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared JOYCE WILLIAMS who being duly sworn according to law depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.


JOYCE WILLIAMS

Sworn to and subscribed

before me, this 03
day of February, 2005.


Chasity G. Robinson
Notary Public

COMMONWEALTH OF PENN

Notarial Seal
Chasity G. Robinson, Notary Public
Centre Twp., Perry County
My Commission Expires Sept. 4, 2007
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

Perry

SS.

Before me, the undersigned officer, a Notary Public in and for the above named State and County, personally appeared LINDA S. WRIGHT who being duly sworn according to law depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Linda S. Wright
LINDA S. WRIGHT

Sworn to and subscribed

before me, this 31st

day of January, 2005.

Romita L. Dressler
Notary Public

RENTA L. DRESSLER, Notary Public
Millerstown Boro, Perry County, PA
My Commission Expires May 18, 2006

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION ACTION TO QUIET
TITLE

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, Plaintiffs

vs.

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

COMPLAINT QUIET TITLE ACTION

FILED

FEB 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs : No. 05- 176 -CD

VS. : ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,

Defendants :

CASE NUMBER: No. 05- -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: AFFIDAVIT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED

01/31/2005
FEB 07 2005

Re
ICE
Atty Gearhart

William A. Shaw
Clearfield County Clerk of Courts

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs : No. 05- -CD

VS. : ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

R. DENNING GEARHART, who being duly sworn according to law, deposes
and says that in support of his Motion For Publication, the following:

1. I have searched the Courthouse records and found no estate for John
Kanis, a/k/a John Kennis, a/k/a Jno Kennis, and no heirs, successors or assigns.

2. All public records in the Clearfield County Courthouse and local
telephone books have been checked prior to making this Affidavit.

3. That I have made a good faith effort to find the whereabouts of the
Defendants and all their heirs, successors and assigns.

Further, the deponent saith not.

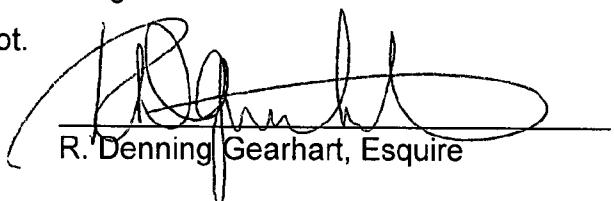
Sworn to and subscribed

before me this 7 day

of February, 2005.

Kathleen A. Ricotta

Notary Public



R. Denning Gearhart, Esquire

NOTARIAL SEAL
KATHLEEN A. RICOTTA, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2005

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION ACTION TO QUIET
TITLE

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an individual,
Plaintiffs

vs.

JOHN KANTS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

AFFIDAVIT

FILED

FEB 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, :
Plaintiffs : No. 05- 176 -CD
VS. : ACTION TO QUIET TITLE
JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants :

CASE NUMBER: 05- -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: MOTION FOR PUBLICATION

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED

CC
FEB 07 2005

Atty Gearhart
William A. Shaw
Prothonotary/Clerk of Courts

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

JOYCE WILLIAMS, an individual, :
and LINDA S. WRIGHT, an individual, :
Plaintiffs : No. 05- -CD
VS. : ACTION TO QUIET TITLE
JOHN KANIS a/k/a JOHN KENNIS, :
a/k/a JNO KENNIS, His Heirs, :
Successors and Assigns, :
Defendants :

MOTION FOR PUBLICATION

AND NOW, to wit, this 7 day of February, 2005, an Affidavit having been filed by R. Denning Gearhart, attorney for the Plaintiffs, that the whereabouts of the above named Defendants, their heirs, successors and assigns, are unknown, the said R. Denning Gearhart moves the Court for leave to serve the Complaint upon the said Defendants, their, heirs, successors and assigns, generally by publication once in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania.

Respectfully submitted,



R. Denning Gearhart, Esquire
Attorney for Plaintiffs

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs

No. 05- 176 -CD

VS.

ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,

Defendants

ORDER

AND NOW, to wit, this 10th day of February, 2005, upon
consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of
the Complaint on the Defendants, their heirs, successors and assigns, by publication once
in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal,
Clearfield, Pennsylvania.

