

05-413-CD

W. Carlson et al vs. Glen Beal et al

William Carlson et al v. Glen Beal et al
2005-413-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S.
CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators, executors,
successors and assigns, and all other
person, persons, firms, partnerships or
corporate entities in interest,

Defendants.

: No. 05 - 413- C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: COMPLAINT

: FILED ON BEHALF OF: WILLIAM C.
CARLSON and BETSY S. CARLSON,

Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY:

: PAULA M. CHERRY, ESQ.

: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: One North Franklin Street

: P.O. Box 505

: DuBois, PA 15801-0505

: (814) 371-5800

orig.
to
CIA
3124

FILED
MAR 23 2005
William A. Shaw
Prothonotary/Clerk of Courts

45.00

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

WILLIAM C. CARLSON and BETSY S.
CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators,
executors, successors and assigns,
and all other person, persons, firms,
partnerships or corporate entities
in interest,

Defendants.

No. 05 - _____ C.D.

ACTION TO QUIET TITLE

COMPLAINT

The Plaintiffs in the above-entitled matter, WILLIAM C. CARLSON and BETSY S. CARLSON, bring this Action to Quiet Title for the purpose of barring the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants, from asserting any right, title and interest or lien in and to the premises described in Exhibit "A", which is situate in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania, and aver the following cause of action:

1. The Plaintiffs, WILLIAM C. CARLSON and BETSY S. CARLSON, are husband

and wife, and reside at 1938 73rd Street, Centerville, Minnesota 55038.

2. After diligent search, the Plaintiffs are unable to discover the whereabouts or identify of the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

3. The premises more particularly described in Exhibit "A", which is designated as Lot No. 633, Section 15, in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania, was the same premises conveyed to GLEN N. BEAL and RITA M. BEAL, husband and wife, by Deed of TREASURE LAKE OF PENNSYLVANIA, INC., dated October 5, 1975, and recorded in the Office of the Register and Recorder of Deeds in and for Clearfield County, Pennsylvania, in Deed Book Vol. 712, Page 81, on January 7, 1976.

4. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was exposed to tax sale by the Tax Claim Bureau of Clearfield County, Pennsylvania, on September 8, 1980, for unpaid taxes and was sold by the Tax Claim Bureau of Clearfield County, Pennsylvania, to John L. & Cecelia G. Davis. A Deed to the said John L. & Cecelia G. Davis from the Tax Claim Bureau of Clearfield County, Pennsylvania, dated December 15, 1980, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Clearfield County Deed Book Vol. 806, Page 234, on December 17, 1980.

5. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was seized, taken in execution and sold by Chester A. Hawkins, High Sheriff of

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

WILLIAM C. CARLSON and BETSY S. CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators,
executors, successors and assigns,
and all other person, persons, firms,
partnerships or corporate entities
in interest,

Defendants.

No. 05 - _____ C.D.

ACTION TO QUIET TITLE

AFFIDAVIT

STATE OF Pennsylvania
COUNTY OF Clearfield

SS.

Personally appeared before me, a Notary Public in and for the county and state aforesaid, WILLIAM C. CARLSON and BETSY S. CARLSON, who, being duly sworn according to law, depose and say that after diligent search, including a search of the Clearfield County Courthouse records, telephone books, post office, and past attorneys of record for the Defendants, they are unable to find GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S.
CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators, executors,
successors and assigns, and all other
person, persons, firms, partnerships or
corporate entities in interest,

Defendants.

: No. 05 - 413 - C.D.

: TYPE OF CASE: ACTION TO QUIET TITLE

: TYPE OF PLEADING: COMPLAINT

: FILED ON BEHALF OF: WILLIAM C.
: CARLSON and BETSY S. CARLSON,

Plaintiffs

: COUNSEL OF RECORD FOR THIS PARTY:

: PAULA M. CHERRY, ESQ.

: Supreme Court No.: 36023

: GLEASON, CHERRY AND CHERRY, L.L.P.

