

05-1735-CD  
Condemnation of Township of

In Re: Comm of PA State Route 2014  
05-1735-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FILED *APR 15, 2006*  
01110730 85.00  
NOV 07 2005 *2CC PHF*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN RE: CONDEMNATION BY  
THE COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION,  
OF RIGHT-OF-WAY FOR  
STATE ROUTE 2014, SECTION A01,  
IN THE TOWNSHIP OF DECATUR

NO. *05-1735-CD*

EMINENT DOMAIN PROCEEDING  
IN REM.

DECLARATION OF TAKING

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

This Declaration of Taking, based on the provisions of Article IV, Section 402, of the Eminent Domain Code, Act of June 22, 1964, P. L. 84, 26 P. S. 1-402, as amended, respectfully represents that:

1. The Condemnor is the Commonwealth of Pennsylvania, Department of Transportation, acting through the Secretary of Transportation.

2. The address of the Condemnor is:

Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P. O. Box 8212  
Harrisburg PA 17105-8212

3. (a) The Department of Transportation is authorized by the provisions of Section 2003 (e) of the Administrative Code of 1929, P. L. 177, 71 P. S. §513 (e), as amended, to acquire by gift, purchase, condemnation, or otherwise, land in fee simple or such other estate or interest as it shall determine, in the name of the Commonwealth for all transportation purposes.

(b) The Department is further authorized by the provisions of Section 2003 (e), in particular, sub-section (2) (ii), 71 P. S. §513 (e) (2) (ii), to acquire land abutting a highway if the Secretary determines such land is required for the purpose of mitigating adverse effects on other lands.

4. The within condemnation has been authorized by a plan signed by the Secretary of Transportation on April 25, 2005, titled "Drawings Authorizing Acquisition for Right-of-Way of State Route 2014 Section A01 R/W in Clearfield County," a copy of which plan was filed in the County Recorder's Office as Instrument Number 200514885 on September 13, 2005.

5. The purpose of the within condemnation is to acquire property for transportation purposes and to acquire property to replace wetlands in order to mitigate adverse effects on other land adversely affected by its proximity to the project.

6. A Schedule of Property Condemned identifying and specifying the location of the property hereby condemned is attached hereto and made a part hereof.

7. Plans showing the property hereby condemned may be inspected in the Recorder's Office of the aforesaid County at the place indicated on the attached Schedule of Property Condemned or, if not known thereon, on the day of the filing of this document being lodged for record or filed in said Recorder's Office, where they may be inspected.


8. The nature of the title hereby condemned is fee simple and a temporary construction easement.

9. In the event there are recoverable minerals (including gas and oil) within the areas, if any, here condemned in fee simple, the mineral rights (including rights to gas and oil) in those areas are hereby excepted and reserved from this condemnation, provided, however, that the right of-support of the areas condemned is included within the scope of this condemnation, and no access from the surface of such areas for removal purposes will be allowed without permission from the Commonwealth.

10. The payment of just compensation in this matter is secured by the Commonwealth's power of taxation.

11. I, Gary C. Fawver, P. E., Chief of the Utilities and Right-of-Way Section of the Department of Transportation, do hereby depose, swear, and affirm that I am authorized by and do hereby execute this Declaration of Taking on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the averments contained and set forth herein are true and correct to the best of my knowledge, information, and belief, and are made subject to the penalties provided in 18 Pa. C. S. §4904, relating to false swearing to authorities.

WHEREFORE, fee simple title and a temporary construction easement are hereby condemned from the properties identified on the attached Schedule of Property Condemned, as indicated on the plans referenced in paragraph 7 above.

  
\_\_\_\_\_  
Gary C. Fawver, P. E.  
Chief, Utilities and Right-of-Way Section

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.

IN RE: CONDEMNATION BY  
THE COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT-OF-WAY FOR  
STATE ROUTE 2014, SECTION A01,  
IN THE TOWNSHIP OF DECATUR

---

DECLARATION OF TAKING

---

Christopher J. Clements  
Assistant Counsel in Charge, R/W  
Supreme Court ID Number 44699

Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P. O. Box 8212  
Harrisburg PA 17105-8212

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY  
THE COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION,  
OF RIGHT-OF-WAY FOR  
STATE ROUTE 2014, SECTION A01,  
IN THE TOWNSHIP OF DECATUR

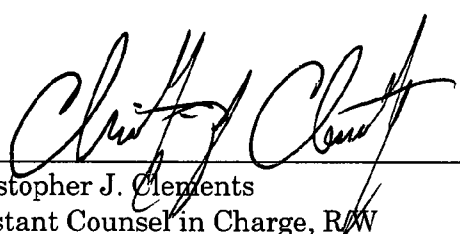
NO.

EMINENT DOMAIN PROCEEDING  
IN REM

PRAECIPE TO ENTER APPEARANCE

TO THE PROTHONOTARY OF SAID COURT:

Please enter the appearance of Michael J. Creighton, Assistant Counsel in Charge,  
1209 Pennsylvania State Office Building, 300 Liberty Avenue, Pittsburgh PA 15222, and  
Christopher J. Clements, Assistant Counsel in Charge, R/W, Office of Chief Counsel,  
Department of Transportation, P. O. Box 8212, Harrisburg, PA 17105-8212, as attorneys  
for the Commonwealth of Pennsylvania, Department of Transportation, Condemnor in  
the above-captioned proceedings.

  
\_\_\_\_\_  
Christopher J. Clements  
Assistant Counsel in Charge, R/W

Michael J. Creighton  
Assistant Counsel in Charge

Dated: 10-27-05

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.

IN RE: CONDEMNATION BY  
THE COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT-OF-WAY FOR  
STATE ROUTE 2014, SECTION A01,  
IN THE TOWNSHIP OF DECATUR

PRAECIPE TO ENTER APPEARANCE

Filed, \_\_\_\_\_, 20  
\_\_\_\_\_ A.M. \_\_\_\_\_ P.M.

Commonwealth of Pennsylvania  
Department of Transportation

Office of Chief Counsel  
P. O. Box 8212

Harrisburg PA 17105-8212  
Telephone Number (717) 787-3128

RW-437 (12/04)

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**  
**SCHEDULE OF PROPERTY CONDEMNED**  
 (Declaration of Taking)



REMIS PROJ. NO.	020122
COUNTY	Clearfield
S.R. - SECTION	S.R. 2014 - Sec. A01
MUNICIPALITY	Decatur Township

<b>*TYPE OF TAKE</b>	
PT-	Partial Take
TT-	Total Take

<b>**TYPE OF DESCRIPTION</b>	
D-	Deed Description
P-	Plan lodged for recording with Notice of Condemnation
R-	Plan now recorded in Recorder's Office

Parcel No.	Claim Number	*Type of Take	Name, Property Interest of Condemnees, Mailing Address, and Location of Condemned Property	Attached Exhibit Number (if any)	**Type of Description	Plan (if any) Recorded in
5	1700235000	PT	<p>ESTATE OF GEORGE W. MATTERN</p> <p>Sara Jane Mattern As her interest may appear</p> <p>Calvin R. Thomas, Attorney-in-fact Vice President and Trust Officer County National Bank P. O. Box 42 7 South Second Street Clearfield PA 16830</p> <p>John U. Mattern As his interest may appear</p> <p>David A. Harvey, Attorney-in-fact P. O. Box 1771 Fort Lauderdale FL 33302</p> <p>Estate of George S. Mattern As their interests may appear (Heirs are unlocatable)</p> <p>Location of Property: Deed Book 43, page 92</p>		R	Clearfield County Instrument # 200514885 Sheets 4, 6, 11



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY  
THE COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION,  
OF RIGHT-OF-WAY FOR  
STATE ROUTE 2014, SECTION A01,  
IN THE TOWNSHIP OF DECATUR

NO. 1735 CD TERM, 2005

EMINENT DOMAIN PROCEEDING  
IN REM

MEMORANDUM TO PROTHONOTARY

You are hereby informed that notice of the condemnation effected by the Declaration of Taking filed to the above term and number on November 7, 2005 was recorded in the office of the Recorder of Deeds of the above county in Instrument # 200519348 page(s)

The condemnation book and page number, file number, or microfilm number of any property plat filed or microfilmed separately from the said Notice of Condemnation is shown on the list of property condemned which is attached hereto.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY Michael Dux  
District Right-of-Way Administrator  
Engineering District 2-0

FILED

9/3:21m  
DEC 01 2005  
rec Commonwealth of PA

William A. Shaw  
Prothonotary

RW-437 (12/04)

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF TRANSPORTATION**  
**SCHEDULE OF PROPERTY CONDEMNED**  
 (Declaration of Taking)



REMIS PROJ. NO.	020122
COUNTY	Clearfield
S.R. - SECTION	S.R. 2014 - Sec. A01
MUNICIPALITY	Decatur Township

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FILED

DEC 01 2005

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA


IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION, OF THE  
RIGHT-OF-WAY FOR STATE  
ROUTE 2014, SECTION A01  
IN THE TOWNSHIP OF DECATUR

: NO. 1735 CD TERM, 2005  
:  
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:  
: EMINENT DOMAIN PROCEEDING  
: IN REM

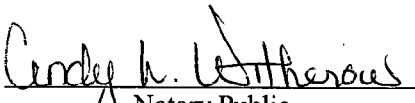
PROOF OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
COUNTY OF CLEARFIELD :

Michael Hnat, being duly sworn according to law, deposes and says that he is District Right-of-Way Administrator of Engineering District 2-0, Department of Transportation, Commonwealth of Pennsylvania, and that on or before November 21, 2005, notice of the filing of the declaration of taking in the above matter was served on the condemnees affected thereby in compliance with Article IV, Section 405, of the Eminent Domain Code, Act June 22, 1964, P.L. 84, as amended. A schedule of the condemnees so notified is attached hereto and made part hereof.

