

05-1176-CD

Scott Brown vs Prosper Coudriet, et al
2005-1176-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all
other persons known or unknown,
claiming any title by, under or through
them, his heirs, executors,
administrators, and assigns,

Defendants

Type of Case: Action
to Quiet Title

05-1176-CD

Type of Pleading:
Complaint

Filed on Behalf of:

Plaintiff

Counsel of Record for this Party:

David R. Thompson, Esquire
PO Box 587
308 Walton Street, St. 4
Philipsburg, PA 16866
I.D. No. 73053
814-342-4100

FILED ^{icc}
01:51 PM ^{Any}
AUG 09 2005 ^{Thompson}
^{lm} ^{Any pd.}
William A. Shaw
Prothonotary/Clerk of Courts 95.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
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them, his heirs, executors,
administrators, and assigns,

Defendants

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Type of Case: Action
to Quiet Title

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an 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 Plaintiff. 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 CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Clearfield PA 16830
(814) 765-2641


David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
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Defendants

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Type of Case: Action
to Quiet Title

COMPLAINT

AND NOW, comes the Plaintiff, Scott Brown, by and through his attorney, DAVID R. THOMPSON, ESQUIRE, and set forth a claim against the Defendants named herein and represent as follows:

1. Plaintiff is Scott Brown, currently of 78 Stumptown Road, Osceola Mills, Pennsylvania, 16651.

2. Defendant, PROSPER COUDRIET, is believed to be deceased, however, Plaintiff is unable to obtain his whereabouts or the date of his death.

3. The subject matter of this Action to Quiet Title is land which comprises all that certain parcel or piece of land situate in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

ALL that certain tract of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

ALL that certain tract of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin along Township Road T-664 and being a common corner with lands of now or formerly Fred Krause; thence South fifty-four degrees twenty-two minutes fifteen seconds East (S 54° 22' 15" E) a distance of one hundred fifty-nine (159) feet to an iron pin; thence along lands now or formerly of Robert McGinty Estate South fifty-two degrees ten minutes thirty seconds West (S 52° 10' 30" W) a distance of one hundred nineteen and thirty-seven hundredths (119.37') feet to an iron pin on the eastern right-of-way line of Township Road T-664; thence North thirty-five degrees forty-eight minutes thirty seconds West (N 35° 48' 30" W) along the Township Road seventy-nine and sixty-nine hundredths (79.69') feet to an iron pin; thence still along the Township Road North eleven degrees nine minutes West (N 11° 9' W) a distance of sixty-six and sixty-nine hundredths (66.69') feet to an iron pin; thence still along the Township Road North thirty-three degrees twenty-one minutes East (N 33° 21' E) a distance of forty-three and forty-two hundredths (43.42') feet to an iron pin and place of beginning. CONTAINING 0.30 acres, more or less.

5. By virtue of deed dated the 8th day of July, 2005, and recorded in Clearfield County Recorder of Deeds Office on July 12th, 2005, in Instrument Number 200510452, Walter Sitosky and Gloria Sitosky, his wife, conveyed the above-described property unto Scott Brown.

6. By virtue of deed dated June 5, 2003, and recorded in Clearfield County Recorder of Deeds Office on June 16, 2003, in Instrument Number 200310383, Scott Douglas Krause and Ruth M. Krause, his wife, conveyed the above-described property unto Walter Sitosky and Gloria Sitosky, his wife. By way of further pleading, the same premises was subject of an Article of Agreement between these parties, said Article of Agreement being recorded in Record Book Volume 874 at Page 233.

7. By virtue of deed dated October 13, 1977, and recorded in Clearfield County Recorder of Deeds Office on November 8, 1977, in Deed Book Volume 749 Page 437, Fred Krause a/k/a William Fred Krause and Edna Krause a/k/a Florence Edna Krause, his wife,

conveyed a portion of their property, that portion being the subject property described herein, to Scott Douglas Krause and Ruth M. Krause, his wife.

