

05-232-CD

C. Anderson et al vs. H. Buran et al

FILED BURAN, et al.

Christopher Anderson et al v. Helen Buran et  
2005-232-CD

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,  
Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,  
Defendants

:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Affidavit of Service  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:  
:

FILED  
d/p: 4281  
APR 22 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER S. ANDERSON ,	:	
and LORELEI D. ANDERSON,	:	No.: 2005-232-CD
his wife,	:	
Plaintiffs	:	QUIET TITLE ACTION
vs.	:	
HELEN BURAN; KATHRYN GITTO;	:	
CHRISTINE STARKJOHANN;	:	
JOHN RUSYN; and their heirs,	:	
executors, administrators,	:	
successors, trustees, and	:	
assigns, known or unknown,	:	
and any other person who may	:	
claim title or an interest in	:	
the property subject to this	:	
action,	:	
Defendants	:	

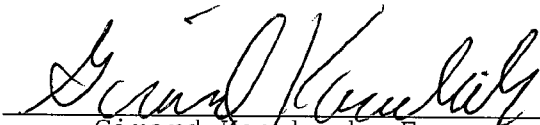
**AFFIDAVIT OF SERVICE**

Before me, William A. Shaw, Prothonotary, personally appeared Girard Kasubick, Esq., who being duly sworn according to law, deposes and says that service was made in this case by publication in the Clearfield Progress one time only on February 26, 2005 and in the Clearfield County Legal Journal one time only for the week of March 4, 2005, as appears by sworn proofs hereto attached, and that all the unknown Defendants, Helen Buran and John Rusyn, who are deceased or their whereabouts are unknown were served by publication and not by any other manner.

Further that certain known out-of-state Defendants, Christine Starkjohann and Kathryn Gitto having been served a Certified copy of the Complaint in the above matter by sending it by U.S. Certified Mail to Christine Starkjohann on February 18, 2005 and service was accepted on March 4, 2005; and to Kathryn Gitto on February 18, 2005 and service was accepted on March 2, 2005, as evidenced by the attached return receipt for Christine Starkjohann and the attached signature of delivery from the U.S. Postal Service Item Inquiry due to lost return receipt, all of which are attached hereto.

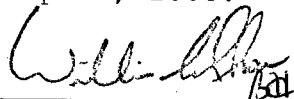
No appearance having been entered on behalf of any of the unknown Defendants served by publication nor any appearance or answer having been filed by known Defendants after service of a Complaint containing a notice to defend. Plaintiffs have caused this Affidavit to be made for the purpose of obtaining a decree or Order of Court under Pa. R.C.P. 1066.

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



Girard Kasubick, Esq.  
Attorney for Plaintiffs

Sworn to and subscribed to  
before me this 22<sup>nd</sup> day  
of April, 2005.



N. P.

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

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

No.: 2005-232-CD  
QUIET TITLE ACTION  
CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,  
Plaintiffs

vs.  
HELEN BURAN;  
KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN;  
and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person  
who may claim title  
or an interest in  
the property subject  
to this action,  
Defendants

ACTION TO  
QUIET TITLE  
NOTICE

TO: HELEN BURAN; KATHRYN  
GITTO; CHRISTINE STARKJO-  
HANN; JOHN RUSYN; and their  
heirs, executors, administrators,  
successors, trustees, and assigns,  
known or unknown:

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

BEGINNING at an iron pin located  
on the southeastern side of an al-  
ley, said pin being the northern  
most corner of the parcel herein de-  
scribed; thence along the line of  
land of Alan T. & Tracy L. Johnson  
South 58 Degrees 39 Minutes 00  
Seconds East a distance of  
235.60 feet to an iron pin; thence  
along the line of other lands of  
Christopher S. & Lorelei D. Ander-  
son South 31 Degrees 21 Minutes  
00 Seconds West a distance of  
50.00 feet to an iron pin; thence  
along the line of land of James Reed  
North 58 Degrees 39 Minutes 00  
Seconds West a distance of  
235.60 feet to an iron pin on an al-  
ley; thence along said alley North  
31 Degrees 21 Minutes 00 Sec-  
onds East a distance of 50.00 feet  
to an iron pin and the point of begin-  
ning. Containing 0.270 acres.

The above property currently  
known by Clearfield County Tax  
Map No. 118-K16-513-17.

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

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 10th day of March, 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 26, 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*  
Notary Public

Clearfield, Pa.