  
Michael Hnat  
District Right-of-Way Administrator

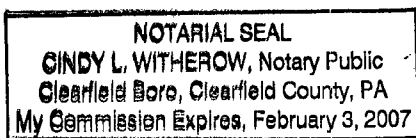
Sworn to and subscribed before me

  
Cindy L. Witherow  
Notary Public

My Commission Expires: Feb 3, 2007

FILED<sub>ICC P14</sub>  
0/10:09am  
JAN 09 2006 

William A. Shaw  
Prothonotary



IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
NO. 1735  
TERM, 2005  
EMINENT DOMAIN  
PROCEEDING IN REM

IN RE:  
CONDEMNATION BY THE  
COMMONWEALTH OF  
PENNSYLVANIA,  
DEPARTMENT OF THE  
TRANSPORTATION, OF THE  
RIGHT-OF-WAY  
FOR STATE  
ROUTE 2014,  
SECTION A01  
IN THE TOWNSHIP  
OF DECATUR  
NOTICE OF CONDEMNATION  
AND DEPOSIT OF  
ESTIMATED JUST  
COMPENSATION

Notice is hereby given that the Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Commonwealth Keystone Building, Harrisburg, Pennsylvania 17120, pursuant to the provisions of Section 2003(e) of the Administrative Code of 1929, P.L. 177, 71 P.S. 513(e), as amended, has filed on November 7, 2005 a Declaration of Taking to the above term and number, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Governor has approved the within condemnation by signing on April 25, 2005 a plan entitled "Drawings Authorizing Acquisition of Right-of-Way for State Route 2014 Section A01 in Clearfield County, a copy of which plan was recorded in the Recorder's Office of the aforesaid county on September 13, 2005, in Instrument No. 200514885.

The purpose of the condemnation is to acquire property for transportation purposes.

Plans showing the property condemned from the parcels listed on the Schedule of Property Condemned have been recorded in the aforesaid Recorder's Office at the places indicated on the Schedule, where they are available for inspection. The Property Interest thereby condemned is designated on the Declaration of Taking heretofore filed. The Commonwealth of Pennsylvania is not required to post security, inasmuch as it has the power of taxation.

Because the identity or the whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby published in accordance with Section 405(b) of the Eminent Domain Code of 1964 (26 P.S. 1-405(b)).  
Claim No.; Parcel No.; Name; Address

1700235000; 5; George S. Mattem Estate; Heir to the G. W. Mattem Estate; Unknown.

The power or right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE NOTICE IS GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code of 1964 (26 P.S. 1-522), will, no less than twenty (20) days subsequent to the expiration of the statutory period for the filing of preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved.

The petition to deposit estimated just compensation may not be presented to the court if the owner(s) of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court.

Michael Hnat  
District Right-of-Way  
Administrator  
Engineering District 2-0  
Pennsylvania Department  
of Transportation

11:17-1d-b

Modernizing your  
home? Sell no-longer-  
needed but useful items  
with a Classified Ad.

Instrument No. 200519348

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF THE RIGHT-OF-WAY FOR STATE  
ROUTE 2014, SECTION A01 IN THE  
TOWNSHIP OF DECATUR

NO. 1735 TERM, 2005

EMINENT DOMAIN PROCEEDING

IN REM

NOTICE OF CONDEMNATION AND  
DEPOSIT OF ESTIMATED JUST  
COMPENSATION.

Notice is hereby given that the Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Commonwealth Keystone Building, Harrisburg, Pennsylvania 17120, pursuant to the provisions of Section 2003(e) of the Administrative Code of 1929, P.L. 177, 71 P.S. 513(e), as amended, has filed on November 7, 2005 a Declaration of Taking to the above term and number, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Governor has approved the within condemnation by signing on April 25, 2005 a plan entitled "Drawings Authorizing Acquisition of Right-of-Way for State Route 2014 Section A01 in Clearfield County, a copy of which plan was recorded in the Recorder's Office of the aforesaid county on September 13, 2005, in Instrument No. 200514885.

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Because the identity or the whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby

published in accordance with Section 405(b) of the Eminent Domain Code, of 1964 (26 P.S. 1-405(b)).

Claim No. 1700235000

Parcel No. 5

Name: George S. Mattern Estate Heir to the G.W. Mattern Estate

Address: Unknown

The power or right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE NOTICE IS GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code of 1964 (26 P.S. 1-522), will, no less than twenty (20) day subsequent to the expiration of the statutory period for the filing of preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved.

The petition to deposit estimated just compensation may not be presented to the court if the owner(s) of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court.

Michael Hnat District Right-of-Way Administrator Engineering District 2-0, Pennsylvania Department of Transportation.

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, DECEMBER 2, 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

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

John U. Mattern  
c/o David Harvey  
P.O. Box 1771  
Fort Lauderdale FL 33302

## 2. Article Number

(Transfer from)

7004 0550 0000 7173 9149

PS Form 3811, February 2004

Domestic Return Receipt

S.R. 2014-AC1

102595-02-M-1541

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *Brian Everett*☒ Agent☐ Addressee

## B. Received by (Printed Name)

BRIAN EVERETT

## C. Date of Delivery

FEB 21 2005

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Sara Jane Mattern  
c/o Calvin Thomas Jr.  
County National Bank  
P.O. Box 42  
7 South Second Street  
Clearfield PA 16830

## 2. Article Number

(Transfer from)

7004 0550 0000 7173 9156

PS Form 3811, February 2004

Domestic Return Receipt

S.R. 2014

102595-02-M-1541

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *Stanley Wilson*☐ Agent☐ Addressee

## B. Received by (Printed Name)

Stanley Wilson

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Sara Jane Mattern  
c/o Laurance B. Seaman  
2 N. Front Street  
P.O. Box 846  
Clearfield PA 16830

## 2. Article Number

(Transfer from Service label)

7004 0550 0000 7173 9132

PS Form 3811, February 2004

Domestic Return Receipt

S.R. 2014-AC1

102595-02-M-1541

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *Rose M. Raymond*☐ Agent☐ Addressee

## B. Received by (Printed Name)

Rose M. Raymond

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

**SCHEDULE OF CONDEMNNEES  
DECLARATION OF TAKING  
NO. 1735C - TERM 2005**

**G.W. Mattern Heirs**

- 1. Sara Jane Mattern  
11/15ths of \$1,800.00 receiving \$1,320.00**

**c/o Calvin R. Thomas, attorney in fact  
Vice President and Trust Officer  
County National Bank  
P.O. Box 42  
7 South Second Street  
Clearfield PA 16830**

- 2. John U Mattern  
2/15ths of \$1,800 receiving \$240.00**

**c/o David A Harvey as Attorney-in-Fact  
P.O. Box 1771  
Ft. Lauderdale FL 33302**

- 3. Estate of George S. Mattern  
2/15ths of \$1,800.00 receiving \$240.00  
His estate and heirs are unlocatable**



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

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT OF WAY FOR STATE ROUTE  
2014, SECTION A01, IN THE TOWNSHIP  
OF DECATUR

EMINENT DOMAIN PROCEEDING  
IN REM

NO: 05-1735-CD

CLAIM NO. 1700239000 ✓  
SARA JANE MATTERN, JOHN U. MATTERN,  
AND THE ESTATE OF GEORGE S. MATTERN

**FILED** *dec*  
*m 11:48 AM*  
**MAR 14 2006** *Arg*  
William A. Shaw *(GK)*  
Prothonotary/Clerk of Courts

**PRAECIPE FOR ENTRY OF COURT ORDER TO PERMIT THE DEPARTMENT  
OF TRANSPORTATION TO DEPOSIT ESTIMATED JUST COMPENSATION**

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation (DOT), by and through its attorneys Andrew M. Rapach, Assistant Counsel, and the Office of Chief Counsel, and hereby requests the Honorable Court execute the attached Order to Permit the Department of Transportation to deposit estimated just compensation upon the following averments:

1. On November 7, 2005, a Declaration of Taking was filed in the above-captioned case by the Secretary of Transportation.
2. On December 21, 2005, PennDOT notified the Claimants, by its Petition to Deposit Estimated Just Compensation, pursuant to Section 1-522 of the Eminent Domain Code of 1964, 26 P.S. § 1-522, that it intended to deposit estimated just compensation into Court because the Claimants have not accepted payment. (*See*, Petition to Deposit Estimated Just Compensation).
3. Claimant, Sara Jane Mattern, received the notice of the Petition to Deposit Estimated Just Compensation and the proposed Order by certified mail on January 30, 2006.