BY THE COURT,



JUDGE

FILED

FEB 10 2005

8/3/06

William A. Shaw

Prothonotary/Clerk of Courts

1 cent to Ann

Leave over margin

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
ACTION TO QUIET TITLE

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, Plaintiffs
vs.
JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

MOTION FOR PUBLICATION & ORDER

FILED

FEB 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

R. DENNING GEARHART
ATTORNEY AT LAW
CLEARFIELD, PA. 16830

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

JOYCE WILLIAMS, an individual, :
and LINDA S. WRIGHT, an individual, :
Plaintiffs :
vs. : No. 05-176-CD
JOHN KANIS a/k/a JOHN KENNIS, :
a/k/a JNO KENNIS, His Heirs, :
Successors and Assigns, :
Defendants :
:

CASE NUMBER: 05-176-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: AFFIDAVIT

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. #26540
207 E. Market Street
Clearfield, PA 16830
(814) 765-1581

FILED NO
013:45701 CC
APR 01 2005 (W)

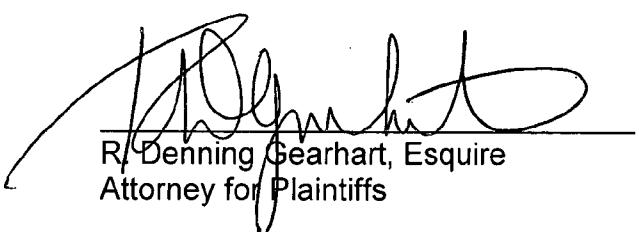
William A. Shaw
Prothonotary/Clerk of Courts

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, :
Plaintiffs : No. 05-176-CD
vs. :
ACTION TO QUIET TITLE
JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants :
:

AFFIDAVIT

The undersigned hereby certifies that he did cause to have published in the
Clearfield County Legal Journal the Notice for the Complaint with regard to the Quiet Title
Action filed to the above on the Defendants, their heirs, successors and assigns, as
evidenced by Exhibit 'A' attached hereto.


R. Denning Gearhart, Esquire
Attorney for Plaintiffs

Sworn to and subscribed

before me this 1 day
of April, 2005.

Kathleen A. Ricotta
Notary Public

NOTARIAL SEAL
KATHLEEN A. RICOTTA, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires June 7, 2005

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA : :

COUNTY OF CLEARFIELD : :

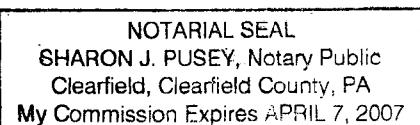
On this 22nd day of February AD 2005, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of February 18, 2005. Vol. 17, No. 7. 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



R. Denning Gearhart
207 E Market St
Clearfield PA 16830

First & Final Account of Peter W. Bailey, Esquire Executor of the Estate of Wanda V. Szalejka also known as Wanda Val Jean Szalejka, late of Curwensville, Clearfield County, PA, DECEASED

First & Final Account of Clearfield Bank & Trust Company, Trustee for W.W. Wrigley T/U/W FBO Lori M. Bentivogli.

Fifth and Final Account for First Commonwealth Trust Company, Guardian for the Estate of Joshua McGarvey a minor.

Accounting of S & T Bank, Trustee of Clover Run-Mt. Carmel Cemetery Association Trust, Clearfield County, PA.

First & Final Account of Rebecca R. Taylor, Administratrix of the Estate of Frank L. Taylor, late of Sandy Township, Clearfield County, PA, DECEASED.

First & Final Account of S & T Bank, Executor of the Estate of Madelaine A. Campayno, late of Sandy Township, Clearfield County, PA, DECEASED.

First & Final Account of Stephen G. Sekula, Executor of the Estate of Stanley S. Sekula, late of Sandy Township, Clearfield County, PA, DECEASED.

First & Final Account of Patricia A. Pinchock, Executrix of the Estate of Edythe F. Penvose also known as Edythe B. Penvose, late of the City of DuBois, Clearfield County, PA, DECEASED.

First & Final Account of Joyce V. Norman, Executrix of the Estate of Gladys L. Stadtmiller, late of the City of DuBois, Clearfield County, PA, DECEASED.

KAREN L. STARCK, REGISTER OF WILLS & CLERK OF THE ORPHANS' COURT.

ADV: February 11th & 18th, 2005.

