

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

05-413-CD  
W. Carlson et al vs. Glen Beal et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

WILLIAM C. CARLSON and BETSY S. CARLSON, Plaintiffs, : No. 05 - 413 C.D.  
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. : 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  
:  
:

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3/2/05 6:11 AM  
MAR 23 2005 Atty ad.  
William A. Shaw  
Prothonotary/Clerk of Courts  
45.00  
3124

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

WILLIAM C. CARLSON and BETSY S.	:	
CARLSON,	:	
vs.	:	Plaintiffs, : No. 05 - _____ C.D.
GLEN N. BEAL, RITA M. BEAL,	:	ACTION TO QUIET TITLE
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.	:	

**C O M P L A I N T**

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 73<sup>rd</sup> 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,

vs.

Plaintiffs,

No. 05 - \_\_\_\_\_ C.D.

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,

ACTION TO QUIET TITLE

Defendants.

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. : No. 05 - 413 C.D.  
CARLSON, :  
Plaintiffs, : TYPE OF CASE: ACTION TO QUIET TITLE  
vs. :  
GLEN N. BEAL, RITA M. BEAL, : TYPE OF PLEADING: COMPLAINT  
and TREASURE LAKE OF :  
PENNSYLVANIA, INC., and their : FILED ON BEHALF OF: WILLIAM C.  
heirs, devisees, administrators, executors, : CARLSON and BETSY S. CARLSON,  
successors and assigns, and all other : Plaintiffs  
person, persons, firms, partnerships or :  
corporate entities in interest, : COUNSEL OF RECORD FOR THIS PARTY:  
Defendants. : 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 CC  
10/25/04  
MAR 23 2005 Atty Ad.  
45.00  
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,	:	
vs.	:	Plaintiffs, : No. 05 - _____ 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.	:	

**C O M P L A I N T**

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, a~~e~~ husband

and wife, and reside at 1938 73<sup>rd</sup> 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;

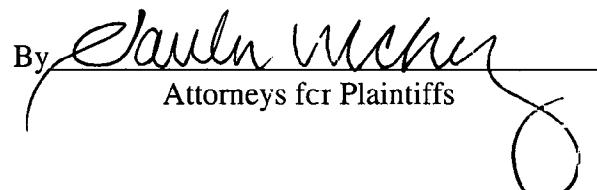
(b) Determine that the Plaintiffs have fee simple title to the premises described in Exhibit "A" as against the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors and assigns, and all other person, persons,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

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

AND they will ever pray.

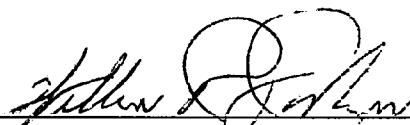
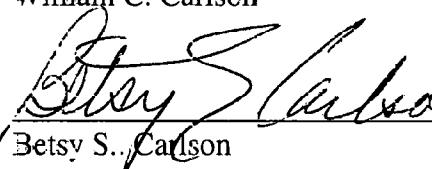
GLEASON, CHERRY AND CHERRY, L.L.P.

By   
Attorneys for Plaintiffs

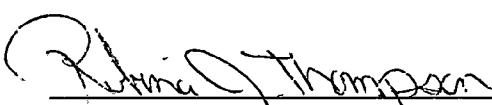
STATE OF Pennsylvania :  
COUNTY OF Clearfield :

: 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  
  
\_\_\_\_\_  
Betsy S. Carlson

Sworn to and subscribed before me, this 11<sup>th</sup> day of March, 2005.

  
\_\_\_\_\_  
Robina J. Thompson

Notary Public

My commission expires: \_\_\_\_\_

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

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, :  
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and all other person, persons, firms, :  
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Defendants. :

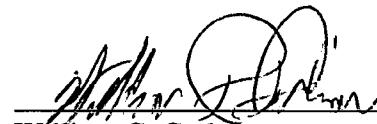
AFFIDAVIT

STATE OF Pennsylvania :  
: SS.  
COUNTY OF Clearfield :

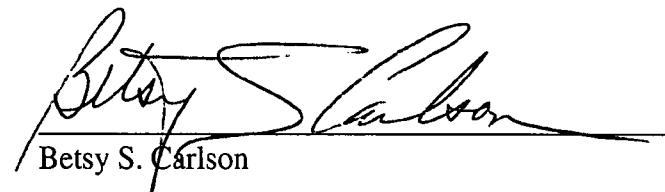
Personally appeared before me, a Notary Public in and for the county and state aforesaid, WILLIAM C. CARLSON and BETSY S. CARLSON, who, being duly sworn according to law, depose and say that after diligent search, including a search of the Clearfield County Courthouse records, telephone books, post office, 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.