(See, Sworn Statement as to Notice of Presentation of Petition to Deposit Estimated Just Compensation).

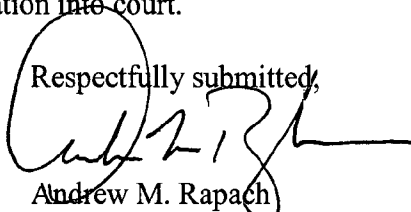
4. Claimant, John U. Mattern, received the notice of the Petition to Deposit Estimated Just Compensation and the proposed Order by certified mail on February 6, 2006. (See, Sworn Statement as to Notice of Presentation of Petition to Deposit Estimated Just Compensation).

5. Claimant, Estate of George S. Mattern, received the notice of the Petition to Deposit Estimated Just Compensation and the proposed Order by posting the subject property on November 16, 2005, publication in the Progress on November 17, 2006, and publication in the Clearfield County Legal Journal on November 25, 2006. (See, Sworn Statement as to Notice of Presentation of Petition to Deposit Estimated Just Compensation).

6. More than 20 days have lapsed since the Claimants received notice of the Petition to Deposit Estimated Just Compensation and before presentation to the Court as required by Section 1-522.

THEREFORE, the Commonwealth of Pennsylvania, Department of Transportation requests the Court the sign attached Order to permit the Department of Transportation to deposit estimated just compensation into court.

Respectfully submitted,

  
Andrew M. Rapach  
Assistant Counsel  
Pa. ID #62016

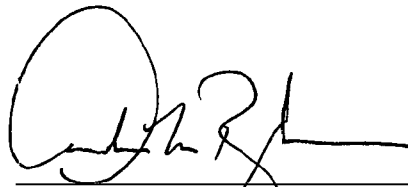
Office of Chief Counsel  
Firm #052  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

Telephone: 412.565.7555

**VERIFICATION**

I, Andrew M. Rapach, Assistant Counsel, do hereby verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information, and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Andrew M. Rapach', is written over a horizontal line.

Andrew M. Rapach  
Assistant Counsel  
Pa. ID #62016

Office of Chief Counsel  
Firm #052  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

412.565.7555

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP OF  
DECATUR

CLAIM NO. 1700235000

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

: EMINENT DOMAIN PROCEEDING  
: IN REM

: NO. 05-1735-CD

FILED 2 cc  
mjl:4861 AHJ  
MAR 14 2006  
CA

William A. Shaw  
Prothonotary/Clerk of Courts

**PETITION TO DEPOSIT ESTIMATED JUST COMPENSATION**

TO THE HONORABLE JUDGE OF SAID COURT:

1. The Department of Transportation is an administrative agency of the

Commonwealth of Pennsylvania, with offices at P.O. Box 8212, Harrisburg,

Pennsylvania, 17105-8212.

2. On November 7, 2005, a Declaration of Taking was filed in the above-captioned case by the Secretary of Transportation.

3. Although the condemnees listed on the attached Proposed Schedule of Distribution were offered the full amount of the Commonwealth's estimated just compensation as payment *pro tanto* of their right of way damage claim, without prejudice to their right to proceed to a final determination of just compensation, the Commonwealth has been unable to make payment because the claimants have not accepted Estimated Just Compensation.

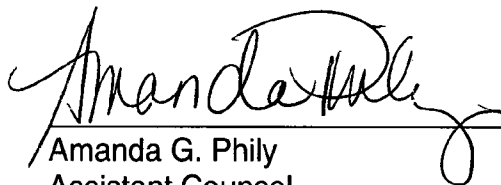
4. A draft made payable to the Prothonotary of this Court representing the total amount of estimated just compensation due the condemnees and the Commonwealth's pro-rata share of taxes on the subject property is attached.

5. I, Amanda G. Phily, Assistant Counsel, affirm that I am authorized to execute this Petition to Deposit Estimated Just Compensation on behalf of the Commonwealth of Pennsylvania, Department of Transportation, and that the averments

contained and set forth in this Petition are true and correct to the best of my knowledge, information and belief, and are subject to the penalties provided in 18 Pa.C.S.A. 4904, relating to unsworn falsification to authorities.

**WHEREFORE**, to assure Petitioner's possession of the condemned property, if required, to which it is entitled under Section 1-407 of the Eminent Domain Code of 1964, as amended, 26 P.S. Section 1-407, Petitioner respectfully requests that the Honorable Court direct payment of the estimated just compensation and the Commonwealth's pro-rata share of the taxes on the subject property into Court, to be held until further Order of Court directing payment of said amount, or any part thereof, to the condemnees and/or interested parties entitled thereto pursuant to Section 1-407, 1-521 and/or 1-522 of the Eminent Domain Code, as applicable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Amanda G. Phily", written over a horizontal line.

Amanda G. Phily  
Assistant Counsel  
Supreme Court I.D. No. 80772  
Commonwealth of Pennsylvania  
Department of Transportation  
P.O. Box 8212  
Harrisburg, PA 17105-8212



IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP OF  
DECATUR

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PA  
:  
: EMINENT DOMAIN PROCEEDING  
: IN REM  
:  
:  
:

CLAIM NO. 1700235000

: NO. 05-1735-CD

*G. W. MATTERN HEIRS*

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of MARCH 2006, upon

presentation of the Petition to Deposit Estimated Just Compensation, it is **ORDERED**

and **DIRECTED** that the sum of \$1,825.50, representing the amount of just

compensation estimated by the Commonwealth of Pennsylvania, Department of

Transportation and the Commonwealth's pro-rata share of real estate taxes due the

condemnees and/or interested parties on the subject property shown on the attached

Proposed Schedule of Distribution, be paid into Court in an interest bearing account. It

is further **ORDERED** that the sum shall be held until further Order of Court directing full

or partial payment to the condemnees and/or interested parties entitled to is pursuant to

Sections 1-407, 1-521 and/or 1-522 of the Eminent Domain Code of 1964, as amended,

26 P.S. Sections 1-407, 1-521 and/or 1-522, as applicable.

BY THE COURT:

*Paul Ammann*  
J.

ORDER

**FILED**  
019:45371  
MAR 17 2006

*Ang Rapach*  
@

William A. Shaw  
Prothonotary/Clerk of Courts

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP OF  
DECATUR

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PA  
:  
: EMINENT DOMAIN PROCEEDING  
: IN REM  
:  
:  
: NO. 05-1735-CD

CLAIM NO. 1700235000

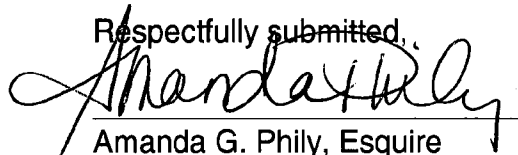
*MATERN HEIRS*

**SWORN STATEMENT AS TO NOTICE OF PRESENTATION OF PETITION TO  
DEPOSIT ESTIMATED JUST COMPENSATION**

I, Amanda G. Phily, Assistant Counsel in the Right of Way Section, affirm that I am authorized to execute this sworn statement on behalf of the Commonwealth of Pennsylvania, Department of Transportation, that this statement is true and correct to the best of my knowledge, information and belief and that it is made subject to the penalties set forth in 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

As one of the condemnees are not locatable, notice regarding estimated just compensation was posted on the subject property November 16, 2005 and published in the Progress on November 17, 2005 and in the Clearfield County Legal Journal on November 17, 2005. In compliance with Section 1-522 of the Eminent Domain Code of 1964, as amended, interested parties were notified of the Department's intent to present a Petition to Deposit Estimated Just Compensation in the above-captioned case to the Clearfield County Court of Common Pleas twenty days subsequent to the expiration of the statutory period for the filing of Preliminary Objections to the Declaration of Taking. In addition to the notice, the parties received copies of the Petition, the proposed Order and the Proposed Schedule of Distribution.