: Attorneys at Law

: One North Franklin Street

: P.O. Box 505

: DuBois, PA 15801-0505

: (814) 371-5800

FILED ^{NO} CE

10/2:50 PM
MAR 23 2005 Atty. Gen.
95.00

William A. Shaw
Prothonotary/Clerk of Courts

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

WILLIAM C. CARLSON and BETSY S. CARLSON,	:	
	:	
Plaintiffs,	:	No. 05 - _____ C.D.
vs.	:	
	:	ACTION TO QUIET TITLE
GLEN N. BEAL, RITA M. BEAL,	:	
and TREASURE LAKE OF	:	
PENNSYLVANIA, INC., and their	:	
heirs, devisees, administrators,	:	
executors, successors and assigns,	:	
and all other person, persons, firms,	:	
partnerships or corporate entities	:	
in interest,	:	
Defendants.	:	

NOTICE

TO: GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC.,
and their heirs, devisees, administrators, executors, successors and assigns, and all other
person, persons, firms, partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE
PREMISES SITUATE IN THE TREASURE LAKE SUBDIVISION OF SANDY
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST
YOU. Said premises are described as follows:

ALL that certain tract of land designated as Lot No. 633, Section 15, in the Treasure Lake
Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of
Deeds Office in Miscellaneous Docket Map File No. 25, and having Clearfield County
Assessment Map No. 128-C03-15-633-21.

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
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ex. 5982

GLEASON, CHERRY AND CHERRY, L.L.P.
Attorneys at Law
One North Franklin Street
P.O. Box 505
DuBois, PA 15801-0505
(814) 371-5800
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S. CARLSON,	:	
	:	
Plaintiffs,	:	No. 05 - _____ C.D.
vs.	:	
	:	ACTION TO QUIET TITLE
GLEN N. BEAL, RITA M. BEAL,	:	
and TREASURE LAKE OF	:	
PENNSYLVANIA, INC., and their	:	
heirs, devisees, administrators,	:	
executors, successors and assigns,	:	
and all other person, persons, firms,	:	
partnerships or corporate entities	:	
in interest,	:	
Defendants.	:	

COMPLAINT

The Plaintiffs in the above-entitled matter, WILLIAM C. CARLSON and BETSY S. CARLSON, bring this Action to Quiet Title for the purpose of barring the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, entitled Defendants, from asserting any right, title and interest or lien in and to the premises described in Exhibit "A", which is situate in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania, and aver the following cause of action:

1. The Plaintiffs, WILLIAM C. CARLSON and BETSY S. CARLSON, are husband

and wife, and reside at 1938 73rd Street, Centerville, Minnesota 55038.

2. After diligent search, the Plaintiffs are unable to discover the whereabouts or identify of the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

3. The premises more particularly described in Exhibit "A", which is designated as Lot No. 633, Section 15, in the Treasure Lake Subdivision of Sandy Township, Clearfield County, Pennsylvania, was the same premises conveyed to GLEN N. BEAL and RITA M. BEAL, husband and wife, by Deed of TREASURE LAKE OF PENNSYLVANIA, INC., dated October 5, 1975, and recorded in the Office of the Register and Recorder of Deeds in and for Clearfield County, Pennsylvania, in Deed Book Vol. 712, Page 81, on January 7, 1976.

4. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was exposed to tax sale by the Tax Claim Bureau of Clearfield County, Pennsylvania, on September 8, 1980, for unpaid taxes and was sold by the Tax Claim Bureau of Clearfield County, Pennsylvania, to John L. & Cecelia G. Davis. A Deed to the said John L. & Cecelia G. Davis from the Tax Claim Bureau of Clearfield County, Pennsylvania, dated December 15, 1980, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Clearfield County Deed Book Vol. 806, Page 234, on December 17, 1980.

5. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was seized, taken in execution and sold by Chester A. Hawkins, High Sheriff of

the County of Clearfield, in the State of Pennsylvania, as the property of GLEN N. BEAL and RITA M. BEAL and John L. Davis and Cecelia G. Davis, Terre Tenants, at the suit of TREASURE LAKE OF PENNSYLVANIA, INC., entered to No. 81-1798-CD and No. 81-87-EX in Clearfield County. In accordance with said Sheriff's Sale, the said Chester A. Hawkins, High Sheriff, did convey the premises which is more particularly described in Exhibit "A" and is the subject of this Action to Quiet Title, back to TREASURE LAKE OF PENNSYLVANIA, INC., by virtue of a Deed dated January 21, 1982, and recorded in the Office of the Register and Recorder of Deeds in and for Clearfield County, Pennsylvania, in Deed Book Vol. 826, Page 62, on February 3, 1982.

6. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was exposed to a public tax sale by the Tax Claim Bureau of Clearfield County, Pennsylvania, on September 10, 1984, and was sold by the Tax Claim Bureau of Clearfield County, Pennsylvania, to Joseph Colavecchi as the property of TREASURE LAKE OF PA., INC. A Deed conveying the subject premises to Joseph Colavecchi by the Tax Claim Bureau of Clearfield County, Pennsylvania, was dated January 14, 1985, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Clearfield County Deeds and Records Book Vol. 991, Page 290, on January 15, 1985.

7. The premises more particularly described in Exhibit "A", attached hereto and made a part hereof, was a portion of the same premises conveyed to Joseph M. Colavecchi, Jr., by Deed of Joseph Colavecchi, dated June 23, 1992, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Book Vol.

1468, Page 256, on June 23, 1992.

8. The said Joseph M. Colavecchi, Jr., conveyed the premises more particularly described in Exhibit "A", attached hereto and made a part hereof, to Randy W. Caldwell by Deed dated June 2, 1994, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Book Vol. 1609, Page 471, on June 6, 1994.

9. By Deed dated August 12, 2004, and recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, as Instrument No. 200414331, on August 31, 2004, the said Randy W. Caldwell and Deborah A. Caldwell, his wife, conveyed the premises more particularly described in Exhibit "A", attached hereto and made a part hereof, to WILLIAM C. CARLSON and BETSY S. CARLSON, husband and wife, Plaintiffs herein.

10. The Plaintiffs, WILLIAM C. CARLSON and BETSY S. CARLSON, and their predecessors in title, have been in actual, open, notorious, visible, hostile and continuous possession of the premises described in Exhibit "A" for a period of at least twenty (20) years and upward.

11. The said GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, were legally divested of all of their right, title and interest in the premises described in Exhibit "A"

by virtue of the tax sales conducted by the Tax Claim Bureau of Clearfield County, Pennsylvania.

12. That the said tax assessments were properly made, and the said tax sales conducted by the Tax Claim Bureau of Clearfield County, Pennsylvania, for delinquent real estate taxes were valid, and the Plaintiffs' predecessors in title, through said tax sales, obtained all of the right, title and interest in and to the premises herein described in Exhibit "A".

13. One of the purposes of this Action is to quiet the title as to any interest the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, may have in the said premises described in Exhibit "A", because of any defect that may exist or may have existed in said tax sales of the said premises by the Tax Claim Bureau of Clearfield County, Pennsylvania, because of the premises being improperly assessed, not properly described, no proper notice of said tax sales to the record owner, or that said premises were sold as the property of one other than the record owner or the legal heirs or assigns of the record owner, or for any other reason that may raise some question as to the validity of the title. Another purpose of this Action is to make the title to the premises described in Exhibit "A", marketable so that the same can be certified.

WHEREFORE, Plaintiffs request the Court to:

(a) Determine that their rights are superior to the rights of the Defendants, GLEN N.

BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;

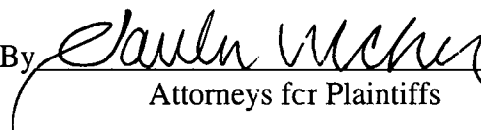
(b) Determine that the Plaintiffs have fee simple title to the premises described in Exhibit "A" as against the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest;

(c) Enjoin the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest from setting up any title to the premises described in Exhibit "A" and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises described in Exhibit "A"; and

(d) Grant and decree whatever relief may seem equitable and proper.

AND they will ever pray.