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

JOYCE WILLIAMS, an individual, and LINDA S. WRIGHT, an individual, Plaintiffs vs. JOHN KANIS a/k/a JOHN KENNIS, a/k/a JOHN KENNIS, His Heirs, Successors and Assigns, Defendants.

ACTION TO QUIET TITLE NOTICE

No. 2005-176-CD

NOTICE

TO THE ABOVE NAMED DEFENDANTS their heirs, successors and assigns:

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 claim set forth against you. You are warned that if you fail to do so, the case may proceed without further notice for any money claimed in the Complaint or for any other claim or 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 GET LEGAL HELP.

COURT ADMINISTRATORS OFFICE,
Clearfield County Courthouse, Clearfield, PA
16830 (814) 765-2641

You are hereby notified that an Action to Quiet Title to all that certain piece or parcel of land located in Cooper Township, Clearfield County, Pennsylvania, has been filed against you. Said premises are more particularly described in a Deed dated November 20, 1992, from Louise A. Hampton, Brian P. Wright and Linda S. Wright, his wife, Anthony Williams and Joyce H. Williams, his wife, and Lee Charles Hampton, unmarried, to Louise A. Hampton, Brian P. Wright and Linda S. Wright, his wife, and Anthony Williams and Joyce H. Williams, his wife, and recorded in Clearfield County Deeds & Records Book Vol. 1498, Page 519. Also subject to this Action to Quiet Title are premises located in Cooper Township, Clearfield County, Pennsylvania, and more particularly described in a Deed dated April 19, 1899, from William B. Hampton to John Kanis, and recorded in Clearfield County Deed Book Vol. 106, page 46. (Being Clearfield County Tax Map No. 110-T09-000-00022).

Further, the Court of Common Pleas of Clearfield County, Pennsylvania, did by Order executed February 10, 2005, direct that notice of this action be served upon you by advertisement in the Clearfield County Legal Journal and that if you do not appear or otherwise defend such action within thirty (30) days from the date of advertisement, you shall be, by appropriate order, forever barred from asserting any right, lien, title or interest or claim of the Plaintiff as set forth in his Complaint.

R. DENNING GEARHART, ESQUIRE,
Attorney for Plaintiffs, 207 East Market
Street, Clearfield, PA 16830 (814) 765-1581.

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs :

vs.

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,

Defendants :

No. 05-176-CD

ACTION TO QUIET TITLE

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William A. Shaw
Prothonotary/Clerk of Courts

O R D E R

AND NOW, this 26th day of April, 2005, it appearing that service of the Complaint in the above captioned case, with notice to plead, was served in The Progress, Clearfield, Pennsylvania and the Clearfield County Legal Journal, Clearfield, Pennsylvania, and an Affidavit having been filed with the Prothonotary as to attempts made to obtain information and the whereabouts of the Defendants, and it further appearing that no answer has been filed nor appearance entered by any of the said Defendants or their duly authorized representatives and more than twenty (20) days having elapsed since the advertisement thereof, it is hereby ORDERED as follows:

1. That the above named Defendants, their heirs, successors and assigns, 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 for all that certain piece or parcel of land situate, lying and being as follows:

ALL those two certain parcels or tracts of land located in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:

THE FIRST THEREOF: BEGINNING at a point on the easterly right of way of Township Road T-720 with said point also being on line of land now or formerly of Mildred I. Marcinko; thence North eighty-two degrees no minutes East (N 82 00 East) a distance of one thousand three hundred twenty-five (1,325) feet to a point on the line of lands now or formerly of the Fred Humpton Estate; thence by the same South eight degrees no minutes East (S 8 00 E) a distance of four hundred (400) feet to a point on line of lands now or formerly of Donald Harter, Jr.; thence by the same and along line of lands now or formerly of Anna M. Johnson heirs and land now or formerly of Clara and John Domzal South eighty-two degrees no minutes West (S 82 00 W) a distance of one thousand three hundred twenty-five (1,325) feet to a point on the easterly right of way line of Township Road T-720; thence by the same North eight degrees no minutes West (N 8 00 W) a distance of four hundred (400) feet to a point and place of beginning.