Respectfully submitted,



Amanda G. Phily, Esquire  
Supreme Court I.D. 80772  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212



CERTIFIED MAIL  
COUNTY: Clearfield  
S.R. 2014, SECTION A01  
CLAIM NO. 1700235000  
COURT DOCKET NO. 05-1735-CD

**SCHEDULE OF INTERESTED PARTIES NOTIFIED OF THE PRESENTATION TO  
DEPOSIT ESTIMATED JUST COMPENSATION**

**NAMES AND ADDRESSES**

**DATE RECEIVED CERTIFIED MAIL**

Calvin R. Thomas, attorney in fact  
Vice President and Trust Officer  
County National Bank  
P.O. Box 42  
7 South Second Street  
Clearfield, PA 16830

Certified Mail Number 7003 1680 0005 1268 3602  
Received on January 30, 2006

David A. Harvey, as Attorney-in-Fact  
P.O. Box 1771  
Ft. Lauderdale, FL 33302

Certified Mail Number 7003 1680 0005 1268 3595  
Received on February 6, 2006

Estate of George S. Mattern

Address unknown and undeterminable after a diligent search. Notice of Declaration of Taking posted on subject property on November 16, 2005 and published in the Progress on November 17, 2005 and the Clearfield County Legal Journal on November 25, 2005.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF CHIEF COUNSEL  
REAL PROPERTY DIVISION  
POST OFFICE BOX 8212  
HARRISBURG, PA 17105-8212  
TELEPHONE: (717) 787-3128  
FACSIMILE: (717) 772-2741



January 26, 2006

Calvin R. Thomas, attorney in fact  
Vice President and Trust Officer  
P.O. Box 42  
7 South Second Street  
Clearfield, PA 16830

Re: Sara Jane Mattern  
Clearfield County  
State Route 2014, Section A01  
Claim No.: 1700235000  
Court Docket No.: 05-1735-CD

Dear Mr. Thomas:

You are notified that after twenty days pass from the date you receive this letter, the enclosed Petition will be presented to the Clearfield County Court of Common Pleas.

The Petition will not be presented to the Court if you agree to accept the estimated just compensation on behalf of your client and:

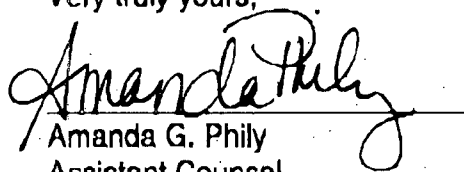
1. Can arrange for the payment or release of all liens and encumbrances against the fund;
2. Can prove ownership of the property if any question as to the title of the property exists;
3. Surrender or are willing to surrender possession of the condemned property; and
4. You inform the District Right of Way Administrator of District 2-0 that you wish to accept the estimated just compensation before twenty days have passed from the date this letter is received.

The name and address of the District Right of Way Administrator for District 2-0 is:

Michael Hnat, District Right of Way Administrator  
District Office #2-0  
1924-30 Daisy Street  
P.O. Box 342  
Clearfield, PA 16830  
(814) 765-0444

Refer to the claim number, 1700235000, if you contact Mr. Hnat.

Very truly yours,

  
Amanda G. Phily  
Assistant Counsel

cc: District Right of Way Administrator #2-0  
David A. Harvey as Attorney-in-Fact  
file



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF CHIEF COUNSEL  
REAL PROPERTY DIVISION  
POST OFFICE BOX 8212  
HARRISBURG, PA 17105-8212  
TELEPHONE: (717) 787-3128  
FACSIMILE: (717) 772-2741



January 26, 2006

David A. Harvey as Attorney-in-Fact  
P.O. Box 1771  
Ft. Lauderdale, FL 33302

Re: John U. Mattern  
Clearfield County  
State Route 2014, Section A01  
Claim No.: 1700235000  
Court Docket No.: 05-1735-CD

Dear Mr. Harvey:

You are notified that after twenty days pass from the date you receive this letter, the enclosed Petition will be presented to the Clearfield County Court of Common Pleas.

The Petition will not be presented to the Court if you agree to accept the estimated just compensation on behalf of your client and:

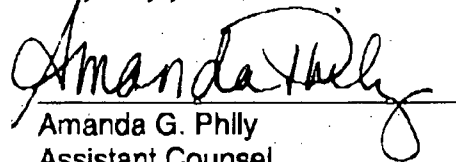
1. Can arrange for the payment or release of all liens and encumbrances against the fund;
2. Can prove ownership of the property if any question as to the title of the property exists;
3. Surrender or are willing to surrender possession of the condemned property; and
4. You inform the District Right of Way Administrator of District 2-0 that you wish to accept the estimated just compensation before twenty days have passed from the date this letter is received.

The name and address of the District Right of Way Administrator for District 2-0 is:

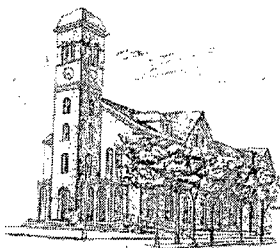
Michael Hnat, District Right of Way Administrator  
District Office #2-0  
1924-30 Daisy Street  
P.O. Box 342  
Clearfield, PA 16830  
(814) 765-0444

Refer to the claim number, 1700235000, if you contact Mr. Hnat.

Very truly yours,

  
Amanda G. Phily  
Assistant Counsel

cc: District Right of Way Administrator #2-0  
Calvin R. Thomas, attorney in fact  
file



## 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

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

DATE: 3/17/06

X 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:

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

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION,  
OF RIGHT OF WAY FOR STATE ROUTE  
2014, SECTION A01, IN THE TOWNSHIP  
OF DECATUR

EMINENT DOMAIN PROCEEDING  
IN REM

NO: 05-1735-CD

CLAIM NO. 1700239000  
SARA JANE MATTERN, JOHN U. MATTERN,  
AND THE ESTATE OF GEORGE S. MATTERN

**FILED** *(Signature)*

**MAR 27 2006** *(Signature)*

01:10/11  
William A. Shaw  
Prothonotary/Clerk of Courts

**PRAECIPE TO DEPOSIT ESTIMATED JUST COMPENSATION**

*2 Clerk to Atty  
Fund Dep. in  
Essex Recd.*

AND NOW, comes the Commonwealth of Pennsylvania, Department of Transportation (PennDOT), by and through its attorneys Andrew M. Rapach, Assistant Counsel, and the Office of Chief Counsel, and hereby requests the Prothonotary accept for deposit into Court estimated just compensation upon the following averments:

1. On November 7, 2005, a Declaration of Taking was filed in the above-captioned case by the Secretary of Transportation.

2. Thereafter, PennDOT notified the Claimants by its Petition to Deposit Estimated Just Compensation, pursuant to Section 1-522 of the Eminent Domain Code of 1964, 26 P.S. § 1-522, that it intended to deposit estimated just compensation into Court because the Claimants had refused to accept payment.

3. On March 16, 2006, the Court of Common Pleas of Clearfield County entered an Order to allow PennDOT to pay estimated just compensation into Court.

4. Attached to the within Praecipe is

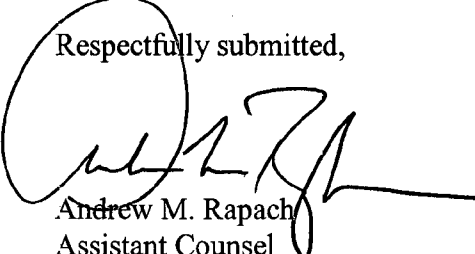
a. check number 00471337, in the amount of \$1,338.70, on behalf of Claimant in the above-captioned case, SARA JANE MATTERN.

b. check number 00283168, in the amount of \$243.40, on behalf of Claimant in the above-captioned case, JOHN U. MATTERN.

c. check number 00283169, in the amount of \$243.40, on behalf of Claimant in the above-captioned case, ESTATE OF GEORGE S. MATTERN.

WHEREFORE, the Commonwealth of Pennsylvania, Department of Transportation deposits estimated just compensation into court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew M. Rapach", is written over the typed name and title.

Andrew M. Rapach  
Assistant Counsel  
Pa. ID #62016

Office of Chief Counsel  
Firm #052  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

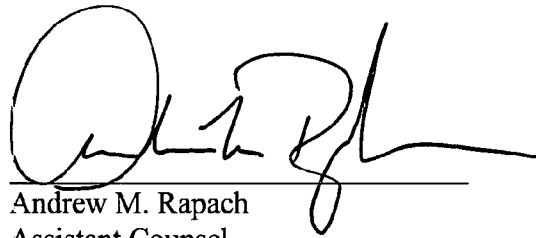
412.565.7555



**VERIFICATION**

I, Andrew M. Rapach, Assistant Counsel, do hereby verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information, and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Andrew M. Rapach', is written over a horizontal line.

Andrew M. Rapach  
Assistant Counsel  
Pa. ID #62016

Office of Chief Counsel  
Firm #052  
1209 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

412.565.7555

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP OF  
DECATUR

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PA  
:  
: EMINENT DOMAIN PROCEEDING  
: IN REM  
:  
:

CLAIM NO. 1700235000

: NO. 05-1735-CD

*G. W. MATTERN HEINS*

**ORDER**

AND NOW, this 16<sup>th</sup> day of March 2006, upon

presentation of the Petition to Deposit Estimated Just Compensation, it is **ORDERED**  
and **DIRECTED** that the sum of \$1,825.50, representing the amount of just  
compensation estimated by the Commonwealth of Pennsylvania, Department of  
Transportation and the Commonwealth's pro-rata share of real estate taxes due the  
condemnees and/or interested parties on the subject property shown on the attached  
Proposed Schedule of Distribution, be paid into Court in an interest bearing account. It  
is further **ORDERED** that the sum shall be held until further Order of Court directing full  
or partial payment to the condemnees and/or interested parties entitled to is pursuant to  
Sections 1-407, 1-521 and/or 1-522 of the Eminent Domain Code of 1964, as amended,  
26 P.S. Sections 1-407, 1-521 and/or 1-522, as applicable.