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

STATE OF Pennsylvania
COUNTY OF Clearfield

:
: SS.
:

Personally appeared before me, the undersigned officer, a Notary Public in and for the county and state aforesaid, WILLIAM C. CARLSON and BETSY S. CARLSON, 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 their knowledge, information and belief.

William C. Carlson
William C. Carlson

Betsy S. Carlson
Betsy S. Carlson

Sworn to and subscribed before me, this 11th day of March, 2005.

Robina J. Thompson
Notary Public
My commission expires: _____

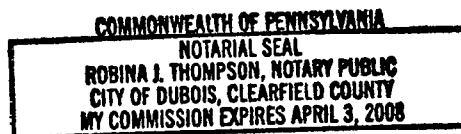


Exhibit "A"

ALL that certain tract of land designated as Lot No. 633, Section 15, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25, and having Clearfield County Assessment Map No. 128-C03-15-633-21.

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

WILLIAM C. CARLSON and BETSY S. :
CARLSON, :
Plaintiffs, : No. 05 - _____ C.D.
vs. :
: ACTION TO QUIET TITLE
GLEN N. BEAL, RITA M. BEAL, :
and TREASURE LAKE OF :
PENNSYLVANIA, INC., and their :
heirs, devisees, administrators, :
executors, successors and assigns, :
and all other person, persons, firms, :
partnerships or corporate entities :
in interest, :
Defendants. :

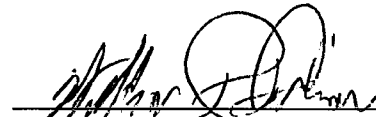
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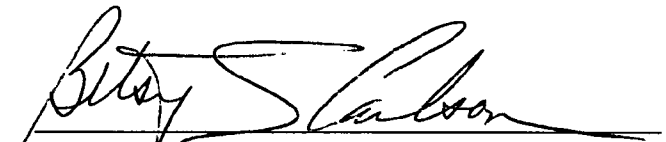
STATE OF Pennsylvania :
COUNTY OF Clearfield : SS.
:

Personally appeared before me, a Notary Public in and for the county and state
aforesaid, WILLIAM C. CARLSON and BETSY S. CARLSON, who, being duly sworn
according to law, depose and say that after diligent search, including a search of the Clearfield
County Courthouse records, telephone books, post office, and past attorneys of record for the
Defendants, they are unable to find GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE
OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors

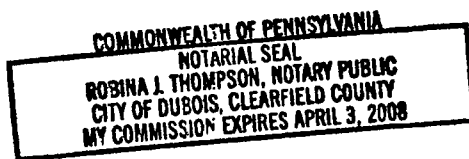
and assigns, and all other person, persons, firms, partnerships or corporate entities in interest,
claiming such interest.

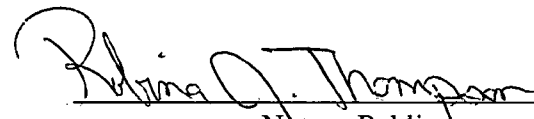
Further Deponents saith not.


William C. Carlson


Betsy S. Carlson

Sworn to and subscribed before me, this 16th day of March, 2005.




Notary Public
My commission expires: _____

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S.
CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators,
executors, successors and assigns,
and all other person, persons, firms,
partnerships or corporate entities
in interest,

Defendants.

No. 05 - 413 - C.D.

ACTION TO QUIET TITLE

ORDER

NOW, this 28th day of March, 2005, it appearing that an Action to Quiet Title has been filed in the above-entitled case and the identity and whereabouts of GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are unknown, the Defendants shall be served with a copy of the Complaint by advertising the same one (1) time in the Courier-Express newspaper and one (1) time in the Clearfield County Legal Journal in accordance with the Notice attached to and made a part of the Complaint.

FILED ^{2cc}

01/11:02 AM
MAR 30 2005

William A. Shaw
Prothonotary/Clerk of Courts

BY THE COURT,

Frederick J. Kummerman

Judge

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

WILLIAM C. CARLSON and BETSY S.
CARLSON,
vs.
Plaintiffs,

GLEN N. BEAL, RITA M. BEAL, and
TREASURE LAKE OF PENNSYLVANIA,
INC., and their heirs, devisees,
administrators, executors,
successors and assigns, and all
other person, persons, firms,
partnerships or corporate entities
in interest,
Defendants.

