

05-1898-CD
Lawrence Township vs Cecil M.

Lawrence Twp vs Cecil Mahlon
2005-1898-CD

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

LAWRENCE TOWNSHIP,
Plaintiff / Claimant

v.

CECIL M. MAHLON,
Owner or Reputed Owner,
Defendant / Respondent

:
:
:
: No. 05 - 1898 - CD
:
:
:
:
:
: Type of Pleading:
:
: PRAECIPE FOR ENTRY OF
: MUNICIPAL LIEN
:
: Filed on behalf of:
: Plaintiff/Claimant
:
: Counsel of Record for
: this party:
:
:
: James A. Naddeo, Esq.
: Pa I.D. 06820
:
: 207 East Market Street
: P.O. Box 552
: Clearfield, PA 16830
: (814) 765-1601

FILED

DEC 06 2005

0/3:35/4

William A. Shaw
Prothonotary

NO LENS COPIE

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

LAWRENCE TOWNSHIP, :
Plaintiff / Claimant :
 :
v. : No. 05 - - CD
 :
CECIL M. MAHLON, :
Owner or Reputed Owner, :
Defendant / Respondent :

PRAECIPE FOR ENTRY OF MUNICIPAL LIEN

TO THE PROTHONOTARY:

I hereby certify that I am the Creditor for the
Municipal Lien Claim and that my precise address is

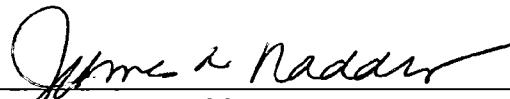
George Street
PO Box 508
Clearfield, PA 16830
Clearfield County

And the name of the Defendant is: Cecil Mahlon

The address of the Defendant is: 388 Treasure Lake
DuBois, Pennsylvania 15801

And direct the Prothonotary to enter the same as such.

Date: December 5, 2005



James A. Naddeo
Attorney for Lawrence Township

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

LAWRENCE TOWNSHIP,
Plaintiff / Claimant

v.

CECIL M. MAHLON,
Owner or Reputed Owner,
Defendant / Respondent

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: No. 05 - 1898 - CD
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: **MUNICIPAL LIEN**
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: P.O. Box 552
: Clearfield, PA 16830
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DEC 08 2005

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William A. Shaw
Prothonotary

1 SENT TO DEPT.

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

LAWRENCE TOWNSHIP,	:		
Plaintiff / Claimant	:		
	:		
v.	:	No. 05 -	- CD
	:		
CECIL M. MAHLON,	:		
Owner or Reputed Owner,	:		
Defendant / Respondent	:		

MUNICIPAL LIEN

Lawrence Township, a second-class township organized under the laws of the Commonwealth of Pennsylvania and having its offices and place of business at George Street, Clearfield, Pennsylvania, under and by virtue of the Acts of Assembly relating to the filing of municipal claims or liens, files the following municipal claim, by and through its attorney, James A. Naddeo, Esquire, and sets forth the following:

1. The name of the owner of the property against whom this claim is filed is Cecil M. Mahlon, an adult individual, whose last known address is 388 Treasure Lake, DuBois, Pennsylvania 15801.

2. The property against which this Claim is filed is located in Lawrence Township, Clearfield County, Pennsylvania, known as 38 Huston Lane, Clearfield, Pennsylvania, and more particularly described in the Deed attached hereto as Exhibit "A".

3. The Defendant became the owner of the property by virtue of a deed dated June 20, 2001 and recorded in the Office of the Register and Recorder for Clearfield County as Instrument No. 200110020.

4. The home situated on the property was vacant and had deteriorated thereby creating conditions which were unsafe, unsanitary and hazardous to the health and safety of Lawrence Township residents.

5. That on May 13, 2005, Lawrence Township gave notice to the Defendant that the structure was to be removed from the property and the property cleaned up to avoid the condition of the dangerous structure to the public.

