

05-1582-CD
Mary L. Rodkey vs Muddy Run

Mary Rodkey vs. Muddy Run Regional Auth.
2005-1582-CD

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL DIVISION

CIVIL ACTION

MARY LOUISE RODKEY
Tax parcel 4-27 #103-K14-485-1
Plaintiff/Condemnee

403 Summer Street,
Buffalo, New York 14213

Vs.

MUDGY RUN REGIONAL
AUTHORITY
Defendant/Condemnor

PO Box 474
Madera, PA 16661

NO. 05-1582-CD

Type of Case: Eminent Domain

Type of Pleading: Petition for
Appointment of Viewers

Filed on behalf of: Plaintiff

Barbara J. Hugney-Shope, Esq.

Filed By

23 North 2nd Street
Clearfield, PA 16830

Address

814.765.5155

Telephone

Barbara J. Hugney-Shope

Signature

FILED Atty pd. 85.00

OCT 11 2005 ACC Atty Shope
UN

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL DIVISION

MARY LOUISE RODKEY
Tax parcel 4-27 #103-K14-485-1
Plaintiff/Condemnee

Vs.

MUDGY RUN REGIONAL AUTHORITY
Defendant/Condemnor

Case No. 05-1084-CD
Petition for the
Appointment of Viewers

PETITION FOR THE APPOINTMENT OF VIEWERS

The petition of Mary Louise Rodkey (hereinafter "Plaintiff" or "Rodkey") pursuant to Section 502 of the Eminent Domain Code, 26 Pa.Stat.Ann. §1-502, respectfully represents:

1. Plaintiff/condemnee is the record and fee simple owner of property located in the Village of Madera and the Township of Bigler, Pennsylvania, known as tax parcel No. 103-K14-485-1.
2. On July 28, 2005, the Muddy Run Regional Authority ("condemnor") filed of record a declaration of taking at the above-named court term and number thereby condemning the property as of that date.
3. Specifically, the taking includes a right-of-way and temporary and permanent easements across Plaintiff's property. Said taking, as

proposed by Condemnor, will result in permanent, consequential property damage.

4. No preliminary objections have been filed or remain undisposed.
5. Plaintiff requests the appointment of viewers to ascertain just compensation and determine damages for the taking listed above.

Respectfully submitted this 16th day of October, 2005.

Barbara Hugney-Shope, Esq.

Barbara J. Hugney-Shope

23 North 2nd Street
Clearfield, PA 16830
Tel: 814.765.5155
Fax: 814.765.2957

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL DIVISION

MARY LOUISE RODKEY
Tax parcel 4-27 #103-K14-485-1
Plaintiff/Condemnee

Vs.

MUDGY RUN REGIONAL AUTHORITY
Defendant/Condemnor

05-1582-CD
Case No. ~~05-1084-CD~~
Petition for the
Appointment of Viewers

ORDER

AND NOW, this _____ day of _____, 2005, upon consideration of the foregoing motion, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the moving party is not entitled to the relief requested;
- (2) the respondent shall file an answer to the motion within _____ days of this date;
- (3) the motion shall be decided under Pa.R.C.P. 206.7;
- (4) depositions and all other discovery shall be completed within _____ days of this date;
- (5) an evidentiary hearing on disputed issues of material fact shall be held on _____, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____.

(6) argument shall be held on _____, in Courtroom No. _____
of the Clearfield County Courthouse; and

(7) notice of the entry of this order shall be provided to all parties by the
moving party.

BY THE COURT,

CA

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

MARY LOUISE RODKEY :
Plaintiff :
vs. : No. 05-1582-CD
MUDDY RUN REGIONAL :
AUTHORITY :
Defendants :
:

ORDER

AND NOW, this 19th day of October, 2005, upon consideration of Plaintiff's Petition for Appointment of Viewers filed by Attorney Hugney-Shope, in the above matter, it is the Order of the Court that argument and hearing has been scheduled for the 14th day of December, 2005, at 9:30 A.M, in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

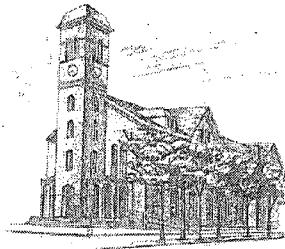
BY THE COURT:



FREDRIC J. AMMERMAN
President Judge

FILED 3CC
03-3862 Atty Shope
OCT 20 2005 ICC Def.

William A. Shaw ICC Atty Courtney
Prothonotary/Clerk of Courts (courtesy copy)



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

Date: September 19, 2005

Over the past several weeks, it has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

 You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

X Plaintiff(s)/Attorney(s)

X Defendant(s)/Attorney(s)

 Other

 Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL DIVISION

MARY LOUISE RODKEY
Plaintiff

Vs.

MUDDY RUN REGIONAL AUTHORITY
Defendants

Case No. 05-1582-CD

Order - Petition for
Appointment of Viewers

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been mailed by Federal Express Airbill # 8537 4479 3320 this 3rd day of December, 2005 to:

John R. Carfley, Esq.
POB 249
222 Presqueisle St.
Philipsburg, PA 16866

Mary Thomas Scott

Mary Thomas Scott, Esq.

FILED NO
m/9/2005 cc
DEC 06 2005
UN

William A. Shaw
Prothonotary/Clerk of Courts

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

MARY LOUISE RODKEY :
-VS- : No. 05-1582-CD
MUDDY RUN REGIONAL :
AUTHORITY :
CA

O R D E R

NOW, this 14th day of December, 2005, this being the date set for argument on the Plaintiff's Petition for Appointment of Board of View; there being no opposition to the same, it is the ORDER of this Court that the following individuals hereby be appointed as a Board of View:

1. Peter Smith, Esquire - Chairman
2. Evo Facchine
3. Sam Yost

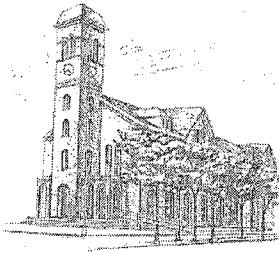
It is the further directive of this Court that the Board of View take no action for a period of thirty (30) days from the date of this Order. Prior to commencing any activities, the Chairman of the Board of View shall contact counsel for the Plaintiff and Defendants in order to determine if the dispute still exists.

BY THE COURT,



President Judge

FILED 4CC *Engr*
Atty Shaw
13:24:01
DEC 15 2005



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

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Sincerely,

William A. Shaw
Prothonotary

DATE: 10/15/05

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

Be sure to serve the viewers