No. 05 - _____	C.D. _____	Action To Quiet Title
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COMPLAINANT

To the Within Defendants:

YOU ARE HEREBY NOTIFIED TO PLEAD
TO THE WITHIN COMPLAINT WITHIN
TWENTY (20) DAYS FROM THE DATE OF
SERVICE HEREOF.

GLEASON, CHERRY AND CHERRY, L.L.P.:

By Zachary Walker
Attorneys for Plaintiffs

GLEASON, CHERRY & CHERRY, L.L.P.
LAW OFFICES
P. O. Box 505
DuBois, PENNSYLVANIA 15801-0505
ONE NORTH FRANKLIN STREET

DEW

MAR 23 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S. :
CARLSON, :

Plaintiffs, :

vs. :

No. 05 - 413 C.D.

ACTION TO QUIET TITLE

GLEN N. BEAL, RITA M. BEAL, :
and TREASURE LAKE OF :
PENNSYLVANIA, INC., and their :
heirs, devisees, administrators, :
executors, successors and assigns, :
and all other person, persons, firms, :
partnerships or corporate entities :
in interest, :

Defendants. :

FILED ^{6K} NO CC
05-31-05
MAY 16 2005

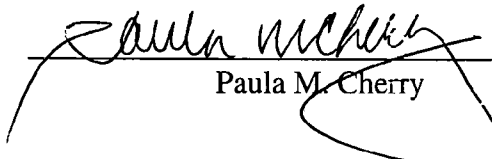
William A. Shaw
Prothonotary, Clerk of Courts

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

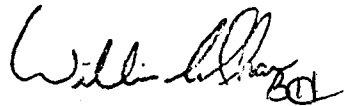
Personally appeared before me, a Notary Public in and for the county and state
aforesaid, PAULA M. CHERRY, Attorney for WILLIAM C. CARLSON and BETSY S.
CARLSON, Plaintiffs, who, being duly sworn according to law, deposes and says that the
service of the foregoing Complaint to Quiet Title, endorsed with Notice to Plead within Twenty
(20) days from the date of publication was made on all of the Defendants by publication on
April 6, 2005, in the Courier-Express newspaper, and the week of April 8, 2005, in the
Clearfield County Legal Journal, proof of the same is hereto attached, in accordance with the

Order of Court, and more than Twenty (20) days have elapsed since said publications and that said Defendants have not filed an Appearance or any Answer to the Complaint, although the time in which to do so has expired.



Paula M. Cherry

Sworn to and subscribed before me this 16th day of May, 2005.



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

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 05-413 C.D.

ACTION TO QUIET TITLE

WILLIAM C. CARLSON and BETSY S. CARLSON, Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, Defendants.

NOTICE

TO GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest:

YOU ARE HEREBY NOTIFIED THAT AN ACTION TO QUIET TITLE TO THE PREMISES SITUATE IN THE TREASURE LAKE SUBDIVISION OF SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU. Said premises are described as follows:

ALL that certain tract of land designated as Lot No. 633, Section 15, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25, and having Clearfield County Assessment Map No. 128-C03-15-633-21.

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint, you must take action within Twenty (20) days from the date of publication of this Notice, to wit: on or before April 26, 2005, 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
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814)765-2641 Ex. 5982

GLEASON, CHERRY AND CHERRY, L.L.P.
Attorneys at Law
One North Franklin Street
P.O. Box 505
DuBois, PA 15801-0505
(814)371-5800
Attorneys for Plaintiffs

4/6/05

A Crossword Puzzle

- 40 Far East cuisine
41 Be very frugal
42 Sports network
46 Chocolate
candy
48 Polar explorer
49 Least
52 Vermont trees
53 "Will it
play in —?"
54 Make happy
55 Type of lipstick
56 Cowboys
charges