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

NOTICE

TO: HELEN BURAN; KATHRYN  
GITTO; CHRISTINE STARKJO-  
HANN; JOHN RUSYN; and their  
heirs, executors, administrators,  
successors, trustees, and assigns,  
known or unknown.

If you wish to defend, you must  
enter a written appearance person-  
ally or by attorney and file your de-  
fenses or objections in writing with  
the Court. You are warned that if  
you fail to do so, the case may pro-  
ceed without you and a judgment  
may be entered against you without  
further notice for the relief re-  
quested by the Plaintiffs. You may  
lose money or property or other  
rights important to you.

YOU SHOULD TAKE THIS PA-  
PER 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  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651

2:26-1d-b


## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

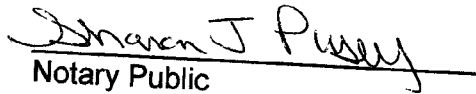
:

COUNTY OF CLEARFIELD :

On this 7th day of March 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 March 4, 2005, Vol. 17, No. 9. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

  
Gary A. Knaresboro, Esquire  
Editor

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

  
Notary Public  
My Commission Expires

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

Lehman & Kasubick  
611 Brisbin Street  
Houtzdale PA 16651

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

CHRISTOPHER S. ANDERSON and  
LORELEI D. ANDERSON, his wife, Plaintiffs  
vs. HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN; JOHN  
RUSYN; and their heirs, executors,  
administrators, successors, trustees and  
assigns, known or unknown and any other  
person who may claim title in the property  
subject to this action, Defendants.

No. 2005-232 -CD

QUIET TITLE ACTION  
NOTICE

TO: HELEN BURAN; KATHRYN  
GITTO; CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs, executors,  
administrators, successors, trustees and  
assigns, known or unknown.

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

BEGINNING at an iron pin located on  
the southeastern side of an alley, said pin  
being the northern most corner of the parcel  
herein described; thence along the line of  
land of Alan T. & Tracy L. Johnson South 58  
degrees 39 Minutes 00 Seconds East a  
distance of 235.60 feet to an iron pin; thence  
along the line of other lands of Christopher

S. & Lorelei D. Anderson South 31 Degrees  
21 minutes 00 Seconds East a distance of  
235.60 feet to an iron pin; thence along the  
line of other lands of Christopher S. & Lorelei  
D. Anderson South 31 degrees 21 minutes  
00 Seconds West a distance of 50.00 feet to  
an iron pin; thence along the line of land of  
James Reed North 58 Degrees 39 Minutes  
00 Seconds West a distance of 235.60 feet  
to an iron pin on an alley; thence along said  
alley North 31 degrees 21 Minutes 00  
Seconds East a distance of 50.00 feet to an  
iron pin and the point of beginning.  
Containing 0.270 acres.

The above property currently known by  
Clearfield County Tax Map No. 118-K16-  
513-17.

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

NOTICE

TO: HELEN BURAN; KATHRYN  
GITTO; CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs, executors,  
administrators, successors, trustees and  
assigns, known or unknown

If you wish to defend, you must enter a  
written appearance personally or by attorney  
file your defenses or objections in writing  
with the Court. You are warned that if you  
fail to do so, the case may proceed without  
you and a judgment may be entered against  
you without further notice for the relief  
requested by the Plaintiffs. You may lose  
money or property or other rights important  
to you.

YOU SHOULD TAKE THIS NOTICE TO  
YOUR LAWYER AT ONCE. IF YOU DO  
NOT HAVE A LAWYER OR CANNOT  
AFFORD ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW TO  
FIND OUT WHERE YOU CAN GET LEGAL  
HELP.

Court Administrator's Office, Clearfield  
County Courthouse, One North Second  
Street, Clearfield, PA 16830 (814) 765-2641.

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

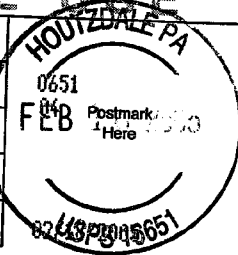


**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ROCKY HILL, NJ 08553

Postage	\$ 0.83
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$3.50
<b>Total Postage &amp; Fees</b>	<b>\$ 8.38</b>



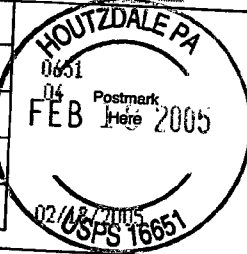
Sent To  
Christine Starkjohann  
Street, Apt. No.,  
or PO Box No. P.O. Box 622  
City, State, ZIP+4  
Rocky Hill, NJ 08553  
PS Form 3800, June 2002 See Reverse for Instructions