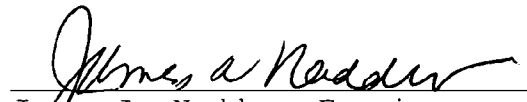
6. The Defendant failed and refused to remove the structure from the property and to clean up the property.

7. Pursuant to Section 110 of the 2003 International Property Maintenance Code, adopted by Lawrence Township on April 3, 2001, and by General Municipal Law 53 P.S. 7101, et. seq., Lawrence Township is authorized to remove said structure and to clean up the property due to its condition at the cost and expense of the property owner. Such authority for the removal of nuisances is specifically set forth in 53 P.S. 7107.

8. Lawrence Township hired Bowman Masonry and paid it the sum of Four Thousand Five Hundred Eighty Nine (\$4,589.00) Dollars to remove said structure and clean up the property, a

copy of Bowman's invoice, including the dates of service, is attached hereto as Exhibit "B" and made a part hereof.

WHEREFORE, Lawrence Township demands judgment against the Defendant in the amount of \$4,589.00 together with interest thereon from September 13, 2005.


James A. Naddeo, Esquire
for Lawrence Township

AFFIDAVIT No. 34327
CORRECTORY DEED AND
QUITCLAIM DEED

THIS INDENTURE, made this 20th day of June, 2001,

BETWEEN, GERTRUDE L. PURDUE, Widow, Individually and as Executrix of the Estate of **HERBERT L. THOMAS**, GRANTOR, Party of the First Part;

A
N
D

CECIL M. MAHLON, an Individual, of P. O. Box 104, Rockton, Pennsylvania 15856, GRANTEE, Party of the Second Part.

WITNESSETH, intending to be legally bound, and for and in consideration of the sum of **ONE AND NO/100 (\$1.00) DOLLAR**, in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby remise, release and quit claim to the said Grantee, his heirs and assigns:

ALL that certain lot of ground situate in the Township of Lawrence, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a stake at the intersection of a twelve (12) foot alley leading from the State Highway (and one hundred sixty (160) feet distant therefrom) where said twelve (12) foot alley intersects with a ten (10) foot alley; thence by the first-named alley South forty-five (45) degrees forty-five (45) minutes West eighty-four (84) feet to a post; thence by land of predecessors in title of Arthur L. Carter continuing South forty-five (45) degrees forty-five (45) minutes West sixty-six (66) feet to a stake; thence by land of predecessors in title of Arthur L. Carter South forty-three (43) degrees East (erroneously stated to be "West" in prior deeds in the chain of title) fifty (50) feet to a post; thence North forty-five (45) degrees forty-five (45) minutes East along land of the predecessors in title of Arthur L. Carter one hundred fifty (150) feet to a post in line of the ten (10) foot alley previously mentioned; thence by line of said alley North forty-three (43) degrees West (erroneously stated to be "East" in prior deeds in the chain of title) fifty (50) feet to a post and the place of **BEGINNING**.

Said parcel is also described based on survey for Clara Evans and Frederick Evans, prepared by Lex W. Curry, and dated November 17, 1969, copy of which is attached, as follows:

KAREN L. STARK	RECORDING FEES -	\$15.00
REGISTER AND RECORDER	RECORDING	\$1.00
CLEARFIELD COUNTY	COUNTY IMPROVEMENT	\$1.00
Pennsylvania	FUND	\$1.00
INSTRUMENT NUMBER	REORDER	\$0.50
200110020	IMPROVEMENT FUND	\$0.50
RECORDED ON	STATE MILE TAX	\$7.50
Jun 29, 2001	TOTAL	
11:40:23 AM		
	CUSTOMER	
	ATRES, JOHN	

EXHIBIT "A"

