

05-1000-CD  
Hemlock Hunting Corp. vs Robert W.  
Walker

2005-1000-CD  
Hemlock Hunt Corp. v. Robert Walk

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

2005-1000-CD

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

Defendant

) Case No.: - 2005 C.D.

) Type of Case: CIVIL

) Type of Pleading: COMPLAINT IN ACTION  
) TO QUIET TITLE

) Filed on behalf of: Plaintiff

) Counsel of Record for this Party:

) J. Kipp Lukehart

) PA I.D. 05865

) LUKEHART & LUNDY

) 219 East Union Street

) PO Box 74

) Punxsutawney, PA 15767

) (814) 938-8110

FILED

(E)

JUL 08 2005

*W. A. Shaw*  
William A. Shaw

Prothonotary/Clerk of Courts

3 CENTS TO ATT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,

PENNSYLVANIA

CIVIL DIVISION

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

Defendant

Case No.: - 2005 C.D.

**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 the 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 claim in the complaint or for any other claim or relief requested by the plaintiff.

**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 OBTAIN LEGAL HELP.**

Clearfield County Prothonotary  
CLEARFIELD COUNTY COURTHOUSE  
One North Second Street  
Clearfield, PA 16830  
814-765-2641

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

HEMLOCK HUNTING CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.: - 2005 C.D.
	)	
ROBERT W. WALKER TRUST, its	)	
successors and assigns,	)	
	)	
Defendant	)	
_____	)	

**COMPLAINT IN ACTION TO QUIET TITLE**

AND NOW, comes the Plaintiff, Hemlock Hunting Corporation, by and through its attorneys, Lukehart & Lundy, with the following Complaint in Action to Quiet Title, pursuant to Rule 1061 of the Pennsylvania Rules of Civil Procedure:

1. Plaintiff, Hemlock Hunting Corporation, is a corporation organized under and existing by virtue of the laws of the Commonwealth of Pennsylvania with its principle office located at 24 Clinton Street, Rossiter, Indiana County, Pennsylvania 15772.
2. Plaintiff acquired Title to the Parcel No. 4-2-K08-234-00038 containing a house, garage and lot located in the second ward, Borough of Clearfield, Clearfield County, Pennsylvania, by Deed dated November 19, 2002 from the Tax Claim Bureau of Clearfield County, Pennsylvania, said Deed recorded in the Recorder's Office of Clearfield County at Instrument No. 200218876.
3. The above Tax Sale was sold under Tax Claim Number 2000-000300 as the property of the Robert W. Walker Trust for the delinquent taxes for the years 2000 through 2001.
4. The property was previously conveyed by Harry W. Hand and Dolly E. Hand, husband and wife by Deed dated June 23, 1993 to the Robert W. Walker Trust, said Deed

recorded in the Recorder's Office of Clearfield County in Volume 1540 at Page 473. A more complete and full description of the property appears in that Deed as follows:

All that certain piece or parcel of land located in what is known as Reed's Addition to the Borough of Clearfield, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the corner of Oak Avenue, (now known as South 4<sup>th</sup> Street) and Spruce Street; thence by Oak Avenue South fifty-two and five-tenths (52.5) degrees East one hundred and seventy (170) feet; thence by an alley South thirty-seven and five-tenths (37.5) degrees West sixty (60) feet; thence by other lands of G. L. Reed fifty-two and five-tenths degrees (52.5) West one hundred and seventy (170) feet; thence North thirty-seven and five tenths degrees East by Spruce Street to the beginning.

5. The last known address for the Robert W. Walker Trust was 15922 Belfast Lane, Huntington Beach, California, 92647.

6. Robert W. Walker, believed to be the original Settlor, died a resident of California on July 30, 1993 and a non-resident inheritance tax return was filed at file number 99 94-0676, reporting the property for inheritance tax purposes and all such taxes were paid.

7. Plaintiff paid to the Tax Claim Bureau the sum of \$57,500.00 for the property which was claimed by and received by Robert Kelly Brown, purportedly, a successor trustee of the Robert W. Walker Trust, said sum forwarded to him at his address at 12357 Aralia Drive, Chino, California 91710. By requesting and receiving the over bid paid by the Plaintiff, it reflects knowledge by Robert Kelly Brown and the Robert W. Walker Trust of the prior tax sale.