8. By virtue of deed dated January of 1976 and in Clearfield County Recorder of Deeds Office on February 2, 1976, in Deed Book Volume 713 Page 130, Fred Krause and Edna Krause, his wife, conveyed property, of which the subject property is a portion, unto Fred Krause and Edna Krause, his wife. By way of further pleading, they alleged in this deed that a portion of the subject property was purchased and acquired from Prosper Coudriet, and that they lived on and stayed in possession of the property in excess of twenty-one years. There is no recorded deed on record for this property. The balance of the property having been conveyed unto Fred Krause and Edna Krause, his wife, by deed of Ardell Kennedy and Rita Kennedy, his wife, dated November 20, 1956 and recorded November 23, 1956 in Record Book 455 Page 30.

9. Prosper Coudriet acquired this real property as part of the real property conveyed to him by deed of Theodore M. Mullen and wife, dated January 8, 1903 and recorded in the Clearfield County Recorder's Office in Deed Book Volume 130 at Page 217.

10. The Plaintiff and their predecessors in title have exercised dominion, possession and control of the subject premises for a period in excess of twenty-one (21) years, and that said possession has been continuous, open, exclusive and adverse.

11. This Quiet Title action is necessary because of the unrecorded conveyance in the chain of title of the property, subject of this action, including any other possible unrecorded deeds and/or assignments and other documents, incomplete estate records of deceased persons showing a complete chain of title, and possible adverse interest of

named Defendants, their heirs, successors, and assigns, all of which create clouds in the title.

12. It is further averred that the Quiet Title Action is necessary because of irregularities in the chain of title of the property which may affect the rights of the Plaintiff named.

13. It is finally averred that a Quiet Title Action is necessary to determine the validity or discharge of any document, obligation or deed affecting any right, title, and interest in the property.

14. At no time has the named Defendants or anyone claiming title by, through, or under them, attempted to secure possession of the said estate, contest the title of the Plaintiff and/or their predecessors in title or assert any interest, adverse to that of the Plaintiff or their predecessors in title by any legal action or by formal acknowledgment thereof.

15. The premises herein described in Paragraph Three are the same premises that Plaintiff and their predecessors in title have been in open, continuous, notorious, hostile and uninterrupted possession for a period in excess of twenty-one (21) years, possession of the said premises having been acquired by the Plaintiff and their predecessors in title as hereinabove set forth.

16. It is believed and therefore averred that the said Plaintiff and their predecessors' title have throughout their occupancy on the said premises maintained the said premises and have further continued in actual uninterrupted exclusive, visible, notorious, distinct and hostile possession of these premises secured by their respective deeds and hereinbefore

set forth.

17. The said Plaintiff, together with their predecessors in title have, commencing with the year 1976, and continuing up to the present time, made valuable improvements to the said premises, have maintained the same premises, paid all current real estate taxes, and have evidenced a settled intent of excluding all individuals from the use, actual occupation or constructive possession of the premises.

18. At no time has the herein named Defendants attempted to secure possession of the said premises, contest the title of the Plaintiff or their predecessors in title or assist in the maintenance, repair or improvement of those premises hereinbefore described nor has any asserted any interest adverse to the Plaintiff by any legal action.

WHEREFORE, Plaintiffs file this action and respectfully request the following:

(a) That the Defendants, their heirs, administrators, executors, successors and assigns and all other persons having claim to the premises herein described be forever barred from asserting any right, title or interest in the land described herein inconsistent with the interest or title of Plaintiff unless the Defendants, their heirs, administrators, executors, successors or assigns, or those persons asserting any right, title or interest in said premises being an action of ejectment or other legal or equitable action to establish their claim to the premises described herein or any portion of the same, within the time set by the Court.

(b) That an Order of Court be made declaring the Plaintiff to be the sole owners and to have exclusive possession of the premises described herein by virtue of their open, uninterrupted and hostile possession of the premises for a period in excess of twenty-one

years.

c) Such further Order as may be necessary for the granting of further relief.

By: 

David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all
other persons known or unknown,
claiming any title by, under or through
them, his heirs, executors,
administrators, and assigns,

Defendants

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Type of Case: Action
to Quiet Title

VERIFICATION

I, **DAVID R. THOMPSON**, Attorney for the Plaintiff, do verify that the statements made in this Complaint are true and correct to the best of my knowledge, 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.