BY THE COURT:

/s/ Fredric J. Ammerman

J.

**OFFICE OF CHIEF COUNSEL**

MAR 20 2006

**WESTERN REGIONAL OFFICE**

I hereby certify this to be a true  
and attested copy of the original  
settlement filed in this case.

MAR 17 2006

Attest:

*[Signature]*  
Clerk of Courts

CERTIFIED MAIL  
COUNTY: Clearfield  
S.R. 2014, SECTION A01  
CLAIM NO. 1700235000  
COURT DOCKET NO. 05-1735-CD

*PRO*  
*COPY*  
*NOT FILING*

**SCHEDULE OF INTERESTED PARTIES NOTIFIED OF THE PRESENTATION TO  
DEPOSIT ESTIMATED JUST COMPENSATION**

**NAMES AND ADDRESSES**

**DATE RECEIVED CERTIFIED MAIL**

<i>SARA</i> <i>JANE</i> <i>MATTERN</i>	Calvin R. Thomas, attorney in fact Vice President and Trust Officer County National Bank P.O. Box 42 7 South Second Street Clearfield, PA 16830	Certified Mail Number 7003 1680 0005 1268 3602  Received on January 30, 2006
<i>John</i> <i>U. MATERN</i>	David A. Harvey, as Attorney-in-Fact P.O. Box 1771 Ft. Lauderdale, FL 33302	Certified Mail Number 7003 1680 0005 1268 3595 Received on February 6, 2006
	Estate of George S. Matern	Address unknown and undeterminable after a diligent search. Notice of Declaration of Taking posted on subject property on November 16, 2005 and published in the Progress on November 17, 2005 and the Clearfield County Legal Journal on November 25, 2005.

Date: 3/27/2006  
Time: 01:14 PM.

Clearfield County Court of Common Pleas  
Receipt

NO. 1913044  
Page 1 of 1

Received of: Commonwealth of Pennsylvania \$ 243.40

Two Hundred Forty-Three and 40/100 Dollars

Subject: IN RE: Commonwealth of Pennsylvania, etal.  
Case Litigant type

	Amount
2005-01735-CD Subject	
Trust account	243.40

Total: 243.40

Balance due: 0.00

Check: 283169

Payment Method: Check  
Amount Tendered:  
Change Returned:  
Clerk: BILLSHAW

243.40  
0.00

William A. Shaw, Prothonotary/Clerk of Cou  
By: \_\_\_\_\_  
Deputy Clerk

Date: 3/27/2006  
Time: 01:09 PM,

Clearfield County Court of Common Pleas  
Receipt

NO. 1913041  
Page 1 of 1

Received of: Commonwealth of Pennsylvania \$ 1,338.70

One Thousand Three Hundred Thirty-Eight and 70/100 Dollars

Subject: IN RE: Commonwealth of Pennsylvania, etal.  
Case Litigant type

Amount

2005-01735-CD	Subject	
Trust account		1,338.70

Total: 1,338.70

Balance due: 0.00

Check: 471377

Payment Method: Check  
Amount Tendered:  
Change Returned:  
Clerk: BILLSHAW

1,338.70  
0.00

William A. Shaw, Prothonotary/Clerk of Cou  
By: \_\_\_\_\_  
Deputy Clerk

Date: 3/27/2006  
Time: 01:18 PM

Clearfield County Court of Common Pleas  
Receipt

NO. 1913045  
Page 1 of 1

Received of: Commonwealth of Pennsylvania \$ 243.40

Two Hundred Forty-Three and 40/100 Dollars

Case	Litigant type	Amount
2005-01735-CD	Subject	
Trust account		243.40
Total:		243.40
Balance due:		0.00

check: 283168

Payment Method: Check  
Amount Tendered: 243.40  
Change Returned: 0.00  
Clerk: BILLSHAW

William A. Shaw, Prothonotary/Clerk of Cou  
By: \_\_\_\_\_  
Deputy Clerk

00000	008	021006	00642522	326603	
CDC	FUND	DEPT	PREP DATE	VOUCHER	WARRANT

000063 62-0101  
311

26 00471377

CHECK NUMBER

02/15/2006

DATE

COMMERCE BANK  
PHILADELPHIA, PA

VERIFICATION AVAILABLE - "POSITIVE PAY" PROTECTED

PAY ONLY **133870**  
ONE THREE THREE EIGHT CTS CTS

TO THE ORDER OF

000063  
SARA JANE MATTERN C/O CALVIN THOMAS  
CO NATL BANK OR CLEARFIELD CO PROT  
PO BOX 8212  
AMANDA PHILY ASST COUNSEL  
HARRISBURG PA 17105-8212



VOID AFTER 180 DAYS

\$ \*\*\*\*\*1,338.70

*Robert P. Carey, Jr.*  
TREASURER OF PENNSYLVANIA

⑈00471377⑈ ⑆031101017⑆ 950001115⑈

DO NOT ACCEPT WITHOUT HOLDING TO LIGHT TO VERIFY WATERMARKS

HOLD DOCUMENT TO LIGHT TO VERIFY WATERMARKS

00000	008	020606	00642505	322645	
CDC	FUND	DEPT	PREP DATE	VOUCHER	WARRANT

000095 62-115  
311

38 00283169

CHECK NUMBER

02/09/2006

DATE

CITIZENS BANK  
PHILADELPHIA, PA

VERIFICATION AVAILABLE - "POSITIVE PAY" PROTECTED

PAY ONLY **24340**  
TWO FOUR THREE CTS CTS

TO THE ORDER OF

000095  
EST OF GEORGE S MATTERN  
OR CLEARFIELD CO PROTHRY  
PO BOX 8212  
AMANDA PHILY ASST COUNSEL  
HARRISBURG PA 17105-8212



VOID AFTER 180 DAYS

\$ \*\*\*\*\*243.40

*Robert P. Carey, Jr.*  
TREASURER OF PENNSYLVANIA

⑈00283169⑈ ⑆031101156⑆ 6699008939⑈

DO NOT ACCEPT WITHOUT HOLDING TO LIGHT TO VERIFY WATERMARKS

HOLD DOCUMENT TO LIGHT TO VERIFY WATERMARKS

00000	008	020606	00642505	322645	
CDC	FUND	DEPT	PREP DATE	VOUCHER	WARRANT

000096 62-115  
311

38 00283168

CHECK NUMBER

02/09/2006

DATE

CITIZENS BANK  
PHILADELPHIA, PA

VERIFICATION AVAILABLE - "POSITIVE PAY" PROTECTED

PAY ONLY **24340**  
TWO FOUR THREE CTS CTS

TO THE ORDER OF

000096  
JOHN U MATTERN C/O DAVID A HARVEY  
ATTY/FACT OR CLEARFIELD CO PROTHRY  
PO BOX 8212  
C/O AMANDA PHILY ASST COUNSEL  
HARRISBURG PA 17105-8212



VOID AFTER 180 DAYS

\$ \*\*\*\*\*243.40

*Robert P. Carey, Jr.*  
TREASURER OF PENNSYLVANIA

⑈00283168⑈ ⑆031101156⑆ 6699008939⑈

Date: 6/2/2011

Clearfield County Court of Common Pleas

NO. 1822261

Time: 12:40 PM

Receipt

Page 1 of 1

Received of: Commonwealth of Pennsylvania \$ 1.44

444 East College Avenue, Suite 440

State College, PA 16801

One and 44/100 Dollars

Plaintiff: Commonwealth of Pennsylvania vs. no defendant

Case	Litigant type	Amount
------	---------------	--------

2005-01596-CD	Plaintiff	
Trust account		1.44

Total:	1.44
--------	------

Payment Method: Direct Deposit

Amount Tendered: 1.44

Change Returned: 0.00

Clerk: BILLSHAW

William A. Shaw, Prothonotary/Clerk of Cou

By: \_\_\_\_\_  
Deputy Clerk



**CLEARFIELD COUNTY PROTHONOTARY**

WILLIAM A. SHAW, PROTHONOTARY  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830


1339

DATE September 20, 2011 60-629-313

PAY TO THE ORDER OF CNB Bank, Trustee of the Sara Jane Mattern Irrevocable Trust

\$ 1,387.10

Thirteen Hundred Eighty-Seven and 10/100-----

DOLLARS  Security Features Included. Details on Back.

IMMA



Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR Per Court Order 9-19-11 case 2005-1735-CD

⑈001339⑈ ⑆031306294⑆ 1 2 26577 2⑈

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

185577



REMITTER: CLOSE VR CD NO 1735 SARA JANE MATTERN 9/19/11

PAY TO THE ORDER OF

CLEARFIELD CO PROTHONOTARY

EXACTLY **\*\*1,387 AND 10/100 DOLLARS**

\$ \$1,387.10

**CASHIER'S CHECK**

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE EVENT IT IS LOST, MISPLACED, OR STOLEN.