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

FISKILL, NY 12524

Postage	\$ 0.83
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$3.50
<b>Total Postage &amp; Fees</b>	<b>\$ 8.38</b>



Sent To  
Kathryn Gitto c/o Jeanette  
Street, Apt. No.,  
or PO Box No. 26 Givens Lane Leva  
City, State, ZIP+4  
Fiskill, NY 12524  
PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Christine Starkjohann  
P.O. Box 622  
Rocky Hill, NJ 08553

**COMPLETE THIS SECTION ON DELIVERY**

- A. Received by (Please Print Clearly) Stowser B. Date of Delivery 02/13/2005
- C. Signature [Signature] ☐ Age: 18  
☐ Adult: per
- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☒ Yes

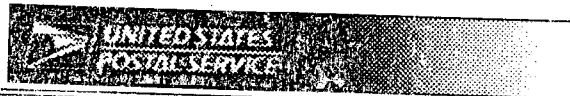
**RETURN RECEIPT REQUESTED**

2. Article Number (Copy from service label)  
7004 1160 0004 7834 2858

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



Track/Confirm - Intranet Item Inquiry  
Item Number: 7004 1160 0004 7834 2841

This item was delivered on 03/02/2005 at 14:44

Delivery Section	
Signature:	<i>Jeannette Leva</i> <i>Jeannette Leva</i>
Address:	<i>26 Givers Lane</i>

Enter Request Type and Item Number:

Quick Search ☒ Extensive Search ☐

[Explanation of Quick and Extensive Searches](#)

Version 1.0

[Inquire on multiple items.](#)

[Go to the Product Tracking System Home Page.](#)



## Track/Confirm - Intranet Item Inquiry - Domestic

<b>Item: 7004 1160 0004 7834 2841</b>		<b>Date/Time Mailed: 02/18/2005 15:22</b>	
<b>Destination</b>	<b>ZIP Code:</b> 12524	<b>City:</b> FISHKILL	<b>State:</b> NY
<b>Origin</b>	<b>ZIP Code:</b> 16651	<b>City:</b> HOUTZDALE	<b>State:</b> PA
<b>Class:</b> First Class			
<b>Anticipated Delivery Date:</b> 02/22/2005			
<b>Weight:</b> 0 lb(s) 3 oz(s)		<b>Postage:</b> \$8.38	
<b>Special Services</b>	<b>Associated Labels</b>	<b>Amount</b>	
CERTIFIED MAIL	7004 1160 0004 7834 2841	\$2.30	
RETURN RECEIPT		\$1.75	
RESTRICTED DELIVERY		\$3.50	

Event	Date/Time	Location	Scanner ID
DELIVERED	03/02/2005 14:44	FISHKILL, NY 12524	POSsys5004
	<a href="#">Request Delivery Record</a>		
	<a href="#">View Delivery Signature and Address</a>		
NOTICE LEFT	02/22/2005 13:19	FISHKILL, NY 12524	M1H35P52K
ACCEPT OR PICKUP	02/18/2005 15:22	HOUTZDALE, PA 16651	

**Enter Request Type and Item Number:**

Quick Search ☒ Extensive Search ☐

[Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on [multiple items](#).Go to the Product Tracking System [Home Page](#).

LEHMAN & KASUBICK

611 BRISBIN STREET

HOUTZDALE, PA 16651

(814) 378-7840

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,  
Plaintiffs

vs.

HELEN BURAN;

KATHRYN GITTO;

CHRISTINE STARKJOHANN;

JOHN RUSYN;

and their heirs, executors,  
administrators, successors,  
trustees, and assigns, known  
or unknown, and any other  
person who may claim title  
or an interest in the  
property subject to this  
action,

Defendants

:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Complaint  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651

*Original  
& CA*

FILED

019-07-01  
FEB 18 2005

William A. Shaw  
Prothonotary/Clerk of Courts

*Atty. Ad.  
95.00  
300 Atty*

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,

Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest  
in the property subject to  
this action,

Defendants

:  
: No.: 2005- -CD  
:  
: QUIET TITLE ACTION  
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**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.