BEGINNING at a point at the intersection of a twelve (12) foot alley leading from the State Highway where said twelve (12) foot alley intersects with a ten (10) foot alley; thence by the first named alley South forty-three (43) degrees thirty (30) minutes West one hundred and fifty (150) feet to an iron pin, passing through an iron pin that is fifty-five and four one-hundredths (55.4) feet from the end of this line, as shown on the attached survey; thence along line of land now or formerly of Clara Evans and Frederick Evans South forty-six (46) degrees thirty (30) minutes East fifty (50) feet to corner of land now or formerly of Clara Evans and Frederick Evans; thence North forty-three (43) degrees thirty (30) minutes East one hundred and fifty (150) feet along line of land now or formerly of Clara Evans and Frederick Evans one hundred and fifty (150) feet to a point on line of a ten (10) foot alley; thence along line of said ten (10) foot alley North forty-six (46) degrees thirty (30) minutes West fifty (50) feet to a point at the place of **BEGINNING**.

BEING the same premises conveyed by Arthur Carter, Executor of the Estate of Nancy Matilda Fulton, deceased, et al., to Arthur L. Carter and Margaret A. Carter, Husband and Wife, by Deed dated June 28, 1984, and recorded in the Office of the Recorder of Deeds of Clearfield County, in Deeds and Records Book Volume 956, Page 135. The said Margaret A. Carter died on November 12, 1988, vesting title in Arthur L. Carter, as surviving tenant by the entireties. The said Arthur L. Carter died on October 17, 2000, and therefore the entire estate vested in Melissa Kruijs, pursuant to the terms of the Will of Arthur L. Carter.

ALSO BEING the same real estate conveyed by Thomas Thomas and Elsie T. Thomas to Nancy Matilda Fulton, by Deed dated May 15, 1924, and recorded in Clearfield County Deed Book Volume 264, Page 166.

THE PURPOSE and intention of this deed is to correct the description in the Deed from Thomas Thomas and Elsie T. Thomas to Nancy Matilda Fulton, to correct the description with deed from the Estate of Nancy Matilda Fulton to Arthur L. Carter and Margaret A. Carter, for Grantor to convey any right, title or interest she may have or claim in the above-described real estate in her capacity as Executrix of the Estate of Herbert L. Thomas and as sole residuary beneficiary of the Estate of Herbert L. Thomas and **FURTHER**, to convey any rights that the Estate of Herbert L. Thomas may have had or claimed in the property under the Will of Elsie T. Thomas, and to confirm Grantee's title as sure and absolute. Herbert L. Thomas left the residue of his Estate to Grantor, Gertrude L. Purdue, and appointed Gertrude L. Purdue as Executrix of his Estate. Elsie T. Thomas appointed Herbert Thomas, who is also known as Herbert L. Thomas as Executor of her Estate and in Item Fifth of her Will left the proceeds of her estate after payment of debts to her son, Herbert Thomas.

NOTICE

THE UNDERSIGNED GRANTEE OR GRANTEES IN THE FOREGOING DEED HEREBY ACKNOWLEDGE THAT HE OR THEY KNOW THAT HE OR THEY MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE OF THE PROPERTY CONVEYED IN THE FOREGOING DEED RESULTING FROM COAL MINING OPERATIONS, AND FURTHER ACKNOWLEDGE THAT THEY KNOW THAT THE PROPERTY CONVEYED MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTERESTS IN THE COAL.

Cecil M. Mahlon
CECIL M. MAHLON

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended.)

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal as of the day and year first above written.

Sealed and Delivered in the
Presence of:

Chamion Tapp

Gertrude L. Purdue (SEAL)
GERTRUDE L. PURDUE, Executrix
of the Estate of Herbert L. Thomas

Cham Tapp

Gertrude L. Purdue (SEAL)
GERTRUDE L. PURDUE, Individually

COMMONWEALTH OF PENNSYLVANIA

: SS.