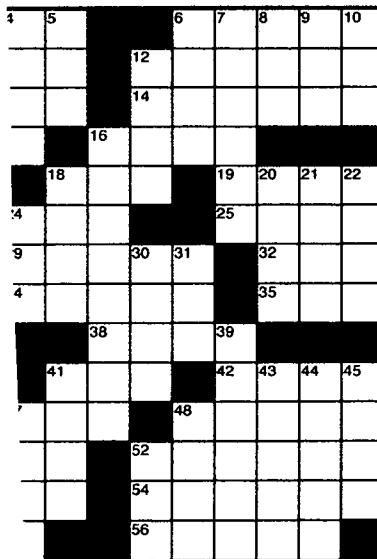
DOWN

- 1 Go slowly
2 Ticket info
3 Composted
4 Annexes
5 Jeans go-with
6 — colada
(rum drink)
7 Tarzan's
moniker
8 Exercise place
9 Stag attendees
10 Lemon cooler

Answer to Previous Puzzle

Y	U	K		S	C	I		I	R	A	N
O	R	O		A	R	N	E		B	E	L
U	S	N		T	E	N	N		E	B	B
R	A	G	G	E	D			T	H	R	A
				E	E	O		R	O	I	
J	A	P	A	N		P	I	L	A	F	S
O	M	A	R		H	O	E	D		R	H
B	A	G		A	U	K	S		W	A	I
				H	E	A	R	T	Y		R
				D	E	C		Q	U	E	
A	F	R	E	S	H			U	N	E	A
C	L	A	P			E	B	A	Y		Y
H	U	R	T			S	O	S	O		E
E	X	E	S			B	I	N		S	O

- 11 Single time
12 Round dwelling
16 Corrals
18 Have a hunch
20 Wee bit
21 Set down
22 Upstream
spawner
24 Windy City
trains
26 Put out heat
27 Thin strip
28 Swimming-
pool loc.
30 Clinton's VP
31 It banned DDT
37 Trekkers
39 Belt clip-on
41 This,
in Havana
43 Dinner starter
44 Get rid
of wrinkles
45 Wall St.
landmark
47 Mother
of Horus
48 White
as a sheet
49 Auto-sticker
info
50 Lamprey,
for instance
51 Pooh's pal
52 Radar-gun
info



**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE
STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

SS:

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

6th day of April A.D., 2005

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

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

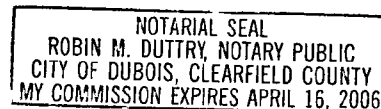
By 

Sworn and subscribed to before me this 12th day of Apr., 2005


NOTARY PUBLIC



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



TO Gleason, Cherry and Cherry

For publishing the notice or advertisement attached hereto on the above stated dates.....	<u>\$211.68</u>
Probating same.....	<u>\$4.25</u>
Total.....	<u>\$215.93</u>

Publisher's Receipt for Advertising Costs

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

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801
Established 1879, Phone 814-371-4200
McLEAN PUBLISHING COMPANY
Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By _____

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

ATTORNEY FOR

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

WILLIAM C. CARLSON and BETSY S.
CARLSON, Plaintiffs, vs. GLEN N. BEAL,
RITA M. BEAL, and TREASURE LAKE OF
PENNSYLVANIA, INC., and their heirs,
devisees, administrators, executors and
assigns, and all other person, persons,
firms, partnerships or corporate entities in
interest, Defendants.

ACTION TO QUIET TITLE
NOTICE

No. 2005-413-CD

TO: GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF PENN-
SYLVANIA, INC., and their heirs, devisees,
administrators, executors and assigns, and
all other person, persons, firms, partnerships
or corporate entities in interest.

YOU ARE HEREBY NOTIFIED THAT

Bank, 05-4615, \$7,500,000
Open Flow Gas Supply Corp, to S & T
Bank, 05-4616, \$810,403.89
Karl Wall, to County National Bank, 05-
4617, \$11,431.45
Evelyn Tkacik, to County National Bank,
05-4618, \$35,150
Douglas McGonigal, to County National
Bank, 05-4619, \$20,000
Robert Gray, to Clearfield Bank & Trust
Co, 05-4637, \$24,910.59
Ronald Fyock Jr., to National City Bank,
05-4638, \$45,680.10
William Paulson, to National City Bank,
05-4639, \$65,000
Heidi Lego, to County National Bank,
05-4641, \$27,000
Sam Prosper, to Community First Bank
NA, 05-4654, \$150,000
Howard Rankin, to First Commonwealth
Bank, 05-4655, \$15,354.86
Kirwin Ferra, to CSB Bank, 05-4660,
\$102,000

AN ACTION TO QUIET TITLE TO THE PREMISES SITUATE IN THE TREASURE LAKE SUBDIVISION OF SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, HAS BEEN FILED AGAINST YOU.