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

3. The Defendant, Kathryn Gitto, resides at 26 Givens Lane, Fiskill, New York 12524.



4. The Defendant, Christine Starkjohann, resides at P.O. Box 622, Rocky Hill, New York 08553.

5. The real property involved in and subject of this action is all that real property or parcel of land situated in Gulich Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the southeastern side of an alley, said pin being the northern most corner of the parcel herein described; thence along the line of land of Alan T. & Tracy L. Johnson South 58 Degrees 39 Minutes 00 Seconds East a distance of 235.60 feet to an iron pin; thence along the line of other lands of Christopher S. & Lorelei D. Anderson South 31 Degrees 21 minutes 00 Seconds West a distance of 50.00 feet to an iron pin; thence along the line of land of James Reed North 58 Degrees 39 Minutes 00 Seconds West a distance of 235.60 feet to an iron pin on an alley; thence along said alley North 31 Degrees 21 Minutes 00 Seconds East a distance of 50.00 feet to an iron pin and the point of beginning. Containing 0.270 acres.

The above real property shown on the May 11, 2004 Survey Map of George A. Cree, Registered Surveyor, attached hereto and marked Exhibit "A" and outlined in "red".

The above property currently known by Clearfield County Tax Map No. 118-K16-513-17. The above property herein-after referred to as "Premises".

6. The deeds and method by which Christopher S. Anderson and Lorelei D. Anderson obtained title to the real property described in Paragraph 5 above of this Complaint is as follows:

a). The Premises was conveyed to Christopher S. Anderson and Lorelei D. Anderson by deed from Thomas S. Brennan and Barbara B. Flango, Co-Executors of the Estate of Thomas F. Brennan, dated September 24, 2001 and

recorded in Clearfield County Instrument No. 200115101. The Premises is the second tract described in said deed and the description is a "Lot" known as Tax Map No. 118-K16-513-17 with no metes and bounds description.

b). Thomas F. Brennan a/k/a Thomas Francis Brennan died on October 16, 2000 and by his Will found in Clearfield County Estate File No. 2000-587 in Instrument No. 200015770 he appoints his two children, Barbara B. Flango and Thomas S. Brennan, Co-Executors of his estate and they are the sole heirs of his estate.

c). The Premises was conveyed to Thomas F. Brennan by deed from The Tax Claim Bureau of Clearfield County in the name of "Unknown" owner dated December 10, 1993 and recorded in Clearfield County Deeds and Records Book 1581, Page 309. In this deed the Premises is described as a "L" known by Tax Map No. 118-K16-513-17 with no metes and bounds description.

d). The Premises subject of this action was originally a part of the 2 acre tract of land described as 435 6/10 feet by 200 feet by 435 6/10 feet by 200 feet conveyed by Adono Riato and Margaret Riato, his wife, to Frank Russin and Mary Russin, his wife, in deed dated January 14, 1920 in Clearfield County Deed Book 240, Page 104. This 2 acre tract as currently assessed by the Clearfield County Assessment Office makes up a part of Tax Map No. 118-K16-513-3, and all of Tax Map Nos. 118-K16-

513-4, 118-K16-513-5, 118-K16-513-17 and 118-K16-513-19.

e). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by Frank Russin a/k/a Frank Russian a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Russian a/k/a Nancy Rusyn, his wife, to John Rusyn and Kathryn Gitto, brother and sister, by deed dated March 11, 1964 and recorded in Clearfield County Deed Book 506, Page 665. This deed excepts and reserves out one acre sold to Harry Vittorini, but that one acre is not the premises subject of this action, but is current Tax Map Nos. 118-K16-513-4 and 118-K16-513-5. The tract conveyed to Harry Vittorini was actually 115 feet by 200 feet and not quite one acre in size as shown in Clearfield County Deed Book 244, Page 43.

f). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by John Rusyn and Margaret Rusyn, his wife, and Kathryn Gitto and Joseph Gitto, her husband, to Frank Russin a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Rusyn, his wife, by deed dated April 20, 1964 and recorded in Clearfield County Deed Book 507, Page 496. This deed also excepts and reserves the one acre to Harry Vittorini.

g). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by Frank Russin a/k/a Frank Russian a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Russian a/k/a Nancy Rusyn, his wife, to John

513-4, 118-K16-513-5, 118-K16-513-17 and 118-K16-513-19.

e). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by Frank Russin a/k/a Frank Russian a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Russian a/k/a Nancy Rusyn, his wife, to John Rusyn and Kathryn Gitto, brother and sister, by deed dated March 11, 1964 and recorded in Clearfield County Deed Book 506, Page 665. This deed excepts and reserves out one acre sold to Harry Vittorini, but that one acre is not the premises subject of this action, but is current Tax Map Nos. 118-K16-513-4 and 118-K16-513-5. The tract conveyed to Harry Vittorini was actually 115 feet by 200 feet and not quite one acre in size as shown in Clearfield County Deed Book 244, Page 43.

f). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by John Rusyn and Margaret Rusyn, his wife, and Kathryn Gitto and Joseph Gitto, her husband, to Frank Russin a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Rusyn, his wife, by deed dated April 20, 1964 and recorded in Clearfield County Deed Book 507, Page 496. This deed also excepts and reserves the one acre to Harry Vittorini.

g). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by Frank Russin a/k/a Frank Russian a/k/a Frank Rusyn and Nancy Russin a/k/a Nancy Russian a/k/a Nancy Rusyn, his wife, to John

Rusyn, Kathryn Gitto, Helen Buran and Christine Starkjohann as Joint Tenants with Rights of Survivorship by deed dated April 21, 1964 and recorded in Clearfield County Deed Book 507, Page 499. This deed also excepts and reserves the one acre to Harry Vittorini.

h). The 2 acre tract of land set forth in subparagraph 6.d). above was conveyed by John Rusyn, Kathryn Gitto, and Christine Starkjohann to Kathryn Gitto and Christine Starkjohann as Joint Tenants with Rights of Survivorship by deed dated September 2, 1981 and recorded in Clearfield County Deed Book 818, Page 82. This deed does not include the one acre tract conveyed out to Harry Vittorini.

i). The deed recorded in Clearfield County Deed Book 818, Page 82 states that Helen Buran died on June 25, 1978; however, after diligent search of the records of estate indexes in the Clearfield County Register of Wills Office no estate or proof of death could be found on Helen Buran.

j). The Clearfield County Assessment Office by the deed recorded in Clearfield County Deed Book 818, Page 82 assessed this property as Tax Map No. 118-K16-513-3 with the one acre conveyed out assessed as Tax Map Nos. 118-K16-513-4 and 118-K16-513-5.

k). The balance of the 2 acres to the northwest of Tax Map Nos. 118-K16-513-4 and 118-K16-513-5 being the

northwestern portion of the original 2 acres became assessed as the "Unknown" property out of the original 2 acre tract in subparagraph 6.d). above. This "Unknown" assessment was assessed as Tax Map No. 118-K16-513-17 and first came on the Gulich Township, Clearfield County Assessment Records in 1987 and this "Unknown" property was conveyed as set forth in subparagraph 6.c). above.

l). The said Thomas F. Brennan did convey a portion of "Unknown" assessment being the western one-half to James E. Reed by deed dated February 3, 1994 and recorded in Clearfield County Deeds and Records Book 1586, Page 531. This tract to James E. Reed was given Tax Map No. 118-K16-513-19 leaving the premises subject of this action remaining which was conveyed as set forth in subparagraph 6.a). above.

m). The Clearfield County Assessment Records for Gulich Township shows no assessment of Tax Map No. 118-K16-513-17 until 1987 when it is assessed as "Unknown" and then in 1994 this "Unknown" assessment is changed to be assessed to Thomas F. Brennan after the deed recorded in Deeds and Records Book 1581, Page 209 in subparagraph 6.c). above.

7. The Plaintiffs and their predecessors in title to Tax Map No. 118-K16-513-4 have been in open, continuous, notorious, actual, exclusive, visible, distinct and hostile possession of the premises described

in Paragraph 5 of this Complaint in excess of twenty-one (21) years immediately preceding the filing of this Action, and thereby claim title by adverse possession.

8. This Quiet Title Action is also necessary to establish a proper chain of title out of which the Premises subject of this action comes, because of irregularities in the chain of title, including possible unrecorded deeds, variances in the descriptions, tax sale deeds, no tax assessment or unknown tax assessment of the Premises at times, no proof of deaths or estates proving heirs, and an apparent double chain of title in the Defendants named herein with the unknown assessment, all of which raise a question as to the chain of title to the property and create a cloud on title.

9. It is finally averred that this Quiet Title Action is necessary to determine the validity or discharge of any document, obligation, assessment or deed affecting any right, title and interest in the property subject of this action, which may affect the rights of the Defendants and their heirs.


10. The Defendants to this Action namely; Helen Buran and John Rusyn, are deceased or their whereabouts are unknown and Plaintiffs have made a diligent and reasonable search to locate the whereabouts of the Defendants, but they are deceased or their whereabouts are unknown.

WHEREFORE, Plaintiffs bring this action and respectfully requests the Court to decree as follows:

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

b). That such other relief be granted as may be necessary in establishing Plaintiffs title, including determinations on the validity or discharge of any documents, obligations or deeds affecting right, title and interest in the property described herein.