AUTHORIZED SIGNATURE

*Bonnie Lekberg*

⑈0000185577⑈ ⑆031306294⑆ 19000027⑈

**Clearfield County Court of Common Pleas**

NO. 0020444

**DISBURSEMENT**

Tuesday, September 20, 2011

Paid to: CNB Bank, Trustee for Sara Jane Mattern

\$1387.10

P.O. Box 42, c/o Calvin R. Thomas Atty. in Fact

Clearfield PA 16830

One Thousand Three Hundred Eighty-Seven and 10/100 Dollars

Case: 2005-01735-CD

subject: IN RE: Commonwealth of Pennsylvania, etal.

For: Trust

1387.10 William A. Shaw, Prothonotary/Clerk of Courts

By: \_\_\_\_\_

Deputy Clerk

Clerk: BILLSHAW

**NOT NEGOTIABLE**

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

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION OF  
RIGHT OF WAY FOR STATE ROUTE  
2014, SECTION A01, THE TOWNSHIP  
OF DECATUR

CLAIM NO. 17002350000

EMINENT DOMAIN PROCEEDINGS  
IN REM

No. 2005-1735-CD

Type of Case: Civil

Type of Pleading: PETITION FOR  
RELEASE OF JUST COMPENSATION

Filed on behalf of CNB Bank,  
Trustee

Counsel of Record for this Party:  
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN  
Attorneys at law  
Two North Front Street  
P. O. Box 846  
Clearfield, PA 16830  
(814) 765-1766

FILED

of 11:36am

SEP 15 2011

William A. Shaw

Prothonotary/Clerk of Courts

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

IN RE: CONDEMNATION BY THE	:	EMINENT DOMAIN PROCEEDING
COMMONWEALTH OF PENNSYLVANIA,	:	IN REM
DEPARTMENT OF TRANSPORTATION	:	
OF RIGHT OF WAY FOR STATE	:	No. 2005-1735-CD
ROUTE 2014, SECTION A01,	:	
THE TOWNSHIP OF DECATUR	:	

CLAIM NO. 17002350000

**PETITION FOR RELEASE OF JUST COMPENSATION**

TO THE HONORABLE JUDGES OF SAID COURT:

The Petition of CNB BANK, Trustee of the Sara Jane Mattern Irrevocable Trust of February 8, 2011, by and through its attorneys, Gates & Seaman, respectfully represents:

1. The Pennsylvania Department of Transportation ("Commonwealth") with offices at P. O. Box 8212, Harrisburg, Pennsylvania 17105-8212, filed a Declaration of Taking, condemning, inter alia, certain real property owned by the G. W. Mattern Heirs (collectively "Condemnees").

2. On March 27, 2006 upon Petition of the Commonwealth, this Honorable Court ordered and directed that the sum of \$1,825.50, representing the just compensation estimated by the Commonwealth to be due Condemnees in the above-captioned case, be deposited into Court.

3. At the time the Commonwealth filed its Petition to Deposit Estimated Just Compensation, there were no liens and/or encumbrances against the property, as

shown on the attached Proposed Schedule of Distribution, which is attached hereto and made a part hereof as Exhibit "A".

4. The sum of \$1,825.50 remains deposited, with the net amount due Sara Jane Mattern, as shown on Exhibit "A", being the sum of \$1,338.70.

5. No fee shall be charged against these funds. 26 P. S. § 1-522; City of Pittsburgh v. Imler Supply Company, 471 A. 2d 591 (Pa. Cmwlth. 1984).

6. That your Petitioner became the Court-Appointed Plenary Guardian of Sara Jane Mattern, an incapacitated person, by Decree of this Honorable Court dated July 22, 2005, a photocopy of which is attached hereto and made a part hereof as Exhibit "B".

7. Following Hearing on a Petition to Modify Last Will and Testament of an Incapacitated Person, this Honorable Court, by Final Order, dated September 21, 2010, a photocopy of which is attached hereto and made a part hereof as Exhibit "C", granted said Petition and directed the Petitioner therein, CNB Bank, Guardian, to submit to the Court a proposed Irrevocable Trust for the benefit of the incapacitated person during her lifetime and upon her death for the benefit of charities in which she was interested in her hometown of Osceola Mills, Clearfield County, Pennsylvania.

8. That by Order, dated February 8, 2011, this Honorable Court approved the form of the Irrevocable Trust Agreement and directed CNB Bank as Plenary Guardian of the Estate of Sara Jane Mattern, to transfer all assets of Sara Jane Mattern to

CNB Bank, as Trustee, to be held in trust as aforesaid.

9. By Deed, dated March 9, 2011, and recorded in the Office of the Recorder of Deeds of Clearfield County to Instrument No. 201103071, CNB Bank, as such Guardian, conveyed to CNB Bank, Trustee of the Sara Jane Mattern Irrevocable Trust of February 8, 2011, as THE FOURTH THEREOF, the 11/15ths interest of Sara Jane Mattern in and to the real estate which is the subject of the within condemnation proceeding.

10. That the Commonwealth, by letter from the Office of Chief Counsel, dated August 30, 2011, a copy of which is attached hereto and made a part hereof as Exhibit "D", advised that ". . . the Department of Transportation takes no position on your petition."

WHEREFORE, your Petitioner prays your Honorable Court to direct the Prothonctary to release the just compensation to your Petitioner in the total amount of \$1,338.70.

GATES & SEAMAN

By:



Laurance B. Seaman, Esquire  
Attorney for Petitioner

Date: September 15, 2011.

## PROPOSED SCHEDULE OF DISTRIBUTION

REMIS PROJ. NO.	020122
COUNTY	Clearfield
S.R. SECTION	S.R. 2014 - SEC. A01
MUNICIPALITY	DECATUR TOWNSHIP
PARCEL NO.	5
CLAIM NO.	1700235000

NAME(S) & ADDRESS(ES) OF CONDEMNEE(S); LOCATION OF PROPERTY(IES)	ESTIMATED JUST COMPENSATION	ENCUMBRANCES, TAXES, ETC.						NET DUE TO CONDEMNEE
		TYPE	DATE OF RECORD	PLACE OF RECORD	NAME AND ADDRESS OF LIENOR	RECORD AMOUNT DUE	ACTUAL AMOUNT DUE	
G.W. Mattern Heirs	E.J.C.  \$1,320.00							\$1,338.70
1. Sara Jane Mattern 11/15ths of \$1,800.00 receiving \$1,320.00	Commonwealth Pro-Rata Share Real Estate Taxes  \$18.70							
c/o Calvin R. Thomas, attorney in fact Vice President and Trust Officer County National Bank P.O. Box 42 7 South Second Street Clearfield PA 16830	Total \$1,338.70							
2. John U Mattern 2/15ths of \$1,800 receiving \$240.00	E.J.C.  \$240.00							\$243.40
c/o David A Harvey as Attorney-in-Fact P.O. Box 1771 Ft. Lauderdale FL 33302	Commonwealth Pro-Rata Share Real Estate Taxes  \$3.40							
Total \$243.40								
3. Estate of George S. Mattern 2/15ths of \$1,800.00 receiving \$240.00 His estate and heirs are unlocatable	E.J.C.  \$240.00  Commonwealth Pro-Rata Share Real Estate Taxes  \$3.40							\$243.40
Total \$243.40								
TOTAL								\$1,825.50

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

IN RE: ESTATE OF SARA JANE MATTERN,  
an Alleged Incapacitated Person

:  
: No. 1705-0260

**DECREE**

AND NOW, the 22<sup>nd</sup> day of July, 2005, on consideration of the Petition for Appointment of Plenary Guardian of the Estate and Person and after Hearing held following due notice, this Court finds, by clear and convincing evidence, that Sara Jane Mattern suffers from moderate to severe dementia, a condition that totally impairs her capacity to receive and evaluate information effectively and to make and communicate decisions concerning her management of financial affairs and to meet essential requirements for her physical health and safety.

J. Charles Heath is hereby appointed Plenary Guardian of the Person, and County National Bank is hereby appointed Plenary Guardian of the Estate of Sara Jane Mattern. The Guardians of the Person and Estate shall file a report within twelve (12) months of the date hereof and annually thereafter on the social, medical and other relevant conditions as required by 20 Pa.C.S.A. §5521(c). The Guardian of the Estate shall not be required to post a bond.

The Guardian of the Person shall have authority and responsibility to decide where she shall live and how meals, personal care, transportation and recreation will be provided. He shall also have the following powers, duties and liabilities: to authorize, withhold or withdraw medical care and surgical procedures; to authorize admission to or discharge from a medical, nursing, residential or similar facility; to make arrangements for her care, including hospice care; to have full access to her medical and hospital records and all information regarding her physical or mental health; to hire and fire medical, social service and other support personnel responsible for her care; to take any legal action necessary to do any of the above; and to exercise all other powers and duties authorized by statute.

The Guardian of the Estate shall have the following powers, duties and liabilities: to take possession and control of all of the assets of Sara Jane Mattern, pay her bills and debts and make appropriate investments of said assets; to take possession of all of the important papers of Sara Jane Mattern. The Guardian of the Estate shall have authority and responsibility



to manage and use Sara Jane Mattern's property solely for her benefit.

