

05-1806-CD

NRI DuBois vs Charles Blanchard

NRI, DuBois, LLC vs Charles Blanchard  
05-1806-CD

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

NRI DUBOIS, LLC,  
Plaintiff  
v.  
CHARLES BLANCHARD, his  
respective heirs, devisees,  
administrators, executors,  
personal representatives,  
successors and assigns,  
Defendants

: No. 1806 -2005 CD  
:  
: TYPE OF CASE: Law  
:  
: TYPE OF PLEADING:  
: Complaint  
:  
: FILED ON BEHALF OF:  
: NRI DuBois, LLC, Plaintiff  
:  
: COUNSEL OF RECORD FOR THIS PARTY:  
: Terry R. Heeter, Esquire  
: Supreme Court No. 52750  
:  
: Kooman, Heeter & Associates, PC  
: Marianne Professional Center  
: P.O. Box 700  
: Clarion, PA 16214  
: (814) 226-9100 (Telephone)  
: (814) 226-7361 (Fax)  
:  
: COUNSEL OF RECORD FOR ADVERSE PARTY:  
:

TRH/dmg  
#23826

**FILED**  
m/204um (5) NOCC pd \$85.00 Atty  
NOV 17 2005

William A. Shaw  
Prothonotary

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
: ACTION IN QUIET TITLE  
:  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, : CIVIL ACTION - LAW  
personal representatives, :  
successors and assigns, :  
Defendants : No \_\_\_\_\_ - 2005

**NOTICE TO DEFEND**

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 Civil Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Civil 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
Second & Market Streets  
CLEARFIELD, PA 16830  
TELEPHONE: (814) 765-2641 Ext. 50-51

TRH/dmg  
#23826

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
: ACTION TO QUIET TITLE  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, : CIVIL ACTION - LAW  
personal representatives, :  
successors and assigns, :  
Defendants : No \_\_\_\_\_ - 2005.

**COMPLAINT**

AND NOW, comes the plaintiff, **NRI DUBOIS, LLC** (the "Plaintiff"), by and through its attorney, Terry R. Heeter, Esquire, and files this complaint to quiet title pursuant to Pennsylvania Rule of Civil Procedure No. 1061, et seq., upon cause of action the nature whereof is as follows:

1. The Plaintiff is a Delaware limited liability company with an address at 61 Broadway, Suite 1000, New York, New York 10006.

2. The defendant, Charles Blanchard, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, are believed to be adult individuals and their present whereabouts are unknown to the Plaintiff, all of whom are hereinafter referred to as the "Defendants", unless otherwise specified.

3. After diligent search, the Plaintiff is unable to discover the identity or whereabouts of the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns.

4. The Plaintiff is the owner of the real estate described in Exhibit "A", attached hereto, made a part hereof and incorporated herein by reference, being the real estate conveyed to the Plaintiff, by deed of Chagrin Land Limited Partnership dated November 10, 2003 and recorded November 10, 2003 in the Office of the Recorder of Deeds of Clearfield County, instrument number 200320631, being situate in Huston Township, Clearfield County, Pennsylvania.

5. Title of the Plaintiff to the real estate described in Exhibit "A" is based on the following chain of title:

- (a) Deed from Chagrin Land Limited Partnership to NRI Dubois, LLC, dated November 10, 2003 and recorded November 10, 2003 in the Office of the Recorder of Deeds of Clearfield County, instrument number 200320631.
- (b) Deed from Green Glen Corporation to Chagrin Land Limited Partnership, dated December 21, 1988 and recorded December 21, 1988 in Clearfield County Record Book 1260, Page 280.
- (c) Deed from John E. Dubois, Jr. et al. to Green Glen Corporation, dated September 1, 1947 and recorded November 2, 1948 in Clearfield County Record Book 393, Page 411.

6. The purpose of this action is to quiet title as to any interest of the Defendants and their respective heirs, devisees, administrators, executors, successors and assigns, and all other person, persons, firms, partnerships or corporate entitles in interest, may have in said premises described in Exhibit "A", attached hereto and made a part hereof by reference to the same because of any reason that may raise some question as to the validity of the title as a result of the Defendants to have conveyed their interest in the premises described in Exhibit "A" to the owners listed in the chain of title.

7. A further purpose for this action is to make the title to the premises described in Exhibit "A" marketable so as to allow for certification of the same.