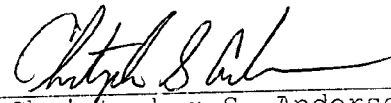
c). Such other and further relief as the Court deems proper.

  
Girard Kasubick, Esq.  
Attorney for Plaintiffs

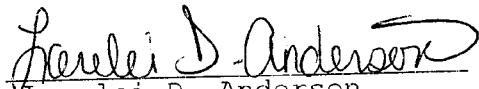


**VERIFICATION**

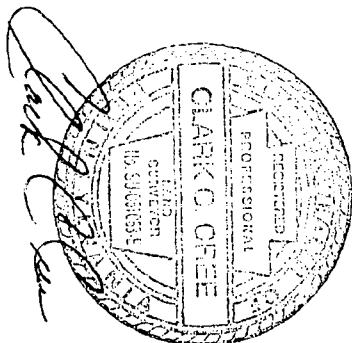
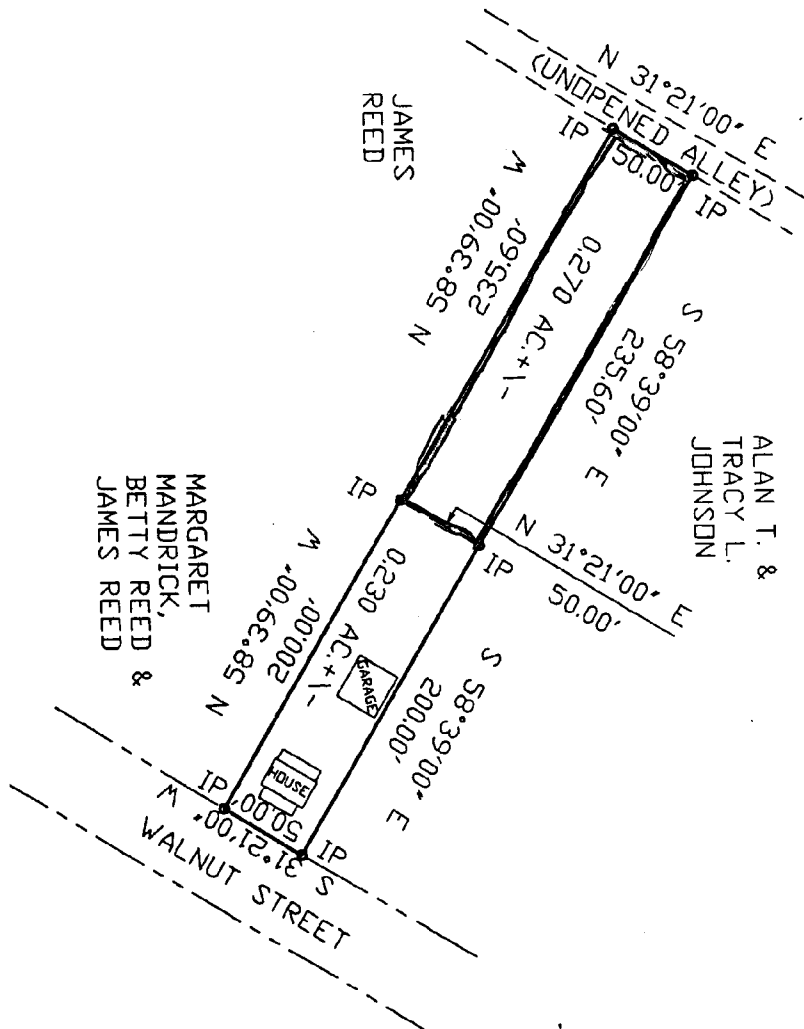
I, the undersigned, verify that the statements made in the foregoing Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities.



Christopher S. Anderson



Lorelei D. Anderson



Survey of Land for Christopher S. & Lorelei D. Anderson			
Situate:	Gulich Township Clearfield Co., Penna.	Scale: 1" = 100'	Drawn by: CCH FB# 305
Prepared by:	GEORGE A. CREE, REGISTERED SURVEYOR 2417 SKYLINE DRIVE, FALLEN TIMBER, PA 16639		
Date:	5/11/04	Job No.	BT52204

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,

Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,

Defendants

:  
:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Motion For Service  
: By Publication  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:

FILED

GK 01/07/05  
FEB 18 2005

William A. Shaw  
Prothonotary/Clerk of Courts

Girard Kasubick  
Girard Kasubick, Esq.  
Attorney for Plaintiffs

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,  
Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,  
Defendants