THE SECOND THEREOF: BEGINNING at a point on the Westerly right of way line of Township Road T-720 also being the northwest corner of parcel one previously described herein; thence North eight degrees no minutes West (N 8 00 W) a distance of four hundred (400) feet to a point on line of lands now or formerly of the Fred A. Humpton estate; thence along the same North eighty-two degrees no minutes East (N 82 00 E) a distance of one thousand three hundred twenty-five (1,325) feet to a point; thence South eight degrees no minutes East (S 8 00 E) a distance of four hundred (400) feet to a point also being the northeast corner of parcel one previously described herein; thence along parcel one a distance of one thousand three hundred twenty-five (1,325) feet to a point and place of beginning.

(Being Clearfield County Tax Map No. 110-T09-000-00022)

AND

ALL that certain tract of land situate in Cooper Township, Clearfield County, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point by land of Andrew Rudfars; thence by same North eighty-five degrees West four hundred and twelve and one-half feet to post on line of land of Martha E. Snyder; thence by same North four degrees East two hundred and eleven and one-half feet to post; thence by land of grantors herein South eighty-five degrees East four hundred and twelve and one-half feet to a post; thence by same South four degrees West two hundred and eleven and one-half feet to post and place of beginning. Containing two acres.

Said Order to be final and absolute unless the aforesaid Defendant, his heirs, successors and assigns, shall file exceptions to this Order within thirty (30) days of the date hereof.

2. That if said above named Defendants, their heirs, successors and assigns, shall not have filed said exceptions within thirty (30) days, the Prothonotary, upon Praecept of Plaintiffs, shall enter final judgment for Plaintiffs and against said named Defendants, their heirs, successors and assigns.

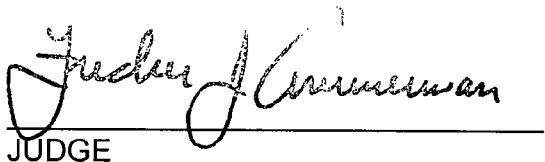
3. That the rights of Plaintiffs in said premises are at all times superior to the rights of said named Defendants, their heirs, successors and assigns and that the Plaintiffs have title in fee simple to said premises described in the Complaint as against said Defendants, their heirs, successors and assigns.

4. That the Defendants, their heirs, successors and assigns or any person claiming under them shall be forever enjoined from setting up any title to the premises of Plaintiffs described in the Complaint and from impeaching, denying or in any way attacking the title of Plaintiffs to said premises.

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

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

BY THE COURT,



J. C. Klemmer

JUDGE

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs

No. 05- 176 -CD

VS.

ACTION TO QUIET TITLE

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

CASE NUMBER: 05- 176 -CD

TYPE OF CASE: Quiet Title Action

TYPE OF PLEADING: PRAECIPE TO ENTER FINAL JUDGMENT

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE
Supreme Court I.D. No. 26540
207 East Market Street
Clearfield, PA 16830
(814) 765-1581

FILED *acc*
010-4064 SEP 27 2005 *Atty Gearhart*
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William A. Shaw
Prothonotary/Clerk of Courts

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

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual,

Plaintiffs : No. 05- 176 -CD

VS. : ACTION TO QUIET TITLE

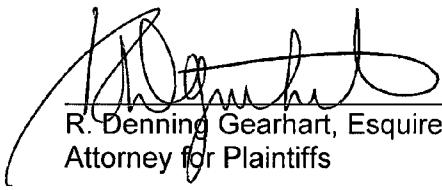
JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

PRAECLPICE TO ENTER FINAL JUDGMENT

TO THE PROTHONOTARY:

Please enter a final judgment against the above named Defendants, their
heirs, successors and assigns, and on behalf of the above named Plaintiffs to such relief
as requested in an Order dated the 26th day of April, 2005.

Respectfully submitted,



R. Denning Gearhart, Esquire
Attorney for Plaintiffs

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IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 05-176-CD

JOYCE WILLIAMS, an individual,
and LINDA S. WRIGHT, an
individual, Plaintiffs
vs.

JOHN KANIS a/k/a JOHN KENNIS,
a/k/a JNO KENNIS, His Heirs,
Successors and Assigns,
Defendants

PRAECIPE TO ENTER FINAL JUDGMENT

R. DENNING GEARHART

ATTORNEY AT LAW
CLEARFIELD, PA. 16830

COMMERCIAL PRINTING CO., CLEARFIELD, PA
William A. Shaw
Prothonotary/Clerk of Courts

FILED

SEP 27 2005