The Guardian of the Estate is authorized to: (1) invade principal, as needed, for the care and comfortable maintenance of Sara Jane Mattern and for the payment of her house-related expenses, income taxes, other necessary bills and expenses and attorney's fees; and (2) invade principal to establish an appropriate burial reserve.

Sara Jane Mattern has twenty (20) days from the date of this Decree to file exceptions. Failure to file exceptions within that time will result in this Decree becoming final. Sara Jane Mattern has been advised of a right to appeal and to petition to modify or terminate the guardianship by copy of this Decree and by Statement of Rights attached hereto.

BY THE COURT:

FREDRIC J. AMMERMAN

---

Fredric J. Ammerman, President Judge

*Inst #2005/1218*

I hereby certify this to be a true  
and attested copy of the original  
document filed in the office.

JUL 25 2005

*Attest*

*[Signature]*  
Deputy Clerk of Court

MY COMMISSION EXPIRES  
FIRST MONDAY IN JANUARY 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

IN RE: ESTATE OF SARA JANE MATTERN :  
an incapacitated person :

NO. 1705-0260-OC

RECORDED  
09/21/2010 3:41:09 PM  
HAURENE E. INLOW  
CLERK, REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania  
Inst. No. 201013250

**FINAL ORDER**

AND NOW, this 21st day of September 2010, following hearing on Petition to Modify Last Will and Testament of an Incapacitated Person, filed by County National Bank (hereinafter "Petitioner"), the Court-appointed Plenary Guardian of the Estate of Sara Jane Mattern, an incapacitated person, it is the ORDER of this Court that said Petition be and is hereby GRANTED. Petitioner is directed to submit to this Court within ten (10) days of the date of this Order a proposed irrevocable trust for the benefit of the incapacitated person during her lifetime and upon her death for the benefit of charities in which she was interested in her hometown of Osceola Mills, Clearfield County, Pennsylvania, for review and approval by this Court.

BY THE COURT,

FREDRIC J. AMMERMAN

FREDRIC J. AMMERMAN  
President Judge

Inst # 201013250  
I hereby certify this to be a true and  
attested copy of the original document  
filed in this office.

SEP 21 2010

Attest: *Maureen E. Inlow*  
Reg. of Wills, Rec. of Deeds & Clk. of Orphans' Court

MY COMMISSION EXPIRES  
FIRST MONDAY IN JANUARY 2012

EXHIBIT "C"



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

August 30, 2011

Gates & Seaman  
Attn: Larry Seaman, Esq.  
Two North Front Street  
P.O. Box 846  
Clearfield, PA 16830

Clearfield County, No. 2005-1735-CD  
State Route 2014-A01  
Claim No.: 17002350000  
**Petition for Release**

Dear Attorney Seaman:

I am in receipt of your Petition for Release filed in the above-referenced matter. Please be advised that the Department of Transportation takes no position on your petition. The Department fulfilled its legal obligations under the Eminent Domain Code when it included a proposed schedule of distribution with its petition to deposit the estimated just compensation with the Court. See 26 Pa.C.S. §522; see also *Condemnation by Redevelopment Authority of the City of McKeesport*, 348 A.2d 918 (Pa.Cmwlth. 1975) (condemnor's deposit of estimated just compensation with the court is constructive payment of the same to the condemnee and all other interested parties).

Thank you for your understanding in this matter.

Very truly yours,

**OFFICE OF CHIEF COUNSEL**

By 

Kelly Edward Solomon  
Assistant Counsel

cc: Christopher J. Clements, Assistant Counsel in Charge, Right of Way Section  
Walter Cameron, Jr., Assistant Counsel in Charge, Western Region  
John Gaylor, District 2-0 Right of Way Administrator  
Jack Clark, Utilities and Right of Way Section  
File



### VERIFICATION

The undersigned, Calvin R. Thomas, Jr., verifies that he is a Vice President and Trust Officer, of CNB BANK, Trustee and Petitioner in the within action; and that the statements made in the foregoing Petition are true and correct to the best of his knowledge, information and belief. The undersigned understands that false statements herein are subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authority.

CNB BANK, Trustee of the Sara Jane Mattern  
Irrevocable Trust of February 8, 2011

By: Calvin R. Thomas, Jr.  
Calvin R. Thomas, Jr.  
Vice President and Trust Officer

Date: Sept 15, 2011

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

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION  
OF RIGHT OF WAY FOR STATE  
ROUTE 2014, SECTION A01,  
THE TOWNSHIP OF DECATUR

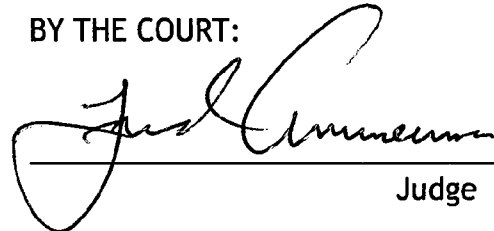
: EMINENT DOMAIN PROCEEDING  
:  
: IN REM  
:  
: No. 2005-1735-CD  
:  
:

CLAIM NO. 17002350000

ORDER

AND NOW, this 15<sup>th</sup> day of September, 2011, upon  
consideration of the attached Petition for Release of Just Compensation, the  
Pennsylvania Department of Transportation taking no position relative thereto, it is  
hereby ORDERED and DECREED that the Prothonotary shall release to CNB Bank,  
Trustee of the Sara Jane Mattern Irrevocable Trust of February 8, 2011, the sum of  
\$1,338.70.

BY THE COURT:

  
\_\_\_\_\_  
Judge

FILED

0/11:36am  
SEP 15 2011

William A. Shaw  
Prothonotary/Clerk of Courts

2cc AA,  
Seaman.

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

IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION OF  
RIGHT OF WAY FOR STATE ROUTE  
2014, SECTION A01, THE TOWNSHIP  
OF DECATUR

CLAIM NO. 17002350000

EMINENT DOMAIN PROCEEDINGS  
IN REM

No. 2005-1735-CD

Type of Case: Civil

Type of Pleading: SUPPLEMENTAL  
ORDER

Filed on behalf of CNB Bank,  
Trustee

Counsel of Record for this Party:  
Laurance B. Seaman, Esq.

Supreme Court No.: 19620

GATES & SEAMAN  
Attorneys at law  
Two North Front Street  
P. O. Box 846  
Clearfield, PA 16830  
(814) 765-1766

FILED

SEP 19 2011

William A. Shaw  
Prothonotary/Clerk of Courts

Issued  
to CNB

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

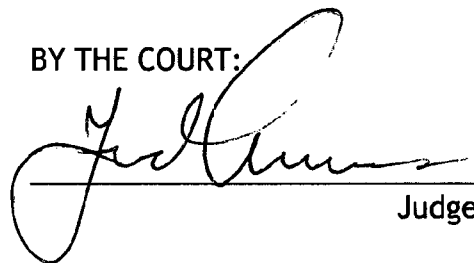
IN RE: CONDEMNATION BY THE	:	EMINENT DOMAIN PROCEEDING
COMMONWEALTH OF PENNSYLVANIA,	:	IN REM
DEPARTMENT OF TRANSPORTATION	:	
OF RIGHT OF WAY FOR STATE	:	No. 2005-1735-CD
ROUTE 2014, SECTION A01,	:	
THE TOWNSHIP OF DECATUR	:	

CLAIM NO. 17002350000

**SUPPLEMENTAL ORDER**

AND NOW, this 19 day of Sept, 2011, upon advisement that interest has accrued on the just compensation deposited by the Pennsylvania Department of Transportation with the Prothonotary, it is hereby ORDERED and DECREED that the Prothonotary shall release to "CNB Bank, Trustee of the Sara Jane Mattern Irrevocable Trust of February 8, 2011", the sum of \$1,338.70, plus all accrued interest. The Prothonotary shall mail the check to Calvin R. Thomas. Jr., Vice President and Trust Officer, CNB Bank, 1 South Second Street, P. O. Box 42, Clearfield, PA 16830.

BY THE COURT:

  
\_\_\_\_\_  
Judge

**CLEARFIELD COUNTY PROTHONOTARY**

WILLIAM A. SHAW, PROTHONOTARY  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830


1339

DATE September 20, 2011 60-629-313

PAY TO THE ORDER OF CNB Bank, Trustee of the Sara Jane Mattern Irrevocable Trust

\$ 1,387.10

Thirteen Hundred Eighty-Seven and 10/100-----

DOLLARS  Security Features Included. Details on Back.

IMMA



CLEARFIELD BANK  
&  
TRUST COMPANY

Main Office  
11 North 2nd Street  
Clearfield, PA 16830

FOR Per Court Order 9-19-11 case 2005-1735-CD

MP

⑈001339⑈ ⑆031306294⑆ 1 2 26577 2⑈

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

185577



CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER: CLOSE VR CD NO 1735 SARA JANE MATTERN 9/19/11

PAY TO THE  
ORDER OF

CLEARFIELD CO PROTHONOTARY

EXACTLY \*\*1,387 AND 10/100 DOLLARS

\$ \$1,387.10

**CASHIER'S CHECK**

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED, OR STOLEN.