8. The Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns have never claimed an interest in the premises described in Exhibit "A" since the January 25, 1876 and have abandoned and forfeited any and all right, title and interest in the premises described in Exhibit "A".

9. The Plaintiff and its predecessors in title, as stated aforesaid, have been in possession of the whole of the premises described in Exhibit "A" for a period of time in excess of twenty-one (21) years and have during said time paid all real estate taxes

assessed against the real estate and have otherwise held themselves out as owners of the real estate openly, continuously, exclusively, notoriously, and with hostility against all others, so as to further acquire title by adverse possession and prescriptive right.

10. The Plaintiff is in possession of the real estate described in Exhibit "A".

11. The Plaintiff avers that an Action of Ejectment will not lie in this matter as the Plaintiff is in possession of the real estate and wishes to determine its right, title or interest in said real estate and determine the validity of its respective chain of title.

12. The Plaintiff believes and, therefore avers, that the aforesaid defects may exist with regard to the real estate in which may or do cloud the title to the same in that all necessary parties may not have joined in the various conveyances with regard to the chain of title of the Plaintiff herein.

WHEREFORE, the plaintiff, NRI Dubois, LLC, respectfully requests the following relief:

- (a) That the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, commence an action of ejectment, sec. reg., against the Plaintiff for the premises described in Exhibit "A", attached hereto and made a part hereof, if any right they claim in and to said premises and in failing to do so, entering a Decree forever barring them, the said Defendants, their respective heirs,

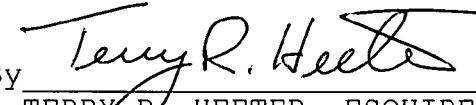
devisees, administrators, executors, personal representatives, successors and assigns, from asserting any right, lien, title or interest in said premises inconsistent with the interest and claim of the Plaintiff herein, heirs and assigns;

- (b) To decree that full title of said real estate described in Exhibit "A" is in the Plaintiff, by virtue of claim of ownership of the Plaintiff as set forth in its chain of title, as well as the Plaintiff and its predecessors in title continuous, open, hostile, actual, notorious, exclusive and adverse possession of said real estate for a period in excess of twenty-one (21) years;
- (c) Enjoin the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns from setting up any title to the within premises and from impeaching, denying or in any way attacking the title of the Plaintiff, respectively, as to the real estate described in Exhibit "A";
- (d) Determine that Plaintiff has fee simple title to the premises described in Exhibit "A", as against the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns;
- (e) Determine that the Plaintiff has full, complete and exclusive use and occupancy of said premises herein described, released and forever discharged of any claim whatsoever of the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns;
- (f) Determine that the Plaintiff's right in title is superior to those of the Defendants, their respective heirs, devisees, administrators, executors, personal representatives, successors and assigns; and

(g) Grant such other relief as the Court deems appropriate, equitable and proper under the circumstances.

**AND THE PLAINTIFF WILL EVER PRAY.**

Respectfully submitted,

By   
TERRY R. HEETER, ESQUIRE  
Kooman, Heeter & Associates, PC  
Attorney for Plaintiff  
Marianne Professional Center  
P.O. Box 700  
Clarion, PA 16214  
(814) 226-9100

TRH/dmg  
#23826

**EXHIBIT "A"**

ALL that certain piece, parcel and tract of land situate in Huston Township, County Clearfield, State of Pennsylvania, bounded and described as follows, to wit:

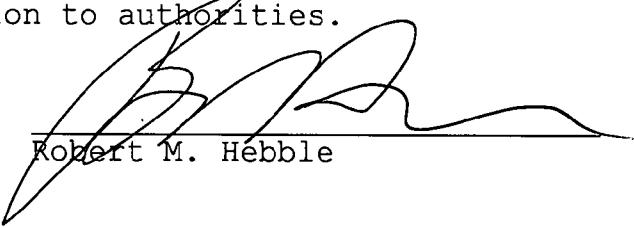
BEGINNING at post in the lines between Warrants Nos. 3575 and 3578 at a distance of about forty rods East from the original Maple corner of said Warrants Nos. 3575 and 3578; thence along line of land conveyed by John Dubois to Craig and Blanchard north one hundred (100r) rods to white pine corner; thence at right angles to said last described line East Eighty (80) rods to post, thence at right angles to said East line, South One Hundred (100) rods to post on line between Warrants Nos. 3575 and 3578 and thence said warrant line West Eighty (80) rods to post the place of beginning. Containing Fifty acres net measure.