David R. Thompson

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiff

vs.

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OF PROSPER COUDRIET, his heirs,
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administrators, and assigns,

Defendants

Type of Case: Action
to Quiet Title

05-1176-CD

Type of Pleading:
Motion for Service by Publication

Filed on Behalf of:

Plaintiff

Counsel of Record for this Party:

David R. Thompson, Esquire
PO Box 587
308 Walton Street, St. 4
Philipsburg, PA 16866
I.D. No. 73053
814-342-4100

FILED

01:51 PM
AUG 09 2005

Atty Thompson

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

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them, his heirs, executors,
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Defendants

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Type of Case: Action
to Quiet Title

05-1176-CD

ORDER OF COURT

AND NOW, this 10th day of August, 2005, upon consideration of
Plaintiff's Motion for Service by Publication, including Exhibits and Affidavits attached
hereto, Plaintiff is ordered and directed to serve Notice of the Action to Quiet Title by
publication in The Progress and the Clearfield County Legal Journal, one time only, of
notice of this action, in a form similar to that contained in "Exhibit B" of Plaintiff's Motion
for Publication.

BY THE COURT:

Frederick J. Zimmerman

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1CC
01/12:47/01
AUG 10 2005
Amy Thompson

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
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Defendants

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Type of Case: Action
to Quiet Title

MOTION FOR SERVICE BY PUBLICATION

AND NOW appears the Plaintiff, Scott Brown, by and through his attorney, David R. Thompson, who represents as follows:

1. That he is the attorney for the Plaintiff in the above captioned action to Quiet Title.

2. That he is unable to ascertain the whereabouts of the named Defendants.

3. That the Plaintiff's Attorney, David R. Thompson, has executed an Affidavit stating that after diligent search they have been unable to ascertain the whereabouts of the Defendants or their heirs, devisees, administrators, successors, executors, or assigns, said Affidavit being attached hereto as "Exhibit A".

4. That counsel for Plaintiff believes that the best means of service is by publication in a newspaper of general circulation in Clearfield County, in a form as shown in "Exhibit

B".

5. That the Plaintiff has exhausted all reasonable means of attempting to locate the Defendants mentioned in the affidavit attached as Exhibit "A", or their heirs, including inquiries of relatives, neighbors and friends, and local postal authorities and telephone books of the area.

WHEREFORE, Plaintiff requests your Honorable Court to permit the service of the original Complaint in this Action to Quiet Title by publishing a Notice similar in form to that of "Exhibit B" in The Progress and Clearfield County Legal Journal one time only, pursuant to Pa. R.C.P. 430 b(1).



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

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OF PROSPER COUDRIET, his heirs,
successors and assigns, and all
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claiming any title by, under or through
them, his heirs, executors,
administrators, and assigns,

Defendants

Type of Case: Action
to Quiet Title

STATE OF PENNSYLVANIA

:ss:

COUNTY OF CLEARFIELD

AFFIDAVIT

Before me, a Notary Public, in and for the above named State and County, personally appeared DAVID R. THOMPSON, ESQUIRE, who being duly sworn according to law deposes and states that after diligent search he has been unable to locate or find the whereabouts of the Defendant, PROSPER COUDRIET, THE ESTATE OF PROSPER COUDRIET, his heirs, devisees, administrators, executors and assign; and further states as follows:

1. David R. Thompson, Esquire, is the attorney for the Plaintiff in the above captioned Action to Quiet Title, licensed to practice in the Commonwealth of Pennsylvania.

2. As such, he has undertaken an investigation of the whereabouts of PROSPER

COUDRIET, THE ESTATE OF PROSPER COUDRIET, his heirs, administrators, successors and assigns, the one time purported owners of a tract of land which is the subject matter of this Action to Quiet Title.