AUTHORIZED SIGNATURE

*Bornie Eckberg*

⑈0000185577⑈ ⑆031306294⑆ 19000027⑈



IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP  
OF DECATUR

CLAIM NO. 17002350000

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PA  
:  
: EMINENT DOMAIN PROCEEDING  
: IN REM  
:  
:  
: NO. 2005-1735 CD

**PETITION TO PAY THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION THE UNDISTRIBUTED ESTIMATED JUST  
COMPENSATION DEPOSITED INTO COURT**

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner, the Commonwealth of Pennsylvania, Department of Transportation,  
respectfully represents that:

1. The Department of Transportation ("Commonwealth") is a Department of  
the Commonwealth of Pennsylvania, with offices at P.O. Box 8212, Harrisburg,  
Pennsylvania, 17105-8212.

2. On November 7, 2005, the Commonwealth filed a Declaration of Taking,  
condemning, *inter alia*, certain real property owned by G. W. Mattern. ("condemnee").

3. On March 27, 2006, upon Petition of the Commonwealth, this Honorable  
Court ordered and directed that the sum of \$1,825.50, representing the just  
compensation estimated by the Commonwealth to be due condemnee in the above-  
captioned case, be deposited into Court.

4. At the time the Commonwealth filed its Petition to Deposit Estimated Just  
Compensation, there were no liens and/or encumbrances against the property, as  
shown on the attached Proposed Schedule of Distribution.

**FILED**  
01150621 200  
MAR 16 2012  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty Farkas  
6K

5. Since the estimated just compensation was filed with the Court, several parties in interest have been granted permission to withdraw \$1,338.70 from the original deposit.

6. At present, the sum of \$486.80 remains deposited.

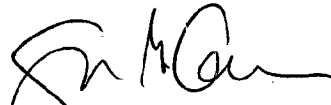
7. No fee shall be charged against these funds. 26 P.S. §1-522; *City of Pittsburgh v. Imler Supply Company*, 471 A.2d 591(Pa. Cmwlth. 1984).

8. Pursuant to 26 P.S. §1-522, if no petition is presented by any party in interest within a period of five years of the date of payment into court, the court shall order the fund or any balance remaining to be paid to the Commonwealth without escheat.

9. I, Sean M. Concannon, Assistant Counsel, affirm that I am authorized to execute this Petition to Pay the Commonwealth of Pennsylvania, Department of Transportation the Undistributed Estimated Just Compensation Deposited into Court on behalf of the Commonwealth, that the averments set forth in this Petition are true and correct to the best of my knowledge, information and belief and that they are made subject to the penalties provided in 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

**WHEREFORE**, your Petitioner respectfully requests that this Honorable Court order and direct that the sum of \$486.80, representing the amount of estimated just compensation due to condemnee which remains undistributed, together with any accrued interest, be paid to the Commonwealth of Pennsylvania, Department of Transportation, without escheat, as provided in Article V, Section 522 of the Eminent Domain Code, 26 P.S. §1-522, as amended.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sean M. Concannon', is written over a horizontal line.

Sean M. Concannon  
Assistant Counsel  
I.D. No. 205998  
Commonwealth of Pennsylvania  
Department of Transportation  
Office of Chief Counsel  
P.O. Box 8212  
Harrisburg, PA 17105-8212  
717-787-3128  
[sconcannon@pa.gov](mailto:sconcannon@pa.gov)



CERTIFIED MAIL  
COUNTY: Clearfield  
S.R. 2014, SECTION A01  
CLAIM NO. 1700235000  
COURT DOCKET NO. 05-1735-CD

**SCHEDULE OF INTERESTED PARTIES NOTIFIED OF THE PRESENTATION OF  
PETITION TO PAY THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT  
OF TRANSPORTATION THE UNDISTRIBUTED ESTIMATED JUST  
COMPENSATION DEPOSITED INTO COURT**

**NAMES AND ADDRESSES**

**DATE RECEIVED CERTIFIED MAIL**

Estate of George S. Mattern

Address unknown and undeterminable after a diligent search. Notice of Declaration of Taking posted on subject property on November 16, 2005 and published in the Progress on November 17, 2005 and the Clearfield County Legal Journal on November 25, 2005.

Calvin R. Thomas, attorney in fact  
Vice President and Trust Officer  
County National Bank  
P.O. Box 42  
7 South Second Street  
Clearfield, PA 16830

7003 1680 0005 1297 2270  
Received on 4/27/2011

David A. Harvey, as Attorney-in-Fact  
P.O. Box 1771  
Ft. Lauderdale, FL 33302

7003 1680 0005 1297 2263  
Returned to sender undeliverable  
on 5/10/2011

2005-1735-CD

**CLEARFIELD COUNTY PROTHONOTARY**

WILLIAM A. SHAW, PROTHONOTARY  
ESCROW ACCOUNT  
P.O. BOX 549  
CLEARFIELD, PA 16830

1369

DATE March 22, 2012 60-629-313

PAY TO THE ORDER OF Commonwealth of Pennsylvania Department of Transportation \$ 504.76

Five Hundred Four and no/100-----DOLLARS



CLEARFIELD BANK  
&  
TRUST COMPANY

Main Office  
11 North 2nd Street  
Clearfield, PA 16830

IMMA

Security Features  
Included.  
Details on Back.

FOR 2005-1735-CD Per Court Order

⑈001369⑈-⑈031306294⑈ 1 2 26577 2⑈

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

**VOID VOID**

CLEARFIELD BANK  
TRUST COMPANY

REMITTER: CLOSE VR CD GEORGE S MATTERN 3/21/12

PAY TO THE  
ORDER OF

CLEARFIELD COUNTY PROTHONOTARY

EXACTLY \*\*252 AND 38/100 DOLLARS

\$ 252.38

**CASHIER'S CHECK**

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED, OR STOLEN.

AUTHORIZED SIGNATURE

*Dorrie Eckert*

⑈0000188168⑈ ⑆031306294⑆ 190000027⑈

18816



CLEARFIELD BANK  
TRUST COMPANY

REMITTER: CLOSE VR CD GEORGE S MATTERN DATE 3/21/12

CLEARFIELD COUNTY PROTHONOTARY

EXACTLY \*\*252 AND 38/100 DOLLARS \$ 252.38

CUSTOMER - FILE COPY

**CASHIER'S CHECK**

AUTHORIZED SIGNATURE

NOT NEGOTIABLE

*Be*

188161

CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER: CLOSE VR CD JOHN U MATTERN

3/21/12

RAY TO THE  
ORDER OF

CLEARFIELD COUNTY PROTHONOTARY

EXACTLY \*\*252 AND 38/100 DOLLARS

\$ 252.38

# CASHIER'S CHECK

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE  
EVENT IT IS LOST, MISPLACED, OR STOLEN.

AUTHORIZED SIGNATURE

*Dennis Reilly*

"0000188169" :031306294: 19000027"

188161



CLEARFIELD BANK  
&  
TRUST COMPANY

REMITTER:

CLOSE VR CD JOHN U MATTERN

DATE

3/21/12

CLEARFIELD COUNTY PROTHONOTARY  
EXACTLY \*\*252 AND 38/100 DOLLARS

\$ 252.38

CUSTOMER - FILE COPY

# CASHIER'S CHECK

AUTHORIZED SIGNATURE

*Be*

NOT NEGOTIABLE



IN RE: CONDEMNATION BY THE  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION, OF  
RIGHT OF WAY FOR STATE ROUTE 2014,  
SECTION A01, IN THE TOWNSHIP  
OF DECATUR

CLAIM NO. 17002350000

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

: EMINENT DOMAIN PROCEEDING  
: IN REM

: NO. 2005-1735 CD

FILED

MAR 16 2012

William A. Shaw  
Prothonotary/Clerk of Courts

Issued check to  
DEPT OF TRAN  
\$504.76.

+ mailed to  
D. Farkas

**ORDER**

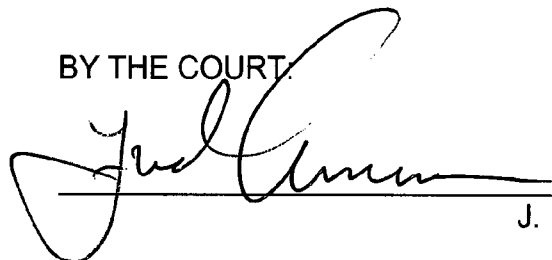
AND NOW, March 16 2012, upon

presentation of the Commonwealth's Petition, it is **ORDERED** and **DIRECTED** that the  
undistributed amount of estimated just compensation due to G. W. Mattern, that was  
previously deposited into Court, shall be paid to the Pennsylvania Department of  
Transportation without escheat in accordance with 26 P.S. §1-522.

It is further ordered that the Prothonotary make a check payable to the  
Commonwealth of Pennsylvania, Department of Transportation in the amount of  
\$486.80, together with any accrued interest, deliver it to

Denise H. Farkas, attorney for the Commonwealth of  
Pennsylvania, and mark the record accordingly.

BY THE COURT

  
J.