TRH/dmg  
#23826

**VERIFICATION**

I, ROBERT M. HEBBLE, Manager for LDB Timberland Operations, LLC, verify that the statements made herein are true and correct to the best of my knowledge, information and belief and are made subject to the penalties of 18 Pa. Con. Stat. Ann. Section 4904 relating to unsworn falsification to authorities.

DATE: November 8, 2005



Robert M. Hebble

TRH/dmg  
#23315

**KOOMAN, HEETER & ASSOCIATES, PC**

MARIANNE PROFESSIONAL CENTER

P.O. BOX 700

CLARION, PENNSYLVANIA 16214

RICHARD W. KOOMAN, II (1946 – 2005)  
TERRY R. HEETER  
DAVID M. GULNAC

TELEPHONE (814) 226-9100  
FACSIMILE (814) 226-7361

November 15, 2005

William A. Shaw, Prothonotary  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

IN RE: NRI DuBois, LLC v. Charles Blanchard, et al.  
Clearfield County No. \_\_\_\_ - 2005

Dear Prothonotary Shaw:

Enclosed are the following documents to be filed on behalf of the plaintiff, NRI DuBois, LLC, in the above referenced matter:

1. Complaint; and
2. Motion for service by publication pursuant to Pa. R. Civ. P. 430. An affidavit pursuant to Pa. R. Civ. P. 430 is marked as Exhibit "A" and attached to the motion.

Also enclosed is a \$85.00 check drawn to your order in payment of the filing fee and a proposed order authorizing service by publication. After the complaint and motion have been clocked-in, please forward them and the proposed order to the court administrator for presenting to the court. If the documents meet with the court's approval, please mail a copy of the signed order to me in the enclosed, stamped envelope.

Thank you for your assistance. If you have any questions concerning this filing, do not hesitate to contact me.

Very truly yours,

  
Terry R. Heeter

TRH/dmg  
#23826  
Enclosures

cc: Robert M. Hebble(w/out enc.)

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

NRI DUBOIS, LLC,  
Plaintiff  
v.  
CHARLES BLANCHARD, his  
respective heirs, devisees,  
administrators, executors,  
personal representatives,  
successors and assigns,  
Defendants

: No. 1804 -2005 CD  
:  
: ACTION TO QUIET TITLE  
:  
: TYPE OF CASE: Law  
:  
: TYPE OF PLEADING:  
: Motion for Service by Publication  
:  
: FILED ON BEHALF OF:  
: NRI DuBois, LLC, Plaintiff  
:  
: COUNSEL OF RECORD FOR THIS PARTY:  
: Terry R. Heeter, Esquire  
: Supreme Court No. 52750  
:  
: Kooman, Heeter & Associates, PC  
: Marianne Professional Center  
: P.O. Box 700  
: Clarion, PA 16214  
: (814) 226-9100 (Telephone)  
: (814) 226-7361 (Fax)  
:  
: COUNSEL OF RECORD FOR ADVERSE PARTY:  
:

TRH/dmg  
#23826

FILED NOV 17 2005  
m/2005  
NOV 17 2005 (JW)

William A. Shew  
Froehnclancy

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. : ACTION TO QUIET TITLE  
:  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, : CIVIL ACTION - LAW  
personal representatives, :  
successors and assigns, :  
Defendants : No \_\_\_\_\_ - 2005

**MOTION FOR SERVICE BY PUBLICATION PURSUANT TO  
PENNSYLVANIA RULES OF CIVIL PROCEDURE NO. 430**

AND NOW, comes the plaintiff, NRI DUBOIS, LLC (the "Plaintiff"), by and through its attorney, Terry R. Heeter, Esquire, and motions this court to authorize service by publication for the reasons contained herein:

1. The Plaintiff is a Delaware limited liability company with an address at 61 Broadway, Suite 1000, New York, New York 10006.

2. The defendant, Charles Blanchard, is believed to be an adult individual and his present whereabouts are unknown. Upon ascertainment of the whereabouts of the defendant, the Plaintiff will promptly amend the complaint to show the present residence of the defendant.

3. The true names and capacities, whether individual, corporate, associate, or otherwise, of defendants named herein as the respective heirs, devisees, administrators, executors,

personal representatives, successors and assigns of Charles Blanchard, are unknown to the Plaintiff, who sues such defendants by such fictitious name. Upon the ascertainment of the true names and capacities of the respective heirs, devisees, administrators, executors, personal representatives, successors and assigns of Charles Blanchard, the Plaintiff will promptly amend the complaint to show the true names and capacities of the respective heirs, devisees, administrators, executors, personal representatives, successors and assigns of Charles Blanchard.