8. Plaintiff was advised that Cynthia Ann Marian was a Successor Trustee of the Robert W. Walker Trust and proceeded to pay her the sum of \$500.00 for her execution of a Quit Claim Deed dated 12<sup>th</sup> of April, 2005 and Recorded May 13, 2005 in the Recorder's Office of Clearfield County, Pennsylvania. Subsequently, Plaintiff learned she was not a Successor Trustee.

9. Plaintiff avers that all required notices of the tax sale were provided to the Defendant by the Tax Claim Bureau of Clearfield County and that the same was properly advertised.

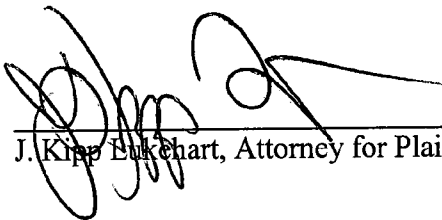
10. It is believed that Robert Kelly Brown is now deceased. It is further believed that the successor trustees of the Robert W. Walker Trust are Pamela D. Morgan, last known address of 2250 Knoxville, Long Beach, California 90815 and Richard K. Brown, last known address of 3810 Kern Road, Chino, California 91710.

11. Tax sales in general, create a cloud on Title which affects the Plaintiff's ownership and ability to transfer the property.

WHEREFORE, Plaintiff prays your Honorable Court as follows:

1. That Defendant be compelled under Pennsylvania Rule of Civil Procedure No. 1061 (b)(1) to commence an action of ejectment against the Plaintiff.
2. The Defendant pursuant to Pennsylvania Rule of Civil Procedure 1061(b)(3) admits the validity of the Tax Sale of the premises to the Plaintiff.
3. That an Order be issued barring the Defendant, its successors and assigns or any and all other persons from asserting any right, lien, title or interest inconsistent with the interest of the Plaintiff and from impeaching, denying or in any way attacking the Plaintiff's Title to the property and from issuing or maintaining any action attacking the Plaintiff's Title.

Respectfully submitted,



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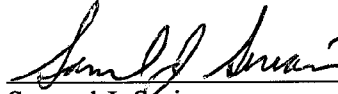
J. Kipp Eukchart, Attorney for Plaintiff

### VERIFICATION

I, Samuel J. Serian, President of Hemlock Hunting Corporation verify that the statements made in the foregoing Complaint in Action to Quiet Title are true and correct to the best of my knowledge of information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

7-6-05

Date



Samuel J. Serian

CA

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

HEMLOCK HUNTING CORPORATION,	)	Case No.: 2005-1000 C.D.
	)	
Plaintiff,	)	Type of Case: CIVIL
	)	
vs.	)	Type of Pleading: MOTION FOR SERVICE
	)	BY PUBLICATION
	)	
ROBERT W. WALKER TRUST, its	)	Filed on behalf of: Plaintiff
successors and assigns,	)	
	)	
Defendant	)	Counsel of Record for this Party:
	)	J. Kipp Lukehart
	)	PA I.D. 05865
	)	LUKEHART & LUNDY
	)	219 East Union Street
	)	PO Box 74
	)	Punxsutawney, PA 15767
	)	(814) 938-8110

FILED 3cc  
m/2:59/5A Amy Lukehart  
SEP 22 2005 @K

William A. Shaw  
Prothonotary/Clerk of Courts



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

HEMLOCK HUNTING CORPORATION, )

Plaintiff, )

vs. )

ROBERT W. WALKER TRUST, its )  
successors and assigns, )

Defendant )

Case No.: - 2005 C.D.

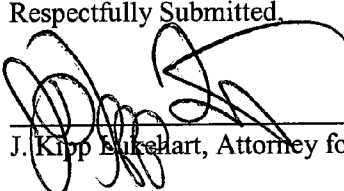
MOTION FOR SERVICE BY PUBLICATION

AND NOW comes the Plaintiff, HEMLOCK HUNTING CORPORATION, by and through its attorney, J. Kipp Lukehart and, pursuant to Rule 430 of the Pennsylvania Rules of Civil Procedure requests your Honorable Court for leave to serve the Complaint on ROBERT W. WALKER TRUST, its successors and assigns by publication, in such a manner as the Court shall direct.