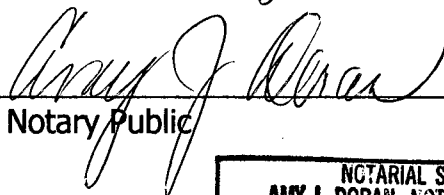
3. The information contained in this Affidavit was obtained from the Office of the Register of Wills and Recorder of Deeds and Office of Voter Registration of Clearfield County, Pennsylvania; the telephone directory for the Philipsburg/Clearfield Area.

4. Unless specifically named herein, the Defendant has no estate filed or telephone listing or voter registration.

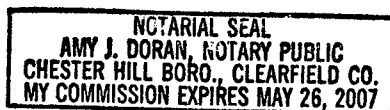


David R. Thompson, Esquire

SWORN to and subscribed before me
this 8 day of August, 2005.



Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN,

Plaintiff

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all
other persons known or unknown,
claiming any title by, under or through
them, his heirs, executors,
administrators, and assigns,

Defendants

Type of Case: Action
to Quiet Title

TO: PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs, successors
and assigns, and all other persons known or
unknown, claiming any title by, under or
through them, their heirs, executors,
administrators, and assigns,

You are hereby notified that an Action to Quiet Title to premises situate in Decatur Township, Clearfield County, Pennsylvania, has been filed against you. Said lands are bounded and described as follows:

ALL that certain tract of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin along Township Road T-664 and being a common corner with lands of now or formerly Fred Krause; thence South fifty-four degrees twenty-two minutes fifteen seconds East (S 54° 22' 15" E) a distance of one hundred fifty-nine (159) feet to an iron pin; thence along lands now or formerly of Robert McGinty Estate South fifty-two degrees ten minutes thirty seconds West (S 52° 10' 30" W) a distance of one hundred nineteen and thirty-seven hundredths (119.37') feet to an iron pin on the eastern right-of-way line of Township Road T-664; thence North thirty-five degrees forty-eight

minutes thirty seconds West (N 35° 48' 30" W) along the Township Road seventy-nine and sixty-nine hundredths (79.69') feet to an iron pin; thence still along the Township Road North eleven degrees nine minutes West (N 11° 9' W) a distance of sixty-six and sixty-nine hundredths (66.69') feet to an iron pin; thence still along the Township Road North thirty-three degrees twenty-one minutes East (N 33° 21' E) a distance of forty-three and forty-two hundredths (43.42') feet to an iron pin and place of beginning. CONTAINING 0.30 acres, more or less.

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an 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 Plaintiff. 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 CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Clearfield PA 16830
814-765-2647

You are hereby further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, otherwise Judgment will be entered against you, barring you from all claims, rights and interests inconsistent with Plaintiff's claim of title, as set forth in the Complaint.

David R. Thompson, Esquire
P.O. Box 587
Philipsburg, PA 16866
ATTORNEYS FOR PLAINTIFF

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION

SCOTT BROWN, an individual,

Plaintiff

VS.

PROSPER COUDRIET AND THE ESTATE OF
PROSPER COUDRIET, his heirs, successors,
and assigns, and all other persons known
or unknown, claiming any title by, under or
through them, his heirs, executors,
administrators, and assigns,

Defendants

No. 05-1176-CD

TYPE OF CASE: Civil

TYPE OF PLEADING:
Motion for Judgment

FILED ON BEHALF OF:
Plaintiff

**COUNSEL OF RECORD FOR
THIS PARTY:**

David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED

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William A. Shaw
Prothonotary/Clerk of Courts


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NOV 17 2006

William A. Shaw

Prothonotary/Clerk of Courts

2 CENT TO ART


David R. Thompson
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiffs

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming
any title by, under or through them, his
heirs, executors, administrators, and
assigns,

Defendants

No. 05-1176-CD

FILED
mjt/11/21/2006
NOV 21 2006
William A. Shaw
Prothonotary/Clerk of Courts
Thompson
CR

ORDER

AND, NOW this 17 day of November, 2006, it appearing that a Complaint to Quiet Title in the above stated action was served by publication on the Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, of each and all other person, persons, firms, partnerships or corporate entities in interest and by Affidavit of David R. Thompson, Esquire, Attorney for Plaintiff, no Answer has been filed in said Action on behalf of the said Defendant, and on motion of David R. Thompson, Esquire, Attorney for Plaintiff, it is hereby ORDERED AND DECREED:

1. That the said Defendants, Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors,

administrators and assigns, and all other 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 Plaintiff as set forth in its Complaint in and to ALL that certain piece or parcel of land situate in Decatur Township, Clearfield County, Pennsylvania, and more particularly set forth in Exhibit "A", attached hereto and made a part hereof.