4. The Plaintiff, through its attorney, Terry R. Heeter, Esquire, caused the records in the Clearfield County Courthouse to be searched to determine the death of the defendants, but the search of the records of Clearfield County failed to determine if the defendants have died.

5. The Plaintiff, through its attorney, Terry R. Heeter, Esquire, has made a diligent attempt to ascertain the whereabouts of the defendant, Charles Blanchard, and his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns (collectively the "Defendants"), but the Plaintiff has been unable to learn the whereabouts of the Defendants. An affidavits establishing that the Plaintiff is unaware of the whereabouts of the Defendants

and did attempt to learn the same is marked as Exhibit "A", attached hereto and made a part hereof.

WHEREFORE, the Plaintiff, NRI DuBois, LLC, moves this Honorable Court for leave to serve the defendant, Charles Blanchard, and his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, but publication in accordance with Pennsylvania Rules of Civil Procedure No. 430.

Respectfully submitted,

By Terry R. Heeter  
TERRY R. HEETER, ESQUIRE  
Kooman, Heeter & Associates, PC  
Attorney for Plaintiff  
Marianne Professional Center  
P.O. Box 700  
Clarion, PA 16214  
(814) 226-9100

TRH/dmg  
#23826

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, : ACTION TO QUIET TITLE  
personal representatives, :  
successors and assigns, :  
Defendants : No. \_\_\_\_ - 2005

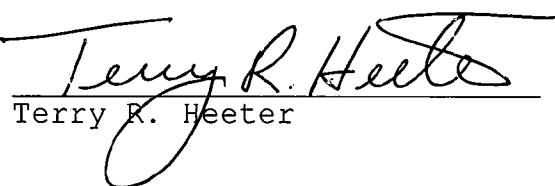
**AFFIDAVIT PURSUANT TO PENNSYLVANIA  
RULE OF CIVIL PROCEDURE NO. 430**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLARION )ss:  
 )

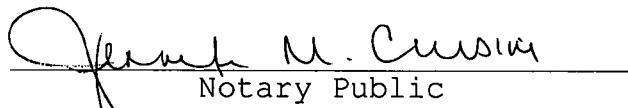
I, **TERRY R. HEETER**, who being duly sworn according to law, depose and say that I make this affidavit on behalf of the plaintiff in the above entitled action, being authorized to do so; that the whereabouts of the defendant, Charles Blanchard, are unknown; that the whereabouts of the respective heirs, devisees, administrators, executors, personal representatives, successors and assigns of Charles Blanchard are unknown; that the dates of death of the defendant, Charles Blanchard, if he has in fact passed away, are unknown; that the undersigned has diligently attempted to learn the true address of the defendant, Charles Blanchard, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns (the "Defendants"), by (1) reviewing the voter registration records, assessment records and recorder's office records contained in the Clearfield County

Courthouse, and (2) reviewing the telephone books for Clearfield County; that the aforesaid attempts to locate the Defendants have failed to located the Defendants or to determine if the Defendants have died; that the aforesaid attempts to locate the Defendants were unsuccessful by the undersigned and independent contractors hired by the undersigned and/or the Plaintiff; and that the undersigned has diligently attempted to determine if the defendant, Charles Blanchard, has died but the search of the records of Clearfield County failed to determine if the defendant, Charles Blanchard, has died.

DATE: November 14, 2005

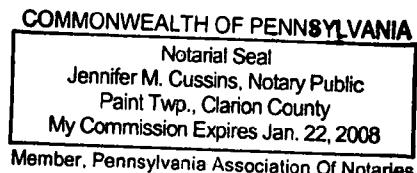
  
\_\_\_\_\_  
Terry R. Heeter

Sworn to and subscribed to before  
me this 14th day of November, 2005.

  
\_\_\_\_\_  
Jennifer M. Cussins  
Notary Public

My Commission Expires:

DMG  
#23826



NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
: CIVIL ACTION - LAW  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, : ACTION TO QUIET TITLE  
personal representatives, :  
successors and assigns, :  
Defendants : No. 806 - 2005 CD

**ORDER OF PUBLICATION**

AND NOW, the \_\_\_\_ day of \_\_\_\_\_, 2005, upon consideration  
and presentation of the foregoing motion, the plaintiff, NRI  
DuBois, LLC, is granted leave to make service of the complaint on  
the defendant, Charles Blanchard, his respective heirs, devisees,  
administrators, executors, personal representatives, successors and  
assigns, by publication once in a newspaper of general circulation  
in the County of Clearfield, Pennsylvania.