Said premises are described as follows:

ALL that certain tract of land designated as Lot No. 633, Section 15, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25, and having Clearfield County Assessment Map No. 128-C03-15-633-21.

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint, you must take action within twenty (20) days from the date of this publication 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 the relief requested by the Plaintiff. 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, Clearfield County Courthouse, 230 East Market Street, Suite 228, Clearfield, PA 16830. (814) 765-2641. Ext. 5982.

GLEASON, CHERRY & CHERRY, L.L.P. Attorneys at Law, One North Franklin Street, PO Box 505, DuBois, PA 15801-0505. (814) 371-5800 Attorneys for Plaintiffs.

made in accordance with the schedule unless exceptions are filed within ten (10) days thereafter.

ALL THAT CERTAIN tract of land designated as Section 13A, "Montego", Lot 288, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office on Miscellaneous Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.

2. The Declaration of Restrictions, Treasure Lake, Inc. recorded in Miscellaneous Book Volume 146, Page 476; all of said restrictions being covenants which run with the land.

3. All minerals and mining rights of every kind of nature.

4. A lien of all unpaid charges or assessments as may be made by Treasure Lake, Inc. or Treasure Lake Property Owners Association, Inc.; which lien shall run with the land and be an encumbrance against it.

Map #128-C2-13A-288-21.

Being Known As: 1181 Treasure Lake DuBois, PA 15801.

SEIZED, taken in execution to be sold, as the property of MARCIE LUNDBERG, A/K/A MARCIE S. LUNDBERG, at the suit of BENEFICIAL CONSUMER DISCOUNT COMPANY D/B/A BENEFICIAL MORTGAGE CO. OF PENNSYLVANIA. JUDGMENT NO. 04-1677-CD

Chester A. Hawkins, Sheriff.

ADV: April 8th, 15th, 22nd, 2005.

SHERIFF'S SALE

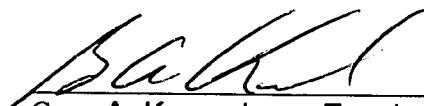
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

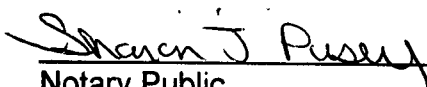
COUNTY OF CLEARFIELD :

On this 8th day of April 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 April 8, 2005. Vol. 17, No. 14. 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

Gleason Cherry & Cherry
PO Box 505
DuBois PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S. :
CARLSON, :

Plaintiffs, :

vs. :

No. 05 - 413 C.D.

ACTION TO QUIET TITLE

GLEN N. BEAL, RITA M. BEAL, :
and TREASURE LAKE OF :
PENNSYLVANIA, INC., and their :
heirs, devisees, administrators, :
executors, successors and assigns, :
and all other persons, persons, firms, :
partnerships or corporate entities :
in interest, :

Defendants. :

FILED ^{CR} NO CC
012:3:30
MAY 16 2005

William A. Shaw
Prothonotary/Clerk of Courts

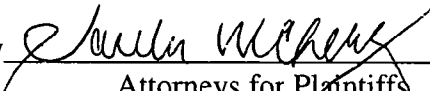
MOTION FOR JUDGMENT

AND NOW, this 16 day of May, 2005, an Affidavit having been filed by

Plaintiffs, WILLIAM C. CARLSON and BETSY S. CARLSON, by their attorney, PAULA M. CHERRY, that the Complaint with Notice to Plead was served on all of the Defendants and the Defendants have not answered, the Plaintiffs, by their attorney, PAULA M. CHERRY, move the Court to enter judgment in favor of the Plaintiffs and against the Defendants in the above-named case and to grant to the Plaintiffs the relief prayed for in accordance with Pennsylvania Rules of Civil Procedure 1066. Plaintiffs further request that the Honorable Court modify in accordance with Pennsylvania Rules of Civil Procedure, Rule 248, the Thirty (30) day period provided Defendants by Pennsylvania Rules of Civil Procedure, Rule 1066(b) to assert any

right, lien, title or interest in the land inconsistent with the interest or claim Plaintiffs set forth in their Complaint.