Said ORDER to be final and absolute unless the Defendants, Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, and all other persons, firms, partnerships or corporate entities in interest shall file exceptions thereto within thirty (30) days.

2. That if the said Defendants, Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, and all other persons, firms, partnerships or corporate entities in interest have not filed said exceptions within thirty (30) days, the Prothonotary shall enter Final Judgment upon Praeceptum of the Plaintiff.

3. That the rights of the Plaintiff are superior to the rights of the Defendant, Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, firms, partnerships or corporate entities in interest.

4. That the said Plaintiff has title fee simple to the premises as described in the Complaint as against the Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER

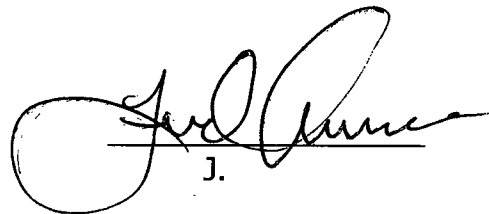
COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, firms, partnerships or corporate entities in interest.

5. That the Defendants, Defendants, PROSPER COUDRIET AND THE ESTATE OF PROSPER COUDRIET, his heirs, successors and assigns, and all other persons known or unknown, claiming any title by, under or through them, his heirs, executors, administrators and assigns, firms, partnerships or corporate entities in interest are enjoined from setting up title to the premises of the Plaintiffs, described in said Complaint and from impeaching, denying or in any way attacking the title of the Plaintiff to said premises.

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

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:



J.

EXHIBIT "A"

ALL that certain tract of land situate, lying and being in Decatur Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin along Township Road T-664 and being a common corner with lands of now or formerly Fred Krause; thence South fifty-four degrees twenty-two minutes fifteen seconds East (S 54° 22' 15" E) a distance of one hundred fifty-nine (159) feet to an iron pin; thence along lands now or formerly of Robert McGinty Estate South fifty-two degrees ten minutes thirty seconds West (S 52° 10' 30" W) a distance of one hundred nineteen and thirty-seven hundredths (119.37') feet to an iron pin on the eastern right-of-way line of Township Road T-664; thence North thirty-five degrees forty-eight minutes thirty seconds West (N 35° 48' 30" W) along the Township Road seventy-nine and sixty-nine hundredths (79.69') feet to an iron pin; thence still along the Township Road North eleven degrees nine minutes West (N 11° 9' W) a distance of sixty-six and sixty-nine hundredths (66.69') feet to an iron pin; thence still along the Township road North thirty-three degrees twenty-one minutes East (N 33° 21' E) a distance of forty-three and forty-two hundredths (43.42') feet to an iron pin and place of beginning. CONTAINING 0.30 acres, more or less.

BEING further identified as Clearfield County Tax Parcel No. 112-P13-73 as shown on the assessment map in the records of Clearfield County, PA.

IN THE COURT
OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL ACTION-LAW

Type of Case:
Action to
Quiet Title

SCOTT BROWN,
Plaintiff

vs.