BY THE COURT,

---

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

NRI DUBOIS, LLC,  
Plaintiff

vs.

CHARLES BLANCHARD, his respective  
heirs, devisees, administrators, executors,  
personal representatives, successors and  
assigns,

Defendants

\*  
\*  
\*  
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\*  
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\*

NO. 05-1806-CD

ORDER

NOW, this 18<sup>th</sup> day of November, 2005, upon consideration and presentation of the foregoing Motion for Service by Publication, the Plaintiff, NRI DuBois, LLC, is granted leave to make service of the complaint on the Defendant, Charles Blanchard, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, by publication one time in The Progress (Clearfield) and The Courier Express (DuBois), newspapers of general circulation in the County of Clearfield, Pennsylvania and by publication in the Clearfield County Legal Journal.

BY THE COURT,

  
FREDRIC J. AMMERMAN

President Judge

FILED 300  
10/3/05  
NOV 21 2005  
Amy Hater  
GK

William A. Shaw  
Prothonotary/Clerk of Courts

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

NRI DUBOIS, LLC, : No. 05-1806-CD  
Plaintiff :  
v. : TYPE OF CASE: Law  
CHARLES BLANCHARD, his : Action to Quiet Title  
respective heirs, devisees, :  
administrators, executors, :  
personal representatives, :  
successors and assigns, :  
Defendants : TYPE OF PLEADING:  
 : Motion for Entry of Judgment  
 :  
 : FILED ON BEHALF OF:  
 : NRI DuBois, LLC, Plaintiff  
 :  
 : COUNSEL OF RECORD FOR THIS PARTY:  
 : Terry R. Heeter, Esquire  
 : Supreme Court No. 52750  
 :  
 : Kooman, Heeter & Associates, PC  
 : Marianne Professional Center  
 : P.O. Box 700  
 : Clarion, PA 16214  
 : (814) 226-9100 (Telephone)  
 : (814) 226-7361 (Fax)  
 :  
 : COUNSEL OF RECORD FOR ADVERSE PARTY:  
 :

TRH/dmg  
#23826

FILED NO cc  
JAN 03 2006 G.W.  
M 1149301

William A. Shaw  
Prothonotary/Clerk of Courts

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, :  
personal representatives, :  
successors and assigns, :  
Defendants : ACTION TO QUIET TITLE  
Defendants : No. 05-1806-CD

TO: THE HONORABLE JUDGE OF THE SAID COURT

**MOTION FOR ENTRY OF JUDGMENT  
PURSUANT TO Pa. R. Civ. P. 1066**

AND NOW, comes the plaintiff, NRI Dubois, LLC (the "Plaintiff"), by and through its attorney Terry R. Heeter, Esquire, and motions this court to enter an order in favor of the plaintiff pursuant to Pa. R. Civ. P. 1066, for the reasons hereinafter set forth:

1. The Plaintiff is a Delaware limited liability company with an address at 61 Broadway, Suite 1000, New York, New York 10006.
2. The defendant, Charles Blanchard, is believed to be an adult individual and his present whereabouts are unknown.
3. The true names and capacities, whether individual, corporate, associate, or otherwise, of defendants named herein as the unknown heirs, devisees, administrators, executors, personal

representatives, successors and assigns of Charles Blanchard, are unknown to the plaintiff, who sues such defendants by such fictitious names.

4. On December 3, 2005 and December 6, 2005, a complaint in the above entitled action containing a notice to defend was duly served on the defendants by publication in accordance with Pa. R. Civ. P. 430 as authorized by court order dated November 18, 2005. The proofs of publication are marked Exhibit "A", attached hereto and made a part hereof.

5. More than twenty (20) days have expired since the complaint was served on the defendants and the defendants have failed to either enter an appearance or file an answer as required by Pa. R. Civ. P. 1026(a).

6. An affidavit establishing that the defendants were served with the complaint by publication on December 6, 2005 and December 8, 2005, and that they have failed to enter an appearance or file a responsive pleading to the allegations set forth in the complaint within the twenty (20) day time limit as required by Pa. R. Civ. P. 1026(a) is marked Exhibit "B", attached hereto and made a part hereof.