Attached to this Motion for Service by Publication is an Affidavit of the Plaintiff relative to its good faith efforts to determine the whereabouts of the named Defendant, his heirs, successors and assigns.

Respectfully Submitted,

Date 9-21-05

  
\_\_\_\_\_  
J. Kipp Lukehart, Attorney for Plaintiff

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

HEMLOCK HUNTING CORPORATION,  
Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,  
Defendant

Case No.: 2005 – 1000- C.D.

AFFIDAVIT

I, Samuel J. Serian, President of HEMLOCK HUNTING CORPORATION, Plaintiff in the above captioned action hereby, being duly sworn according to law depose and say that I have made an investigation to determine the whereabouts of the Defendant, ROBERT W. WALKER TRUST, its heirs successors and assigns including the following:

A. On January 17, 2005 a letter was sent to Robert Kelly Brown, surviving Trustee of the Robert W. Walker Trust. A telephone call from Diana Brown on February 3, 2005 advised that Robert Kelly Brown was deceased.

B. Cynthia Marian, advised in error that she was a Successor Trustee and was paid \$500.00 for execution of a Quit Claim Deed dated April 12, 2005 and recorded May 13, 2005.

C. Thereafter, Plaintiff was advised that Richard K. Brown and Pamela D. Morgan were possibly Successor Trustees of the Robert W. Walker Trust. On July 25, 2005, the Complaint in Action to Quiet Title was mailed to them at their last known addresses of 2250 Knoxville, Long Beach, California, 90815 and 3810 Kern Road, Chino, California, 91710. Both were returned unclaimed.

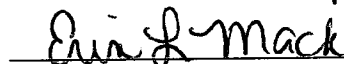
D. Internet Search for Pamela D. Morgan and Richard K. Brown did not reveal an address for either of them.

Despite the foregoing, I have not been able to locate the Defendant or his heirs, successors and assigns.

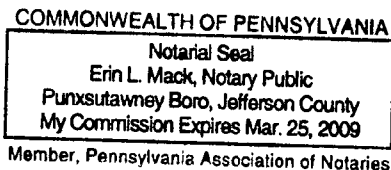


Samuel J. Serian, President  
Hemlock Hunting Corporation

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



Notary Public



CA

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

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

Defendant

) Case No.: 2005 - 1000 - C.D.

) Type of Case: CIVIL

) Type of Pleading: ORDER FOR  
) PUBLICATION

) Filed on behalf of: Plaintiff

) Counsel of Record for this Party:

) J. Kipp Lukehart

) PA I.D. 05865

) LUKEHART & LUNDY

) 219 East Union Street

) PO Box 74

) Punxsutawney, PA 15767

) (814) 938-8110

FILED 100  
01/10:35 AM  
SEP 28 2005  
J. Kipp Lukehart

William A. Shaw  
Prothonotary/Clerk of Courts

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

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

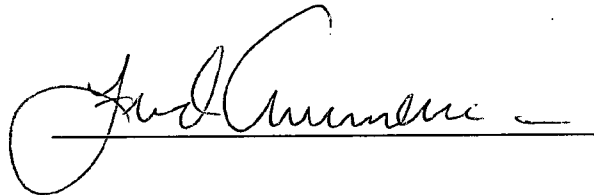
Defendant

Case No.: 2005 – 1000 - C.D.

ORDER FOR PUBLICATION

AND NOW, this 27 day of Sept, 2005 upon consideration of the foregoing Motion for Service by Publication, the Plaintiff is directed to serve the Defendant, ROBERT W. WALKER TRUST, its successors and assigns by publication, once in a newspaper of general circulation published in Clearfield County, Pennsylvania and once in the Clearfield County Legal Journal said publication to direct the Defendants to answer the Complaint within twenty (20) days after publication.

BY THE COURT:



A handwritten signature in cursive script, appearing to read "Jud. Chamberlain", is written over a horizontal line.