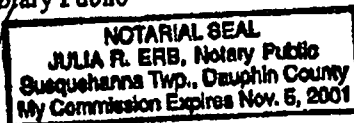
COUNTY OF Dauphin

On this, the 20th day of June, 2001, before me, the undersigned officer, personally appeared, **GERTRUDE L. PURDUE**, Widow, Individually and as Executrix of the Estate of Herbert L. Thomas, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledge that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



Julia R. Erb
Notary Public

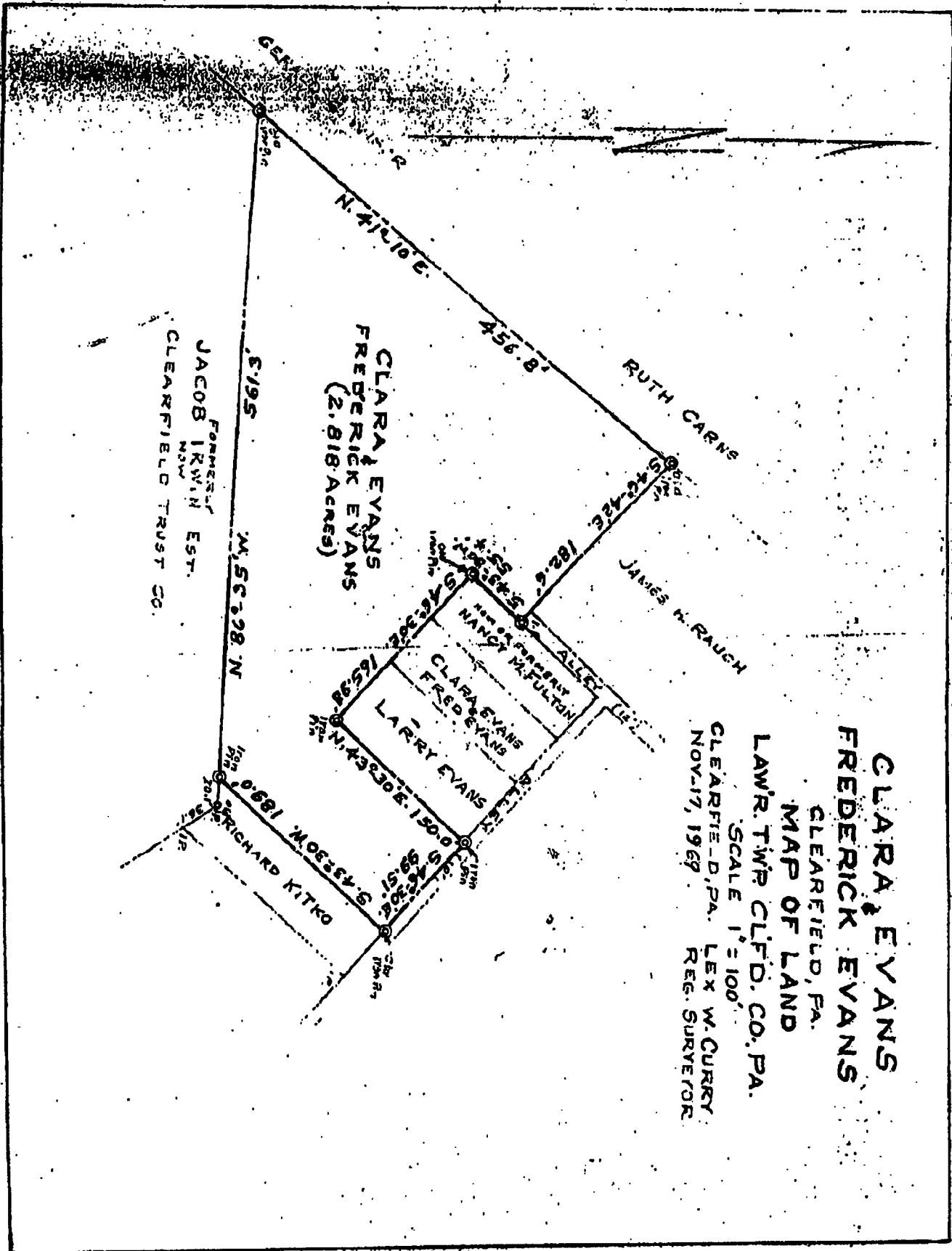


CERTIFICATE OF RESIDENCE

I hereby certify that the correct address and place of residence of the Grantee herein is as follows:

P. O. Box 104
Rockton, PA 15856

John G. Erb
Attorney for Grantee



BOWMAN MASONRY

~~RD #1 BOX 17~~ 1993 Turnpike Ave. Ext.
CLEARFIELD, PA. 16830
(814) 765-6095

SERVICE INVOICE

BILL TO LAWRENCE Township
PO Box 508

JOB LOCATION Turnpike Ave
Houston Lane (Marlon property)

Clearfield, Pa. 16830

(814) 765-0176

TERMS: A FINANCE CHARGE OF 1 1/2% PER MONTH (ANNUAL RATE OF 18%)
WILL BE CHARGED ON BALANCES OVER 30 DAYS.

DATE	SOLD BY	<input type="checkbox"/> CASH <input type="checkbox"/> C.O.D. <input type="checkbox"/> CHARGES <input type="checkbox"/> MDSE. RETD.						
QUANTITY	DESCRIPTION						PRICE	AMOUNT
We tore down a house on Turnpike and hauled it to Greentree.								
Gary Mini Excavator Scott Dave TriAxle Bobcat F-550 Dump								
Tue Sept 13, 2005	1	6 1/2	-	6 1/2	2	6 1/2	-	
Wed 14.	-	3 1/2	3 1/2	-	4 1/2	-	-	
Thur 15.	-	5	5	-	2 1/2	-	-	
Tue 20.	-	4 1/2	3 1/2	-	3	-	-	
Wed 21	-	2 1/2	-	4 1/2	4	1	-	
Thur 22	-	4	2	7 1/2	-	4	4	
	1 He	26 Hes	14 Hes	18 1/2 Hes	16 Hes	11 1/2 Hes	4 Hes	
	\$30.	\$50.	\$26.	\$20.	\$55.	\$50.	\$45.	
	\$30.	\$1300.	\$364.	\$370.	\$880.	\$575.	\$180.	\$3699.00
Moved equpmt out								\$100.00
Tue Sept 13, 2005	Greentree		2.93 Ton				130.	10
Wed 14.	"		2.24 Ton				117.	00
Wed 14.	"		2.48 Ton				110.	57
Thur 15.	"		3.47 Ton				153.	52
Wed 21.	"		3.68 Ton				162.	63
Thur 22.	"		2.20 Ton				117.	00
MATERIAL								
SALES TAX								
TOTAL							\$790	
LABOR							\$3799.00	
TOTAL AMOUNT							\$4589.00	
SIGNED		<u>Bary Bowman</u>						

PLEASE PAY FROM THIS INVOICE. NO OTHER STATEMENT WILL BE RENDERED.

EXHIBIT "B"

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

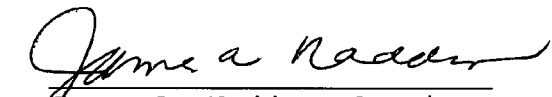
LAWRENCE TOWNSHIP,	:		
Plaintiff / Claimant	:		
	:		
v.	:	No. 05 -	- CD
	:		
CECIL M. MAHLON,	:		
Owner or Reputed Owner,	:		
Defendant / Respondent	:		

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of the Municipal Lien Claim, filed in the above-captioned action, was served on the following person and in the following manner on the 6TH day of December, 2005:

First-Class Mail, Postage Prepaid
And by
Certified Mail, Return Receipt Requested

Cecil Mahlon
388 Treasure Lake
DuBois, Pennsylvania 15801


James A. Naddeo, Esquire
For Lawrence Township