WHEREFORE, the plaintiff NRI DuBois, LLC, moves this honorable court to enter a judgment against the defendants in accordance with Pa. R. Civ. P. 1066.

Respectfully submitted,

By   
TERRY R. HEETER, ESQUIRE  
Kooman, Heeter & Associates, PC  
Attorney for Plaintiff  
P.O. Box 700  
Clarion, PA 16214  
(814) 226-9100

TRH/dmg  
#23826

**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE  
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD  
COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW  
ACTION TO QUIET TITLE  
No. 05-1806-CD

NRI DUBOIS, LLC, Plaintiff

v.  
CHARLES BLANCHARD, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, Defendants

**NOTICE OF ACTION TO QUIET TITLE**

TO: CHARLES BLANCHARD, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns

A complaint to Quiet Title, filed in the Court of Common Pleas of Clearfield County, Pennsylvania at No. 05-1806-CD, alleges that the plaintiff, NRI, DuBois, LLC, bringing this action as record owner of a parcel of property situate in Huston Township, Clearfield County, Pennsylvania and being known and identified as Tax Map No. 119-G3-16.

The Court has ordered that Notice of this action may be given by publication so that title to the property may be adjudicated. The Complaint requests that the Court decree that title to the property is free and clear of any claim or interest of the defendants, their successors and assigns, and the defendants be barred from asserting any right, title and interest in and to the property inconsistent with the interest and the claim of the plaintiff. The plaintiff claims complete, marketable and fee simple title since 1876.

You are required to enter a written appearance personally or by counsel within twenty (20) days after service has been completed by publication; and if no appearance is entered, default judgment shall be taken against you.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defense or objections in writing with the court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 Ext. 50-51

Terry R. Heeter  
Kooman, Heeter & Associates, PC  
P.O. Box 700  
Clarion, PA 16214  
(814) 226-9100

12/6/05

**McLEAN PUBLISHING COMPANY,**

**JBOIS PENNSYLVANIA**

, Approved May 16, 1929, P.L. 1784

SS:

Ira, Classified Advertising Supervisor of the Courier-Express/Tri-County and State aforesaid, being duly sworn, deposes and says that the County Sunday, a weekly newspaper and Jeffersonian Democrat, a Publishing Company at 500 Jeffers Street, City of DuBois, County and State 1879, since which date said, the daily publication and the weekly County, and that a copy of the printed notice of publication is attached blished in the regular editions of the paper on the following dates, viz: the

December A.D., 2005

duly authorized by the Courier-Express, a daily newspaper, Tri-County nian Democrat, a weekly newspaper to verify the foregoing statement interested in the subject matter of the aforesaid notice of publication, and as to time, place and character of publication are true.

**PUBLISHING COMPANY Publisher of  
COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

22nd day of Dec., 2005

Robin M. Duttry

NOTARY PUBLIC

ment of Advertising Cost

**PUBLISHING COMPANY**

Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/  
JEFFERSONIAN DEMOCRAT**

DuBois, PA

**man, Heeter & Associates, PC**

ice or advertisement

above stated dates..... \$241.92

..... \$7.50

..... \$249.42

**r's Receipt for Advertising Costs**

County Sunday, a weekly newspaper, and/or Jeffersonian Democrat, a pt of the aforesaid advertising and publication costs, and certifies that the

Street and Beaver Drive, DuBois, PA 15801

ished 1879, Phone 814-371-4200

**PUBLISHING COMPANY**

Publisher of

**COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT**

By \_\_\_\_\_

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

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

ATTORNEY FOR

Exhibit A

NOTICE  
IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION LAW  
ACTION TO QUIET TITLE  
NO. 05-1806-CD  
NRI DUBOIS, LLC,  
Plaintiff

vs.  
CHARLES BLANCHARD, his re-  
spective heirs, devisees, adminis-  
trators, executors, personal repre-  
sentatives, successors and as-  
signs.

Defendants

NOTICE OF ACTION  
TO QUIET TITLE

TO: CHARLES BLAN-  
CHARD, his respective heirs,  
devisees, administrators, ex-  
ecutors, personal representa-  
tives, successors and assigns.

A complaint to Quiet Title,  
filed in the Court of Common  
Pleas of Clearfield County,  
Pennsylvania at No.  
05-1806-CD, alleges that the  
plaintiff, NRI, DuBois, LLC,  
bringing this action as record  
owner of a parcel of property  
situate in Huston Township,  
Clearfield County, Pennsylva-  
nia and being known and iden-  
tified as Tax Map No.  
119-G3-16.