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

Defendant

(814) 938-8110

FILED NO CC  
JAN 05 2006 (LX)

William A. Shaw  
Prothonotary/Clerk of Courts

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

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

Defendant

Case No.: 2005 - 1000 CD

**AFFIDAVIT OF SERVICE**

COMMONWEALTH OF PENNSYLVANIA


Ss:

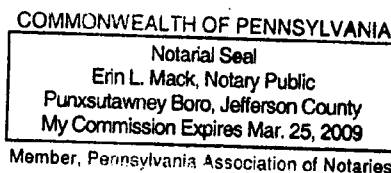
COUNTY OF JEFFERSON

Before me, the undersigned authority, personally appeared J. Kipp Lukehart, Attorney for the Plaintiff, who, being duly sworn according to law, deposes and says that he, pursuant to the Order of Court dated September 27, 2005 caused publication to be made three (3) times in the Clearfield County Law Journal during the week of September 30, 2005, October 7, 2005 and October 14, 2005 and once in the The Progress, a newspaper of general circulation published in Clearfield County, Pennsylvania, on October 8, 2005 as evidenced by the attached proofs of publication.

  
J. Kipp Lukehart, Esquire

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

  
Notary Public



NOTICE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION  
Action to Quiet Title  
No. 2005-1000 C.D.

HEMLOCK  
HUNTING CORPORATION,  
Plaintiff,

vs.  
ROBERT W. WALKER TRUST,  
its successors and assigns,  
Defendant.

To: ROBERT W. WALKER  
TRUST, successors and assigns:  
You are hereby notified that the  
above Plaintiff has commenced an  
Action to Quiet Title against you,  
which you are required to defend.  
You are required to plead to the  
Complaint within twenty (20) days  
after the service has been com-  
pleted by publication.

This action concerns real prop-  
erty described as follows: to-wit:  
All that certain piece or parcel of  
land located in what is known as  
Reed's Addition to the Borough of  
Clearfield, Second Ward, Clearfield  
County, Pennsylvania, bounded  
and described as follows:

BEGINNING at the corner of Oak  
Avenue, (now known as South 4th  
Street) and Spruce Street; thence  
by Oak Avenue South fifty-two and  
five-tenths (52.5) degrees East  
one hundred and seventy (170)  
feet; thence by an alley South  
thirty-seven and five-tenths (37.5)  
degrees West sixty (60) feet;  
thence by other lands of G. L. Reed  
fifty-two and five-tenths degrees  
(52.5) West one hundred and sev-  
enty (170) feet; thence North  
thirty-seven and five-tenths de-  
grees East by Spruce Street to the  
beginning of Parcel No.  
4-2-K08-234-00038.

BEING the same premises  
granted and conveyed to Robert W.  
Walker Trust from Harry W. Hand  
and Dolly E. Hand, husband and  
wife, by Deed dated June 23,  
1993, and recorded in the  
Recorder's Office of Clearfield  
County, Pennsylvania, in Record  
Book 1540, at page 473.

ALSO BEING the same premises  
granted and conveyed to Hemlock  
Hunting, Corp. from the Tax Claim  
Bureau of Clearfield County, Penn-  
sylvania, by Tax Claim Bureau Deed  
dated November 19, 2002, and re-  
corded in the Recorder's Office of  
Clearfield County, Pennsylvania at  
Instrument No. 200218876.

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 Plaintiff. You may  
lose money or other property or  
other rights important to you.

YOU SHOULD TAKE THIS NO-  
TICE TO YOUR LAWYER AT  
ONCE. IF YOU DO NOT HAVE A  
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ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW  
TO FIND OUT WHERE YOU CAN  
GET LEGAL HELP.

Clearfield County Prothonotary,  
& Clerk of Courts  
Clearfield County Courthouse  
One North Second Street  
Clearfield, PA 16830  
814-765-2641  
J. Kipp Lukehart, Esq.  
LUKEHART & LUNDY  
219 East Union Street

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 25th day of October, 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 October 8, 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

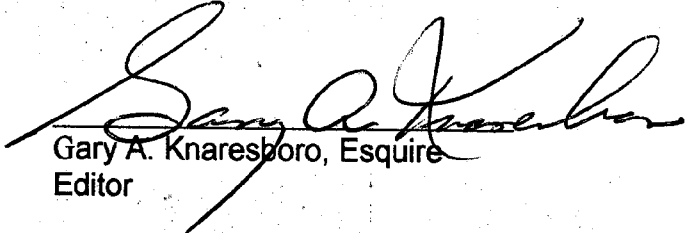
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

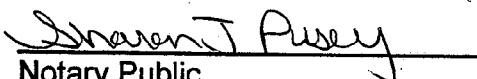
:

COUNTY OF CLEARFIELD :

On this 14th day of October 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 September 30, 2005, October 7, 2005, October 14, 2005. Vol. 17, No. 39, 40, 41. 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

J. Kipp Lukehart  
219 East Union Street  
PO Box 74  
Punxsutawney PA 15767



First and Final Account of Darlene M. Scepanik, Executrix for the Estate of Charles I. Gallup, late of Sandy Township, Clearfield County, PA. DECEASED.