:  
: No.: 2005-239 -CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Affidavit  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:

FILED *icc*  
*dg 076*  
FEB 18 2005 *Any*

William A. Shaw  
Prothonotary/Clerk of Courts

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

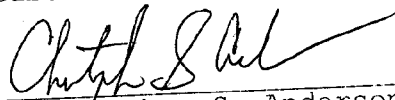
CHRISTOPHER S. ANDERSON	:	
and LORELEI D. ANDERSON,	:	No.: 2005      -CD
his wife,	:	
Plaintiffs	:	QUIET TITLE ACTION
	:	
vs.	:	
	:	
HELEN BURAN; KATHRYN GITTO;	:	
CHRISTINE STARKJOHANN;	:	
JOHN RUSYN; and their heirs,	:	
executors, administrators,	:	
successors, trustees, and	:	
assigns, known or unknown,	:	
and any other person who may	:	
claim title or an interest in	:	
the property subject to this	:	
action,	:	
Defendants	:	

**AFFIDAVIT**

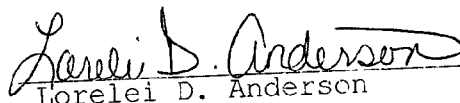
COMMONWEALTH OF PENNSYLVANIA	:	
	:	S:
COUNTY OF CLEARFIELD	:	

Before me, the undersigned officer, personally appeared CHRISTOPHER S. ANDERSON and LORELEI D. ANDERSON, his wife, who being duly sworn according to law, deposes and says that the names of the Defendants, Helen Buran and John Rusyn, and their heirs, executors, administrators, successors, trustees, and assigns, known or unknown, and any other person who may claim title under them, and who are deceased or their whereabouts are unknown to the Plaintiffs.

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

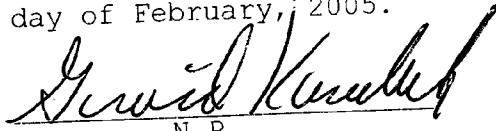


Christopher S. Anderson



Lorelei D. Anderson

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



N. P.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

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

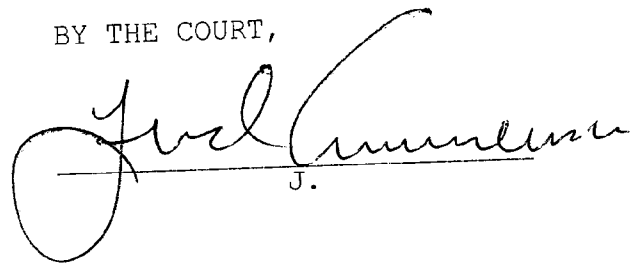
Member, Pennsylvania Association Of Notaries

NOW, this 18<sup>TH</sup> day of February, 2005, the within Action being an Action to Quiet Title and the Plaintiffs having made Affidavit that the addresses of certain Defendants are unknown and cannot be ascertained, and therefore upon Motion of Girard Kasubick, Esq., Attorney for Plaintiffs, it is Ordered and Decreed that substitute service by publication be made upon the Defendants whose addresses are unknown, or may be deceased, by giving notice in the Progress, a newspaper of general circulation published in the Clearfield County



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

BY THE COURT,

  
J.

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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,  
Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,  
Defendants

:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Order of Court  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:

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APR 27 2005

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William A. Shaw

Prothonotary/Clerk of Courts

1 CENT TO ATT

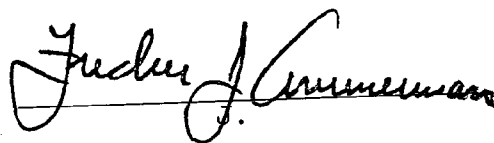
IT IS ORDERED AND DECREED that the unknown Defendants, namely; Helen Buran and John Rusyn and the known Defendants, Christine Starkjohann and Kathryn Gitto, file suit in ejectment or otherwise enter a proceeding to contest the case within thirty (30) days, or this Order of

Court shall become final upon praecipe by Plaintiffs, which hereby Orders and Decrees that title to the land subject of this action is vested absolutely in the Plaintiffs, their heirs and assigns, free and clear of any and all claims of any nature by any of the named Defendants, their heirs, executors, administrators, trustees, successors and assigns or by anyone claiming by, through or under them or any of them, and that the Plaintiffs are seized of an indefeasible title to that certain piece or parcel of land located in Gulich Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located on the southeastern side of an alley, said pin being the northern most corner of the parcel herein described; thence along the line of land of Alan T. & Tracy L. Johnson South 58 Degrees 39 Minutes 00 Seconds East a distance of 235.60 feet to an iron pin; thence along the line of other lands of Christopher S. & Lorelei D. Anderson South 31 Degrees 21 minutes 00 Seconds West a distance of 50.00 feet to an iron pin; thence along the line of land of James Reed North 58 Degrees 39 Minutes 00 Seconds West a distance of 235.60 feet to an iron pin on an alley; thence along said alley North 31 Degrees 21 Minutes 00 Seconds East a distance of 50.00 feet to an iron pin and the point of beginning. Containing 0.270 acres.