The Court has ordered that  
Notice of this action may be given  
by publication so that title  
to the property may be adjudicated.  
The Complaint requests  
that the Court decree that title  
to the property is free and clear  
of any claim or interest of the  
defendants, their successors  
and assigns, and the defen-  
dants be barred from asserting  
any right, title and interest in  
and to the property inconsis-  
tent with the interest and the  
claim of the plaintiff. The  
plaintiff claims complete,  
marketable and fee simple ti-  
tles since 1876.

You are required to enter a  
written appearance personally  
or by counsel within twenty  
(20) days after service has  
been completed by publica-  
tion; and if no appearance is  
entered, default judgment  
shall be taken against you.

If you wish to defend, you  
must enter a written appear-  
ance personally or by attorney  
and file your defense or objec-  
tions in writing with the court.  
You are warned that if you fail  
to do so, the case may proceed  
without you and a judgment  
may be entered against you  
without further notice for relief  
requested by the plaintiff. You  
may lose money or property or  
other rights important to you.

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

On this 8th day of December, A.D. 20 05,  
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 December 3, 2005

And that the affiant is not interested in the subject matter of the notice or  
advertising, and that all of the allegations of this statement as to the time,  
place, and character of publication are true.

Margaret E. Krebs

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

Cheryl J. Robison  
Notary Public

Clearfield, Pa.

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

YOU SHOULD TAKE THIS  
PAPER TO YOUR LAWYER  
AT ONCE. IF YOU DO NOT  
HAVE A LAWYER, GO TO OR  
TELEPHONE THE OFFICE  
SET FORTH BELOW. THIS  
OFFICE CAN PROVIDE YOU  
WITH INFORMATION  
ABOUT HIRING A LAWYER.  
IF YOU CANNOT AFFORD  
TO HIRE A LAWYER, THIS  
OFFICE MAY BE ABLE TO  
PROVIDE YOU WITH IN-  
FORMATION ABOUT AGEN-  
CIES THAT MAY OFFER LE-  
GAL SERVICES TO ELI-  
GIBLE PERSONS AT A RE-  
DUCED FEE OR NO FEE.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY  
COURTHOUSE  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 Ext. 50-51

Terry R. Heeter  
Kooman, Heeter &  
Associates, PC  
P.O. Box 700  
Clarion, PA 16214  
(814) 223-9100

12:3-1d-b

NRI DUBOIS, LLC, : IN THE COURT OF COMMON PLEAS OF  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
:  
v. :  
CHARLES BLANCHARD, his :  
respective heirs, devisees, :  
administrators, executors, :  
personal representatives, :  
successors and assigns, :  
Defendants : ACTION TO QUIET TITLE  
Defendants : No. 05-1806-CD

**AFFIDAVIT PURSUANT TO PA R. CIV. P. 1066**

COMMONWEALTH OF PENNSYLVANIA )  
 ) ss:  
COUNTY OF CLARION )

I, TERRY R. HEETER, ESQUIRE, who being duly sworn according to law, deposes and says that I make this affidavit on behalf of the plaintiff in the above entitled action, being authorized to do so; that on December 3, 2005 and December 6, 2005, the defendant, Charles Blanchard, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns, were duly served with the notice of the complaint in the within captioned action in accordance with Pa. R. Civ. P. 430 as authorized by court order dated November 18, 2005; that more than the twenty (20) days which the defendants were required to appear and plead to the allegations set forth in the complaint as required by Pa. R. Civ. P. 1026(a) have expired; that the defendants have not appeared in this action; and that no answer, demurrer, notion

or other pleading has been served or filed herein by the defendants.

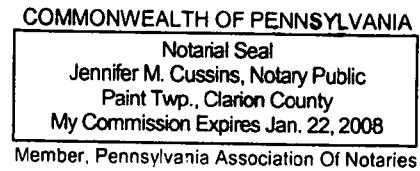
DATE: December 28, 2005

  
\_\_\_\_\_  
TERRY R. HEETER, ESQUIRE

Sworn and subscribed to before  
me this 28th day of December, 2005.