First and Final Account of David W. Buys, Executor for the Estate of Elizabeth S. Nelson, late of DuBois, Clearfield County, PA. DECEASED.

First and Final Account of Shari Neff, Executrix for the Estate of Aileen Middleton, late of Westover, Clearfield County, PA. DECEASED.

Fourth and Partial Accounting of First Commonwealth Trust Company, Guardian of the Estate of Nicole Butterbaugh, a minor.

Fourth and Partial Accounting of First Commonwealth Trust Company, Guardian of the Estate of Ryan Butterbaugh, a minor.

ADV: October 7 & 14, 2005.

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

#### NOTICE

NOTICE IS HEREBY GIVEN THAT on September 9, 2005 a Certificate of Organization of a Domestic LLC was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA.

The name of the LLC is Blackwood & Blackwood, LLC.

The LLC has been organized and formed under and pursuant to the Act known as the Pennsylvania Limited Liability Company Law of 1994, in 15 Pa. C. S. § 8901, et. seq.

Timothy E. Durant, Esquire, Attorney, I.D. No. 21352, 201 North Second Street, Clearfield, PA 16830. (814) 765-1711.

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

Action to Quiet Title  
No. 2005-1000 C.D.

HEMLOCK HUNTING CORPORATION,  
Plaintiff, vs. ROBERT W. WALKER TRUST,  
its successors and assigns, Defendant. To  
ROBERT W. WALKER TRUST, successors  
and assigns:

You are hereby notified that the above  
Plaintiff has commenced an Action to Quiet  
Title against you, which you are required to

defend.

You are required to plead to the  
Complaint within twenty (20) days after the  
service has been completed by publication.

This action concerns real property,  
described as follows, to-wit:

All that certain piece or parcel of land  
located in what is known as Reed's Addition  
to the Borough of Clearfield, Second Ward,  
Clearfield County, Pennsylvania, bounded  
and described as follows:

BEGINNING at the corner of Oak  
Avenue, (now known as South 4th Street)  
and Spruce Street; thence by Oak Avenue  
South fifty-two and five-tenths (52.5)  
degrees East one hundred and seventy  
(170) feet; thence by an alley South thirty-  
seven and five-tenth (37.5) degrees West  
sixty (60) feet; thence by other lands of G. L.  
Reed fifty-two and five-tenths degrees (52.5)  
West one hundred and seventy (170) feet;  
thence North thirty-seven and five tenths  
degrees East by Spruce Street to the  
beginning. Parcel No. 4-2-K08-234-00038

BEING the same premises granted and  
conveyed to Robert W. Walker Trust from  
Harry W. Hand and Dolly E. Hand, husband  
and wife, by Deed dated June 23, 1993, and  
recorded in the Recorder's Office of  
Clearfield County, Pennsylvania in Record  
Book 1540, at page 473.

ALSO BEING the same premises  
granted and conveyed to Hemlock Hunting  
Corp. from the Tax Claim Bureau of  
Clearfield County, Pennsylvania by Tax  
Claim Bureau Deed dated November 19,  
2002, and recorded in the Recorder's Office  
of Clearfield County, Pennsylvania at  
Instrument No. 200218876.

If you wish to defend, you must enter a  
written appearance personally or by attorney  
and file your defenses or objections in  
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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 Plaintiff. You may  
lose money or other 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.

Clearfield County Prothonotary & Clerk  
of Courts, Clearfield County Courthouse,  
One North Second Street, Clearfield, PA  
16830. 814-765-2641.