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Plaintiffs

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

WILLIAM C. CARLSON and BETSY S. :
CARLSON, :

Plaintiffs, :

vs. :

No. 05 - 413 C.D.

ACTION TO QUIET TITLE

GLEN N. BEAL, RITA M. BEAL, :
and TREASURE LAKE OF :
PENNSYLVANIA, INC., and their :
heirs, devisees, administrators, :
executors, successors and assigns, :
and all other person, persons, firms, :
partnerships or corporate entities :
in interest, :

Defendants. :

PRAECIPE

TO: WILLIAM A. SHAW, PROTHONOTARY

Dear Sir:

Please enter final judgment in favor of the above-named Plaintiffs and against the
Defendants in accordance with Order of Court dated May 18, 2005.

GLEASON, CHERRY AND CHERRY, L.L.P.

FILED^{GP}
011012207
MAY 18 2005

William A. Shaw
Prothonotary-Clerk of Courts

By *James W. Cherry*
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S. CARLSON,

Plaintiffs,

vs.

GLEN N. BEAL, RITA M. BEAL,
and TREASURE LAKE OF
PENNSYLVANIA, INC., and their
heirs, devisees, administrators,
executors, successors and assigns,
and all other person, persons, firms,
partnerships or corporate entities
in interest,

Defendants.

No. 05 - 413 C.D.

ACTION TO QUIET TITLE

FILED

MAY 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 17th day of May, 2005, it appearing that service of the Complaint

to Quiet Title in the above Action was made on all of the Defendants and by Affidavit of

PAULA M. CHERRY, Attorney for Plaintiffs, no Answer or Appearance has been filed to said

Action, and on Motion of PAULA M. CHERRY, Attorney for Plaintiffs, it is hereby

ORDERED AND DECREED:

1. That the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are forever barred from asserting any right, title, lien or interest inconsistent with the interest or claim of

the Plaintiffs as set forth in their Complaint in and to:

ALL that certain tract of land designated as Lct No. 633, Section 15, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Miscellaneous Docket Map File No. 25, and having Clearfield County Assessment Map No. 128-C03-15-633-21;

and that title to said property is now vested in WILLIAM C. CARLSON and BETSY S.

CARLSON, Plaintiffs, as prayed.

2. That the rights of the Plaintiffs are superior to the rights of the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

3. That the Plaintiffs have title in fee simple to said premises as described in the Complaint as against the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest.

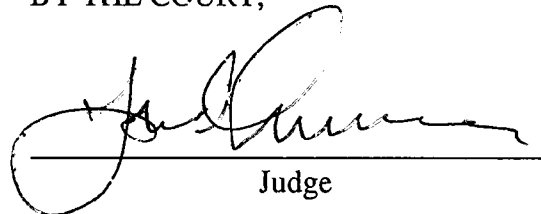
4. That the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are enjoined and forever barred from asserting any right, title or interest in and to the premises described which are inconsistent with the interest or claims of the Plaintiffs as set forth in their Complaint and from setting up any title to the premises and from impeaching, denying or in any way attacking the title of the Plaintiffs to the premises.

5. That the Thirty (30) day provision of Pennsylvania Rules of Civil Procedure 1066(b)(i) be modified as to eliminate the said Thirty (30) day Rule of Pennsylvania Rules of Civil Procedure from this case. Said modification is in accordance with the authority vested in this Court by virtue of the Pennsylvania Rules of Civil Procedure No. 248, to eliminate any time period prescribed by Pennsylvania Rules of Civil Procedure upon Order of Court.

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

7. 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,



Judge