The above property currently known by Clearfield County Tax Map No. 118-K16-513-17.

BY THE COURT,



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

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,

Plaintiffs

vs.

HELEN BURAN; KATHRYN GITTO;  
CHRISTINE STARKJOHANN;  
JOHN RUSYN; and their heirs,  
executors, administrators,  
successors, trustees, and  
assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,

Defendants

:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Motion For Judgment  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:

FILED <sup>WR</sup> No cc  
0112:42/01  
APR 22 2005

William A. Shaw  
Prothonotary/Clerk of Courts

NOW, this 22<sup>nd</sup> day of April, 2005, an Affidavit having been executed and presented herewith on behalf of the Plaintiffs showing that the Complaint was served by publication on the unknown Defendants, Helen Buran and John Rusyn, one time only, to wit: February 26, 2005 in the Clearfield Progress and the week of March 4, 2005 in the Clearfield County Legal Journal, and further that all the named Defendants who are deceased or their whereabouts are unknown were not served in any other manner, and no Defendants served by publication having entered an appearance or filed an Answer or having expressed any purpose of intent to be heard or desire to assert title to

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

AND FURTHER, that the known Defendants, being Christine Starkjohann and Kathryn Gitto, having each been served with a Complaint containing a Notice to Defend and which they accepted service as follows: Christine Starkjohann on March 4, 2005; and Kathryn Gitto on March 2, 2005, by Jeanette Leva as is shown on the Affidavit of Proof of Service filed of record and the Acceptance of Services filed of record. A ten-day notice under Pa. Rules of Civil Procedure 237.4 was sent by regular mail on March 29, 2005 to Christine Starkjohann and Kathryn Gitto, known Defendants, a copy of all Notices being attached hereto. As of the date of filing this Motion and Affidavit of Service, the Defendants, Christine Starkjohann and Kathryn Gitto, have not filed an Answer or any pleadings to the Complaint and the ten days has elapsed.

WHEREFORE, Girard Kasubick, Esq., prays your Honorable Court, as attorney for the Plaintiffs, that judgment be entered in favor of the Plaintiffs and against the unknown Defendants, Helen Buran and John Rusyn, their heirs and assigns, and against known Defendants, Christine Starkjohann and Kathryn Gitto, with direction that they

file suit in ejectment or otherwise enter proceedings to contest the case within thirty (30) days, or judgment may be entered against them forever barring them from asserting any title or claim to the real estate in this action.



Girard Kasubick, Esq.  
Attorney for Plaintiffs

**VERIFICATION**

I verify that the statements made in the foregoing Motion for Judgment are true and correct and that false statements made herein are subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.



Girard Kasubick, Esq.




YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Clearfield County Court  
Administrator's Office  
David S. Meholick  
Clearfield County Courthouse  
One North Second Street  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

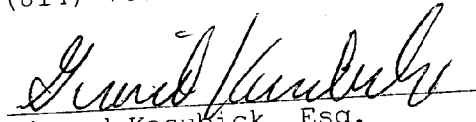
  
Girard Kasubick, Esq.  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651  
(814) 378-7840

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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Girard Kasubick, Esq.  
LEHMAN & KASUBICK  
611 Brisbin Street  
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION

CHRISTOPHER S. ANDERSON  
and LORELEI D. ANDERSON,  
his wife,

Plaintiffs

vs.

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CHRISTINE STARKJOHANN;  
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executors, administrators,  
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assigns, known or unknown,  
and any other person who may  
claim title or an interest in  
the property subject to this  
action,

Defendants

:  
: No.: 2005-232-CD  
: Type of Case:  
: Quiet Title Action  
: Type of Pleading:  
: Final Praecipe  
: Filed on behalf of:  
: Plaintiffs  
: Counsel of Record For  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
:  
:  
:

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MAY 31 2005 @

William A. Shaw  
Prothonotary/Clerk of Courts