  
\_\_\_\_\_  
Jennifer M. Cussins  
Notary Public

My Commission Expires:



jc  
#23826

CA

NRI DUBOIS, LLC,	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	
	:	
	:	CIVIL ACTION - LAW
CHARLES BLANCHARD, his	:	
respective heirs, devisees,	:	
administrators, executors,	:	ACTION TO QUIET TITLE
personal representatives,	:	
successors and assigns,	:	
Defendants	:	No. 05-1806-CD

**FILED** 1cc  
01/04/2006 Att'y  
**JAN 04 2006** Hester

William A. Shaw (60)  
Prothonotary/Clerk of Courts

**ORDER AND DECREE**

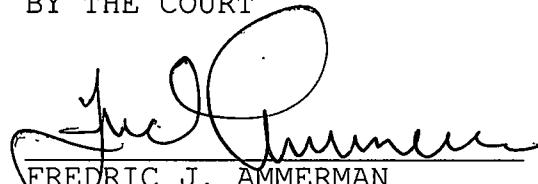
WHEREAS, it appears and the court finds:

That the complaint in the above entitled action was duly served on the defendants by publication on December 3, 2005 and December 6, 2005 in accordance with Pa. R. Civ. P. 430 as authorized by court order dated November 18, 2005; that more than the twenty (20) days within which the defendants were required to appear and plead to the allegations set forth in the complaint as required by Pa. R. Civ. P. 1026(a) have expired; that the defendants have not appeared in this action; and that no answer, demurrer, motion or other pleading has been served or filed herein;

NOW, THEREFORE, upon presentation and consideration of the foregoing motion of the plaintiff, NRI DuBois, LLC, it is hereby ordered and decreed that the defendants shall be forever barred from asserting any right, lien, title or interest in the land inconsistent with the interest or claim of the plaintiff as set forth in its complaint unless the defendants take action to file their defenses to the complaint within thirty (30) days from the

date of this order. If such action is not taken within the thirty (30) day period, the prothonotary on praecipe of the plaintiff shall enter final judgment.

BY THE COURT



FREDRIC J. AMMERMAN  
President Judge

Date: January 4, 2006

TRH/dmg  
#23826

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

NRI DUBOIS, LLC,  
Plaintiff  
v.  
CHARLES BLANCHARD, his  
respective heirs, devisees,  
administrators, executors,  
personal representatives,  
successors and assigns,  
Defendants

: No. 05-1805-CD  
:  
: TYPE OF CASE: Law  
:  
: TYPE OF PLEADING:  
: Praeclipe for Entry of Judgment  
:  
: FILED ON BEHALF OF:  
: NRI DuBois, LLC, Plaintiff  
:  
: COUNSEL OF RECORD FOR THIS PARTY:  
: Terry R. Heeter, Esquire  
: Supreme Court No. 52750  
:  
: Kooman, Heeter & Associates, PC  
: Marianne Professional Center  
: P.O. Box 700  
: Clarion, PA 16214  
: (814) 226-9100 (Telephone)  
: (814) 226-7361 (Fax)  
:  
: COUNSEL OF RECORD FOR ADVERSE PARTY:  
:

TRH/dmc  
#23826

FILED  
FEB 13 2006  
Atty pd. 10.00  
(not previously  
paid for filing  
William A. Shaw  
Prothonotary/Clerk of Courts  
Notice to Atty  
(GW)

51. *Amelanchier* L. *var. glabra* (Lam.)

223 \* 1973

- 52 -

1941 - 1942 - 1943

and the *U.S. Fish and Wildlife Service* (USFWS) has issued a final rule that will allow the agency to issue permits for the importation of certain live and dead specimens of listed species for scientific purposes.

FILED  
FEB 13 2006

William A. Shaw  
Prothonotary/Clerk of Courts



COPY

NRI DUBOIS, LLC, Plaintiff : IN THE COURT OF COMMON PLEAS OF  
v. : CLEARFIELD COUNTY, PENNSYLVANIA  
CHARLES BLANCHARD, his :  
respective heirs, devisees, : CIVIL ACTION - LAW  
administrators, executors, :  
personal representatives, : ACTION TO QUIET TITLE  
successors and assigns, :  
Defendants : No. 05-1806-CD

**NOTICE OF PROTHONOTARY OF THE ENTRY OF JUDGMENT**

Notice is hereby given that judgment is hereby entered in favor of the plaintiff, NRI DuBois, LLC, and against the defendants, Charles Blanchard, his respective heirs, devisees, administrators, executors, personal representatives, successors and assigns.

Date: February 13, 2006

  
\_\_\_\_\_  
Clearfield County Prothonotary

TRH/dmg  
#23826