PROSPER COUDRIET AND
THE ESTATE OF
PROSPER COUDRIET,

his heirs, successors
and assigns, and all
other persons
known or unknown,
claiming any title by,
under or through them,
his heirs, executors,
administrators, and assigns,
Defendants

TO: PROSPER COUDRIET AND
THE ESTATE OF PROSPER COU-
DRIET, his heirs, successors and
assigns, and all other persons
known or unknown, claiming any ti-
tle by, under or through them, their
heirs, executors, administrators,
and assigns,

You are hereby notified that an
Action to Quiet Title to premises sit-
uate in Decatur Township, Clear-
field County, Pennsylvania, has
been filed against you. Said lands
are bounded and described as fol-
lows:

ALL that certain tract of land sit-
uate, lying and being in Decatur
Township, Clearfield County,
Pennsylvania, bounded and de-
scribed as follows:

BEGINNING at an iron pin along
Township Road T-664 and being a
common corner with lands of now
or formerly Fred Krause; thence
South fifty-four degrees twenty-
two minutes fifteen seconds East
(S. 54° 22' 15" E.) a distance of
one hundred fifty-nine (159) feet to
an iron pin; thence along lands now
or formerly of Robert McGinty Es-
tate South fifty-two degrees ten
minutes thirty seconds West (S.
52° 10' 30" W.) a distance of one

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 29th day of September, 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 September 21, 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.


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


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

of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on July 5, 2005, for a business corporation organized under the Business Corporation Law of 1988. The name of the business is IRON GATE, INC.

Raymond J. Wendekier, Esquire, 306 Magee Avenue, Patton, Pennsylvania 16668.

**IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL ACTION - LAW**

SCOTT BROWN, Plaintiff VS.
PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming any
title by, under or through them, his heirs,
executors, administrators, and assigns,
Defendants

Action to Quiet Title

TO: PROSPER COUDRIET AND THE
ESTATE OF PROSPER COUDRIET, his
heirs, successors and assigns, and all other
persons known or unknown, claiming any
title by, under or through them, their heirs,
executors, administrators, and assigns,

You are hereby notified that an Action to
Quiet Title to premises situate in Decatur
Township, Clearfield County, Pennsylvania,
has been filed against you. Said lands are
bounded and described as follows:

ALL that certain tract of land situate,
lying and being in Decatur Township,
Clearfield County, Pennsylvania, bounded
and described as follows:

BEGINNING at an iron pin along
Township Road T-664 and being a common
corner with lands of now or formerly Fred

North thirty- three degrees twenty-one minutes East (N 33 degrees 21' E) a distance of forty-three and forty- two hundredths (43.42') feet to an iron pin and place of beginning. CONTAINING 0.30 acres, more or less.

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an 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 Plaintiff. 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 CAN GET LEGAL HELP.

Court Administrator, Clearfield County Courthouse, Clearfield PA 16830, 814-765-2647.

You are hereby further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, otherwise Judgment will be entered against you, barring you from all claims, rights and interests inconsistent with Plaintiff's claim of title, as set forth in the Complaint.

David R. Thompson, Esquire, P.O. Box 587, Philipsburg, PA 16866, ATTORNEYS FOR PLAINTIFF.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL ACTION - LAW

SCOTT BROWN, Plaintiff VS.
PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming any
title by, under or through them, his heirs,
executors, administrators, and assigns,
Defendants

Action to Quiet Title

TO: PROSPER COUDRIET AND THE
ESTATE OF PROSPER COUDRIET, his
heirs, successors and assigns, and all other
persons known or unknown, claiming any
title by, under or through them, their heirs,
executors, administrators, and assigns,

You are hereby notified that an Action to
Quiet Title to premises situate in Decatur
Township, Clearfield County, Pennsylvania,
has been filed against you. Said lands are
bounded and described as follows:

ALL that certain tract of land situate,
lying and being in Decatur Township,
Clearfield County, Pennsylvania, bounded
and described as follows:

BEGINNING at an iron pin along
Township Road T-664 and being a common
corner with lands of now or formerly Fred
Krause; thence South fifty-four degrees
twenty-two minutes fifteen seconds East (S
54° 22' 15" E) a distance of one hundred
fifty-nine (159) feet to an iron pin; thence
along lands now or formerly of Robert
McGinty Estate South fifty-two degrees ten
minutes thirty seconds West (S 52° 10' 30" W)
a distance of one hundred nineteen and
thirty-seven hundredths (119.37') feet to an
iron pin on the eastern right-of-way line of
Township Road T-664; thence North thirty-
five degrees forty-eight minutes thirty
seconds West (N 35 degrees 48' 30" W)
along the Township Road seventy-nine and
sixty-nine hundredths (79.69') feet to an iron
pin; thence still along the Township Road
North eleven degrees nine minutes West (N
11 degrees 9' W) a distance of sixty-six and
sixty-nine hundredths (66.69') feet to an iron
pin; thence still along the Township Road

appearance personally or by an 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 Plaintiff. 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 CAN GET LEGAL HELP.