J. Kipp Lukehart, Esq. LUKEHART &  
LUNDY, 219 East Union Street, P.O. Box  
74, Punxsutawney, PA 15767.

**FILED**

JAN 05 2006

William A. Shaw  
Prothonotary/Clerk of Courts

~~FILED~~

~~NOV 07 2005~~

~~William A. Shaw  
Prothonotary/Clerk of Courts~~

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

HEMLOCK HUNTING CORPORATION,	)	Case No.: 2005 - 1000 C.D.
	)	
Plaintiff,	)	Type of Case: CIVIL
	)	
vs.	)	Type of Pleading: MOTION FOR DEFAULT
	)	JUDGMENT
ROBERT WALKER TRUST, its successors	)	
and assigns,	)	Filed on behalf of: Plaintiff
	)	
Defendant	)	Counsel of Record for this Party:
	)	J. Kipp Lukehart
	)	PA ID: 05865
	)	LUKEHART & LUNDY
	)	219 East Union Street
	)	PO Box 74
	)	Punxsutawney, PA 15767
	)	(814) 938-8110

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FILED 2cc  
m/05/01 Amy Lukehart  
JAN 05 2006 @

William A. Shaw  
Prothonotary/Clerk of Courts

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

HEMLOCK HUNTING CORPORATION,

Plaintiff,

vs.

ROBERT W. WALKER TRUST, its  
successors and assigns,

Defendant

Case No.: 2005 - 1000 CD

**MOTION FOR DEFAULT JUDGMENT**

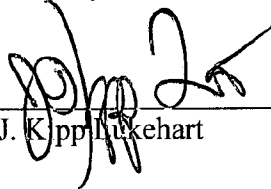
AND NOW, comes J. Kipp Lukehart, Attorney for the Plaintiff, with the following:

1. On July 8, 2005, a Complaint was filed in the above captioned matter.
2. On February 3, 2005, the office of Lukehart & Lundy was notified by telephone that the surviving Trustee of the Robert W. Walker Trust, was deceased. It was further indicated that Richard K. Brown and Pamela D. Morgan were possible Successor Trustees to which a Complaint in Action to Quiet Title was mailed to them at their last known addresses and same were returned unclaimed.
3. On September 27, 2005, your Honorable Court directed that service of the Complaint be made upon the Defendants by publication once in the Clearfield County Law Journal and once in Clearfield local newspaper, The Progress directing the Defendants to answer the Complaint within twenty (20) days from the date of last publication.
4. Publication of the Notice was made in the Clearfield County Law Journal on October 14, 2005 and in The Progress on October 8, 2005.
5. More than twenty (20) days have elapsed since service has been made upon the Defendants by publication.

6. No pleadings have been filed by the Defendants to Plaintiff's Complaint.
7. The Plaintiff hereby requests the following:
  - a) Pursuant to the Pennsylvania Rules of Civil Procedure No. 248 to waive the twenty (20) day period prescribed by Rule 1066 (b) (1).
  - b) To enter the following final Order of Court:

"That the Defendants be forever barred from asserting any right, lien, title or interest in the premises, described in Exhibits "A", inconsistent with the interest or claim of the Plaintiff as set forth in his Complaint; from impeaching, denying, or in any way attaching the Plaintiff's title to the property; from issuing or maintaining any ejectment action for the same premises; from encumbering, mortgaging or conveying the same, or any part thereof; and specifically, to admit to the validity of the Plaintiff's title."

LUKEHART & LUNDY  
Attorney for Plaintiff

  
\_\_\_\_\_  
J. Kipp Lukehart

1-3-04  
Date

## EXHIBIT A

Description: Parcel No. 4-2-K08-234-00038 Clearfield County at Instrument No. 200218876.

All that certain piece or parcel of land located in what is known as Reed's Addition to the Borough of Clearfield, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at the corner of Oak Avenue, (now known as South 4<sup>th</sup> Street) and Spruce Street; thence by Oak Avenue South fifty-two and five-tenths (52.5) degrees East one hundred and seventy (170) feet; thence by an alley South thirty-seven and five-tenth (37.5) degrees West sixty (60) feet; thence by other lands of G. L. Reed fifty-two and five-tenths degrees (52.5) West one hundred and seventy (170) feet; thence North thirty-seven and five tenths degrees East by Spruce Street to the beginning.

## CA

Case No.: 2005 - 1000 CD

**FILED** 1 CC to  
01/20/2013 Register & Recorder's  
JAN 09 2006 office, per Atty  
William A. Shaw  
Prothonotary/Clerk of Courts

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