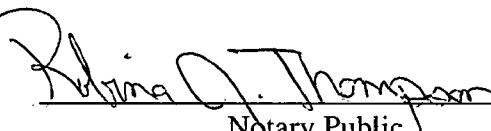


William C. Carlson



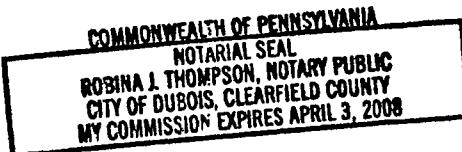
Betsy S. Carlson

Sworn to and subscribed before me, this 16<sup>th</sup> 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, : No. 05 - 413 - C.D.  
vs. :  
: ACTION TO QUIET TITLE  
GLEN N. BEAL, RITA M. BEAL, :  
and TREASURE LAKE OF :  
PENNSYLVANIA, INC., and their :  
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executors, successors and assigns, :  
and all other person, persons, firms, :  
partnerships or corporate entities :  
in interest, :  
Defendants. :

O R D E R

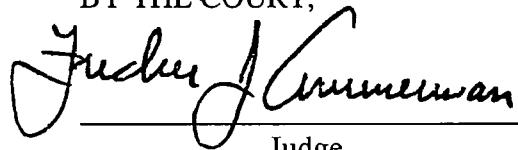
NOW, this 28<sup>th</sup> day of March, 2005, it appearing that an Action to Quiet Title has been filed in the above-entitled case and the identity and whereabouts of GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors, successors 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 <sup>acc</sup>

01/10/2005 Atty P. Cherry  
MAR 30 2005

William A. Shaw  
Prothonotary/Clerk of Courts

BY THE COURT,

  
\_\_\_\_\_  
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,  
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successors and assigns, and all  
other person, persons, firms,  
partnerships or corporate entities  
in interest,  
Defendants.

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

C O M P L A I N T

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 John M. Gleason  
Attorneys for Plaintiffs

**FILED**

**MAR 23 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

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CARLSON, :  
Plaintiffs, : No. 05 - 413 C.D.

vs. :

ACTION TO QUIET TITLE

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and TREASURE LAKE OF :  
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partnerships or corporate entities :  
in interest, :

Defendants. :

6A  
FILED NO CC  
07-31-05  
MAY 16 2005

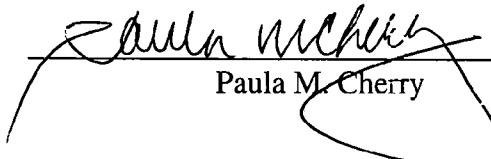
William A. Shaw  
Prothonotary, Clerk of Courts

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 16<sup>th</sup> day of May, 2005.



William A. Shaw

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

# A Crossword Puzzle

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

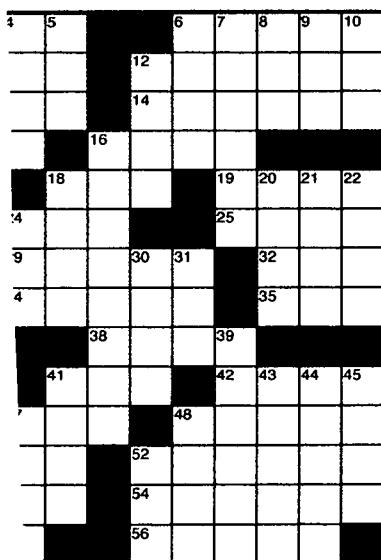
### Answer to Previous Puzzle



**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

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



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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 Linda Smith

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

Robin M. Duttry  
NOTARY PUBLIC



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

NOTARIAL SEAL  
ROBIN M. DUTTRY, NOTARY PUBLIC  
CITY OF DUBOIS, CLEARFIELD COUNTY  
MY COMMISSION EXPIRES APRIL 16, 2006

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 PENNSYLVANIA, 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

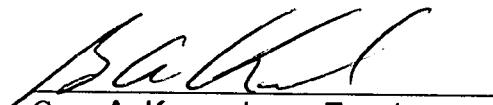
Chester A. Hawkins, Sheriff.  
ADV: April 8th, 15th, 22nd, 2005.

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.

Sharon J. Pusey  
Notary Public  
My Commission Expires

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

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, : No. 05 - 413 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 persons, persons, firms, :  
partnerships or corporate entities :  
in interest, :

Defendants. :

FILED <sup>64</sup>  
NO CC  
02/3/05  
MAY 16 2005

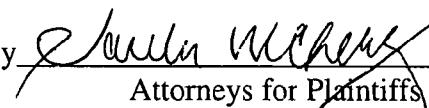
William A. Shaw  
Prothonotary/Clerk of Courts

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, : No. 05 - 413 C.D.  
vs. :  
GLEN N. BEAL, RITA M. BEAL, : ACTION TO QUIET TITLE  
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. :

P R A E C I P E

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  
01/10/2007  
MAY 18 2005  
cc

William A. Shaw  
Prothonotary-Clerk of Courts

By Shawna Michael  
\_\_\_\_\_  
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 - 413 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. :

FILED 2cc  
010:11 Bldg 4th  
MAY 18 2005 P. Cherry  
William A. Shaw  
Prothonotary/Clerk of Courts

O R D E R

AND NOW, this 17<sup>th</sup> 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 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;

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.

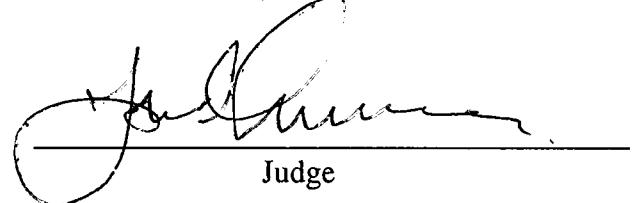
4. That the Defendants, GLEN N. BEAL, RITA M. BEAL, and TREASURE LAKE OF PENNSYLVANIA, INC., and their heirs, devisees, administrators, executors and assigns, and all other person, persons, firms, partnerships or corporate entities in interest, are enjoined and forever barred from asserting any right,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



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Judge