Court Administrator, Clearfield County Courthouse, Clearfield PA 16830, 814-765-2647.

You are hereby further notified to appear and answer the Complaint in said Action within twenty (20) days of this Notice, otherwise Judgment will be entered against you, barring you from all claims, rights and interests inconsistent with Plaintiff's claim of title, as set forth in the Complaint.

David R. Thompson, Esquire, P.O. Box 587, Philipsburg, PA 16866, ATTORNEYS FOR PLAINTIFF.

**SHERIFF'S SALE
OF VALUABLE REAL ESTATE**

BY VIRTUE OF: Execution issued out of the Court of Common Pleas of Clearfield County, Pennsylvania and to me directed, there will be exposed to public sale in the Sheriff's Office in the Court House in the Borough of Clearfield on FRIDAY, OCTOBER 7, 2005 at 10:00 A.M.

THE FOLLOWING DESCRIBED PROPERTY TO WIT: (SEE ATTACHED DESCRIPTION) TERMS OF SALE

The Price of sum at which the property shall be struck off must be paid at the time of sale or such other arrangements made as will be approved, otherwise the property will

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

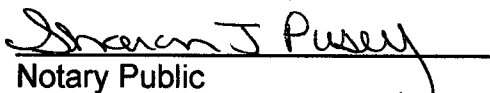
COUNTY OF CLEARFIELD :

On this 23rd day of September 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 23, 2005. Vol. 17, No. 38. 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

David R Thompson
PO Box 587
Philipsburg PA 16866

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiffs

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming
any title by, under or through them, his
heirs, executors, administrators, and
assigns,

Defendants

No. 05-1176-CD

AFFIDAVIT

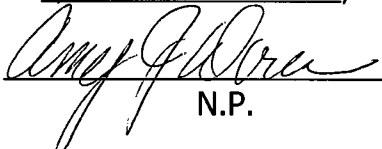
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

:SS:

Before me, the undersigned officer, in and for the above named State and County, personally appeared DAVID R. THOMPSON, ESQUIRE, who being duly sworn according to law deposes and says that a Notice of the Filing endorsed with a Notice to Plead, was duly served on the above named Defendant by publication in The Progress on September 21, 2005, and The Clearfield County Legal Journal on September 23, 2005, with proof of publication attached hereto.


David R. Thompson, Esquire

SWORN to and subscribed
before me this 16 day
of November, 2006.


N.P.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiffs

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming
any title by, under or through them, his
heirs, executors, administrators, and
assigns,

Defendants

No. 05-1176-CD

TYPE OF CASE:
Equity/Quiet Title Action

TYPE OF PLEADING:
Praecipe for Final Judgment

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED *ICC Atty*
6/3:35 am Thompson
JAN 11 2007 *CR*

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.
CIVIL ACTION - LAW

SCOTT BROWN, an individual,

Plaintiffs

vs.

PROSPER COUDRIET AND THE ESTATE
OF PROSPER COUDRIET, his heirs,
successors and assigns, and all other
persons known or unknown, claiming
any title by, under or through them, his
heirs, executors, administrators, and
assigns,

Defendants

No. 05-1176-CD

PRAECIPE FOR FINAL JUDGEMENT

TO THE PROTHONOTARY:

A Decree in the above action having been made on the 17th day of November, 2006, and thirty (30) days having elapsed since entry thereof, you are direct to enter Final Judgment in favor of the Plaintiff in the above-captioned action, pursuant to the Pennsylvania Rules of Civil Procedure.

Respectfully submitted,



David R. Thompson, Esquire
Attorney for Plaintiff